



## EMPOWERMENT OF WOMEN AND PROTECTION IN INDIA - A STUDY

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### Abstract

*India is a nation known for its rich delightful culture and custom. For a really long time, our nation has fostered various regulations for the insurance of women against the different outrages looked by them in the public arena. Women are given the spot of goddess Lakshmi in the Indian culture. Be that as it may, by seeing the most recent couple of year wrongdoings against women, there appears to be the wellbeing and security of women are in question. As we can in a real sense see that violations against women happen consistently in India. There has been a decrease in the women status from antiquated to middle age period which is gone on in such a high level time. For the compelling implementation of the regulations created for the insurance of women, it is truly vital that the women became mindful of the different privileges which have been given to them under the previously mentioned acts. A few women are educated, however they are as yet not mindful of the freedoms accessible to them.*

### INTRODUCTION

According to Census 2011, the number of inhabitants in India is 1210.19 million involving 586.47 million women which comprise about portion of the complete populace. The strengthening of women is principal for the advancement of the country. The Constitution of India conveys a strong command for uniformity and privileges of women as residents in its Preamble, Fundamental Rights and Duties and furthermore accommodates explicit arrangements for governmental policy regarding minorities in society. India is additionally signatory to various International Conventions, basically the Convention on Elimination of all Forms of Discrimination against Women (CEDAW), and has as of late supported the 2030 Sustainable Development Goals (SDGs) which will additionally steer advancement by tending to key difficulties including orientation value. The Government of India and the Ministry of Women and Child Development specifically is driving various plans, projects and regulations to work on the situation with women as equivalent accomplices and dynamic influencers in the social, monetary, social and political advancement of the country.

Women and kids together comprise around 67.7% of the nation's populace, according to 2011 Census. Strengthening and security of women and kids, and guaranteeing their healthy improvement is essential for reasonable and evenhanded advancement of the country. The Ministry of Women and Child Development is the summit group of Government of India for detailing and organization of guidelines and regulations connected with government assistance and improvement of women and youngsters in the country. It appeared as a different Ministry with impact from 30th January, 2006; prior, it was the Department of Women and Child Development set up in the year 1985 under the Ministry of Human Resource Development. The Ministry was established with the superb expectation to address holes in State activity for women and kids and for advancing between ecclesiastical and



between sectoral union to make orientation fair and youngster focused regulation, arrangements and projects.

### **PLANNING PROCESS AND WOMEN EMPOWERMENT**

Women got an extraordinary spot in the public plans and arranging process fundamentally with pushes on wellbeing, schooling and business. Strengthening of women has been perceived and acknowledged as an unmistakable technique since the Eighth long term Plan. The arranging system throughout the years has advanced from simply government assistance situated approach, to perceiving women' centrality in the improvement processes and taking on a strengthening approach. This change in outlook from women' improvement to women' strengthening guaranteed that the advantages of advancement from various areas don't sidestep women and unique projects are carried out to supplement the overall projects. The strategy to reserve explicit level of assignments for women in all enemy of neediness plans in provincial and metropolitan regions was taken on.

The idea of Women's Component Plan was presented in the Ninth Plan, where distinguished Ministries were commanded to show and guarantee the progression of advantages to women' turn of events. Perceiving that women' issues cut across different areas, the National Policy for Empowerment of Women, 2001 was additionally ready. The center was given to production of Self-Help Groups (SHGs) and the endeavors went on during and after 10th arrangement also. During this period, interestingly, monitorable targets were set for a couple of key marks of human turn of events, which remember decrease for orientation holes in education, wage rates and decrease in maternal death rate. The Twelfth Plan centers around women' organization through recognized methodologies to address the difficulties presented by conventional determinants of women strengthening like monetary strengthening, social and actual foundation, empowering regulations, women' support in administration and inciting public arrangements/programs.

### **Vision**

Empowered women living with dignity and contributing as equal partners in development in an environment free from violence and discrimination. And, well-nurtured children with full opportunities for growth and development in a safe and protective environment.

### **Mission**

Promoting social and economic empowerment of women through cross-cutting policies and programmes, mainstreaming gender concerns, creating awareness about their rights and facilitating institutional and legislative support for enabling them to realise their human rights and develop to their full potential.

### **Know (WOMEN) your rights: 10 laws that protect women and their rights**

#### **The Prohibition of Child Marriage Act, 2006**

As per the International Research Center for Women, very nearly 47% of young women are hitched before the age of 18. At present, India positions 13 on the planet with regards

to youngster relationships. Since youngster marriage has been soaked into the Indian culture and custom since hundreds of years, it has been intense killing it. The Prohibition of Child Marriage Act was made compelling in 2007. This act characterizes kid marriage as a marriage where the man of the hour or the women are underage, that is to say, the women is under 18 years old or the kid is more youthful than 21 years. Guardians attempting to wed underage young women are liable to activity under this regulation. Since the law makes these relationships illicit, it goes about as a significant hindrance.

### **Special Marriage Act, 1954**

The targets of this act is to give - an exceptional type of marriage in specific cases, accommodate enrollment of specific relationships and, to accommodate separate. In a nation like India and with the assorted religions and cast, when individuals from various beliefs and standing decided to get hitched they do it under the Special Marriage Act. It isn't appropriate to the territory of Jammu and Kashmir and furthermore stretches out to proposing companions who are Indian nationals and living abroad.

### **Dowry Prohibition Act, 1961**

As indicated by this demonstration, taking or giving of share at the hour of the union with the Women or the husband and their family is to be punished. Endowment framework, compromising of share, is a standard in India. Settlement is frequently requested from the women and her family by the man of the hour and his loved ones. The framework has taken solid roots since Women after marriage move in with their mate and parents in law. Likewise, throughout the long term, the need for monetary freedom of women and the no-no towards separate has brought about Women of the hour consuming. At the point when requests for share even after marriage are not met by the young women's families, numerous women are tormented, beaten and, surprisingly, consumed. It is one of the significant difficulties that our general public is wrestling with. Women transparently grumbling about it has assisted with getting the news out and urge different women to stand firm.

### **Indian Divorce Act, 1969**

The Indian Divorce Act allows the dissolution of marriage, mutual consent, nullity of marriage, judicial separation and restitution of conjugal rights. Family Courts are established to file, hear, and dispose of such cases.

### **Maternity Benefit Act, 1961**

This act regulates the employment of women and maternity benefits mandated by law. It states that a woman employee who has worked in an organisation for a period of at least 80 days during the 12 months preceding the date of her expected delivery is entitled to



receive maternity benefits, which includes maternity leave, nursing breaks, medical allowance, etc.

### **Medical Termination of Pregnancy Act,1971**

The Act came into effect into 1972, was amended in 1975 and 2002. The aim of the Act is to reduce the occurrence of illegal abortion and consequent maternal mortality and morbidity. It clearly states the conditions under which a pregnancy can be ended or aborted and specifies the persons qualified to conduct the same.

### **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**

To ensure women's safety at workplace, this Act seeks to protect them from sexual harassment at their place of work. Thirty-six percent of Indian companies and 25 percent among MNC's are not complaint with the Sexual Harassment Act according to a FICCI-EY November 2015 report. Sexual harassment at workplace also includes – the use of language with sexual overtones, invasion of private space with a male colleague hovering too close for comfort, subtle touches and innuendoes.

### **Indecent Representation of Women(Prevention) Act,1986**

This Act prohibits indecent representation of women through advertisement or in publications, writings, paintings, figures or in any other manner.

### **National Commission for Women Act, 1990**

The National Commission for Women (NCW) is a statutory body of the Government of India, established in January 1992. Lalitha Kumaramangalam was appointed its Chairperson in 2014. The NCW represents the rights of women in India and provides a voice for their issues and concerns. The National Commission for Women Act aims to improve the status of women and worked for their economic empowerment.

### **Equal Remuneration Act, 1976**

This Act prevents discrimination in terms of remuneration. It provides for payment of equal recompense to men and women workers. It is necessary to know these and other laws in place to protect the interests of women. Only if you are aware of your rights can you fight against any injustice meted out to you at home, at the workplace, or in the society.

### **Schemes Designed for Women Protection**

**Maternity Benefit Programme [erstwhile Indira Gandhi Matritva Sahyog Yojana (IGMSY)]**

Maternity Benefit Program (MBP) [erstwhile Indira Gandhi Matritva Sahyog Yojana (IGMSY)] is a Centrally Sponsored Conditional Cash Transfer Scheme for pregnant women and lactating moms presented in October, 2010 of every 53 chose areas on pilot premise utilizing the foundation of ICDS. In the Scheme, pregnant women and lactating moms who are 19 years or more, for initial two live births, are paid Rs.6,000/- in two portions after satisfying explicit wellbeing and nourishment conditions. According to the schematic standards, cash benefit is given in the bank/mail center records of the recipients by the State Governments/UT Administrations where in appropriating maternity benefit in real money/check isn't reasonable. The plan has an Annual Budget Estimates (BE) of Rs.400 crores. MBP has advanced monetary incorporation, among 6 lakh women yearly, in this manner advancing financial strengthening process. From 2015-16, the plan has cost sharing of 60:40 among Center and General Category States incorporating UTs with assembly, 90:10 among Center and Special Category States (8 North-Eastern States and 3 Himalayan States) and 100 percent monetary help for UTs without governing body.

**National Mission for Empowerment of Women (NMEW) Scheme–2016-17** NMEW Plot was endorsed with an order to fortify between sectoral combination of projects, approaches and plans for women both at the middle and at the state/UT level. The Scheme is intended to fortify endeavors through between sectoral coordination among various services and projects with Ministry of Women and Child Development (MWCD) as the nodal Ministry. It additionally tries to work with the span of different administrations and projects of the Central and State Governments to the objective gathering of women. Preparing and limit working to improve and fortify comprehension of orientation issues and overcome any barrier among information and practice is the other center area of NMEW. 2.24 NMEW Scheme was endorsed as a Centrally Sponsored Scheme during the terminal year of the Eleventh arrangement (2010-11) with 100 percent focal subsidizing. Following rebuilding of Centrally Sponsored Schemes in July 2013, the plan was reexamined and supported as a subcomponent of the Umbrella Scheme for Protection and Development of Women with a spending plan of Rs. 225 crore for Twelfth Plan. NMEW Scheme is presently being executed (FY 2016-17) based on 60:40 focus state sharing aside from North Eastern and Special Category States where the expense sharing proportion is 90:10.

#### **NATIONAL POLICY FOR WOMEN 2016**

The Ministry is in course of conclusion of National Policy for Women (NPW) 2016. The talk on women' strengthening has bit by bit advanced throughout the most recent couple of many years, from seeing women as simple beneficiaries of government assistance advantages to mainstreaming orientation concerns and drawing in them in the improvement interaction of the country. The Policy has been arranged keeping in view the financial changes that have happened since the last approach detailing in 2001. These progressions have delivered new open doors and opportunities for women' strengthening. While numerous dynamic regulations, strategies, projects and plans have been executed for women from that point forward, persevering financial issues keep on ruining orientation uniformity.

A socially comprehensive privileges based approach for women gave under the Constitution on a day to day existence cycle continuum, shapes the structure of the arrangement, which will direct different areas to incorporate the critical standards of orientation equity into their



common arrangements, techniques and program archives and empower the all encompassing strengthening of women. Public Policy for Women 2016 endorses the functional systems for execution of the strategy. These incorporate, outlining of Action Plans at the public, State and nearby level; reinforcing orientation institutional design, establishing new regulations and checking on/blending regulations, drawing in with partners for promotion and mindfulness age, fortifying standardization of orientation planning and making a powerful orientation based information base. The Draft Policy was put online to look for public remarks through the MyGov gateway. Conferences were likewise held with different Ministries/Departments and States/UTs. Furthermore, proposals from 5 local conferences coordinated by NCW the nation over were additionally thought of. A Cabinet Note has been arranged and submitted to Cabinet Secretariat for thought and endorsement.

**The major achievements during 2016 may be seen as under:**

Specialized help to MWCD on women driven issues is given by space specialists who are likewise occupied with execution of plans/programs like BBBP, One Stop Center, Women helpline and so forth At the public level specialists are occupied with the areas of: i) neediness lightening monetary strengthening, ii) wellbeing and nourishment, iii) orientation planning and orientation mainstreaming, iv) orientation freedoms, orientation based viciousness and regulation authorization, v) strengthening of defenseless and minimized gatherings, vi) social strengthening and training, vii) media and promotion and viii) data innovation

2.25.2 State Resource Center for Women (SRCW) laid out under the separate State Government/UT Administration to work with union of plans and projects implied for women has been reinforced by ideal payment of assets and endorsement of the State Action Plans during FY 2016-17. Out of the 25 SRCWs practical, exercises in three SRCWs specifically, Telangana and Sikkim were started during the current monetary year (2016-17).

2.25.3 In request to address specific waiting difficulties like ailing health, conduct change, orientation sensitisation and so on which can't be tended to without local area inclusion, Village Convergence and Facilitation Service (VCFS) has been stretched out to cover 200 high weight regions in the country. VCFS was at first endorsed for 100 BBBP areas (during FY 2015-16) and stretched out to extra 61 BBBP regions during FY 2016-17. The exercises are attempted by Village Coordinators (women) at gram panchayat level to make mindfulness on issues connected with women and draw in with the local area, urge them to partake and contribute effectively in the help conveyance of government plans and projects. The preparation and limit working of organizers under VCFS is being attempted by NIPCCD, New Delhi. In excess of 100 Master Trainers have been prepared and the rundown of the coaches has been circled to the State Governments for acceptance preparing of Village Coordinators.

**Poorna Shakti Kendra (PSK)** project is additionally being carried out in a pilot mode in select locale to show assembly and to upgrade access and use of plans/projects of the public authority at the ground level. It involves setting up of combination focuses at region/square and gram panchayat level. No new areas have been endorsed for PSK in any case, during the current monetary year exercises were started in Andhra Pradesh (after state bifurcation), Telangana, Madhya Pradesh and Haryana. NMEW has delivered/revalidated assets for 20 PSK projects during FY 2016-17. Visits to PSK, Pali (Rajasthan) have been coordinated by

NMEW for direction of authorities (Assistant Secretaries). The assembly model towards execution of PCPNDT Act, end of female foeticide, festivity of the introduction of young women youngsters, sensitisation of PRIs, reinforcing of Malila Sabhas, and so on have been the center region of the undertaking.

**Swadhar Greh - A Scheme that caters to the primary needs of women in difficult circumstances.**

The Ministry of Women & Child Development was earlier implementing two Schemes i.e. Swadhar & Short Stay Homes (SSH) to provide shelter, food, clothing, counselling, training, clinical and legal aid with the aim to rehabilitate women in difficult circumstances and to provide temporary accommodation, maintenance and rehabilitative services to women and girls in distress. These women and girls may be rendered homeless due to family discord, crime, violence, mental stress, social ostracism, being forced into prostitution etc.

**Besides these constitutional provisions, there are several laws meant for the protection and benefit of women.**

**LEGAL PROVISIONS**

**Dowry Prohibition Act, 1961**

The purpose of this Act is to prevent the giving or taking of dowry. It not only penalizes this act but also makes the act of demanding dowry an offence.

**The Medical Termination of Pregnancy Act, 1971**

This Act provides for the termination of certain pregnancies by registered medical practitioners and for matters connected therewith or incidental thereto.

**The Hindu Succession Act, 1956 with amendment in 2005**

This Act provided for equal inheritance rights to women for the first time. It abolished the concept of limited estate of women.

**The Protection of Women from Domestic Violence Act, 2005**

Domestic Violence Act meant to provide for more effective protection of the rights of women guaranteed under the Constitution who are victims of violence of any kind occurring within the family and for matters connected therewith or incidental thereto.

**The Commission of Sati (Prevention) Act 1987**

Its object is to prevent the practice of Sati and the glorification of such an act. An attempt to commit Sati is also punishable under certain circumstances.

**Analysis**

During the financial year 2016-17 grant of Rs. 22.08 Crores has been released to the States/UTs as first instalment for 550 Swadhar Grehs benefitting approximately 16500 inmates. One new Swadhar Greh designed for the special needs of elderly widows with the capacity of 1000 women, fully funded by the Central Govt., is under construction at Vrindavan (UP).

S.No.	Year	Budget Estimates	Expenditure (Rs. in crore)
1	2011-12	30.00	24.59
2	2012-13	100.00	52.23
3	2013-14	75.00	53.74
4	2014-15	115.00	28.60
5	2015-16	54.00	43.52

<b>6</b>	<b>2016-17 (Upto 31-12-2016)</b>	<b>100.00</b>	<b>65.54</b>
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Under the SwadharGreh Scheme, assistance is provided to eligible organizations for undertaking above activities. As on 31.12.2020, total 362 SwadharGreh are functioning in the country benefiting 7719 women for year 2020-21 (seen at Annexure-VIII). The budget provision of ` 50.00 Crore has been kept in FY 2020- 21 for implementing the Scheme. The Budget Estimates and expenditure of SwadharGreh Scheme of previous 5 years and for current year (as on 31.12.2020) are as under (Details of Expenditure may be seen at Annexure-IX)

S.No.	Year	Budget Estimates	Expenditure (Rs. in crore)
<b>1</b>	<b>2015-16</b>	<b>52.50</b>	<b>48.57</b>
<b>2</b>	<b>2016-17</b>	<b>90</b>	<b>83.78</b>
<b>3</b>	<b>2017-18</b>	<b>75</b>	<b>57.20</b>
<b>4</b>	<b>2018-19</b>	<b>50</b>	<b>24.56</b>
<b>5</b>	<b>2019-20</b>	<b>50</b>	<b>25.48</b>
<b>6</b>	<b>2020-21 (Upto 31-12-2020)</b>	<b>35</b>	<b>12.27</b>

**Statement showing Loan Sanctioned, Disbursed and No. of Beneficiaries since inception to 31/12/2016**

S.No.	State	Amount (Rs. In Lakhs)		No. Of Beneficiereis
		Sanctioned	Disbursed	
1	Andaman Nicobar	40	40	667
2	Andhra Pradesh	8138.41	7153.48	197760
3	Arunachal Pradesh	10	5	100
4	Assam	485.9	453.9	6605
5	Bihar	627.25	468.83	17156
6	Chhattisgarh	14.5	8.5	370
7	Delhi	954.72	839.62	7742
8	Gujarat	223.5	193.5	7173
9	Haryana	310.01	284.16	4392
10	Himachal Pradesh	676.48	655.63	12925
11	Jammu & Kashmir	182	107	1986
12	Jharkhand	232.43	190.2	2338
13	Karnataka	1064.25	566.5	19188
14	Kerala	866.22	682.52	34257
15	Madhya Pradesh	2207.3	1987.4	21866
16	Maharashtra	1671.9	1420.05	35672
17	Manipur	284.05	216.04	8421
18	Mizoram	4	2	70
19	Nagaland	74	45.5	859
20	Odisha	2299.45	2186.05	39097
21	Pondicherry	51	16	300



22	Punjab	141	37.5	500
23	Rajasthan	1963.9	1819.74	30285
24	Tamil Nadu	8013.84	6495.77	169274
25	Telangana	1712.4	1442.7	32533
26	Uttar Pradesh	937.25	620.12	26683
27	Uttarakhand	361.24	331.89	2928
28	West Bengal	2477.29	2023.79	54072
	<b>Total</b>	<b>36,024.29</b>	<b>30,293.38</b>	<b>735239</b>

**Annual report 2016-2017 - Ministry of Women and Child Development Government of India**

**Statement showing Loan Sanctioned, Disbursed and No. of Beneficiaries since inception to 31/12/2020**

S.No.	State	Amount (Rs. In Lakhs)		No. Of Beneficiereis
		Sanctioned	Disbursed	
1	Andaman Nicobar	40	40	667
2	Andhra Pradesh	8168.41	7183.46	197839
3	Arunachal Pradesh	10	5	100
4	Assam	535.9	503.9	7005
5	Bihar	667.25	508.83	17369
6	Chhattisgarh	14.5	8.5	370
7	Delhi	954.72	839.62	7742
8	Gujarat	223.5	193.5	7173
9	Haryana	355.01	329.16	4512
10	Himachal Pradesh	676.48	655.63	12925
11	Jammu & Kashmir	182	107	1986
12	Jharkhand	250.43	190.2	2428
13	Karnataka	1169.25	671.5	19415
14	Kerala	866.22	682.52	34257
15	Madhya Pradesh	2387.3	2137.4	22716
16	Maharashtra	1746.9	1495.05	36135
17	Manipur	284.05	216.04	8421
18	Mizoram	4	2	70
19	Nagaland	74	45.5	859
20	Odisha	2364.45	2251.05	39372
21	Pondicherry	51	16	300
22	Punjab	141	37.5	500
23	Rajasthan	2016.9	1872.74	30470
24	Tamil Nadu	8248.84	6720.77	170359
25	Telangana	1712.4	1442.7	32553
26	Uttar Pradesh	1002.25	675.12	26939
27	Uttarakhand	419.24	389.89	3148
28	West Bengal	2746.29	2292.79	55533
	<b>Total</b>	<b>37,312.29</b>	<b>31513.38</b>	<b>741163</b>

During the year 2020-21 Ministry has undertaken various policy initiatives and plan interventions for the development, welfare and protection of women and children. These interventions and Ministry's major achievements during the year are discussed in the succeeding chapters.

**Women rights are protected under several number of legislations in India. The importance of the protection has been extended by new and changed laws on protection of women's rights.**

### **Women Protection and Changing Laws**

In Indian society, woman occupies a vital position and venerable place. The Vedas glorified women as the mother, the creator, and one who gives life and worshipped her as Devi or Goddess. Women in India, today, are becoming the most vulnerable section as far as their safety and security is concerned. Violence against women can fit into several broad categories. Some of them are rape, domestic violence, sexual harassment, female infanticide etc. Our country must have the largest number of laws, ostensibly for the benefit of women. The Constitution and the different Acts passed by the Union Governments and the states give special protection to women, aware of their weak position. In spite of all these pieces of legislation loaded in favour of women, their condition is improving only at a snail's pace.

### **Conclusion**

Indian women have had an extremely difficult time developing under the oppression of a male-dominated society, class and religion .But now it's the time to break silence. Women are entitled to respect. If every parent taught his or her son to respect women and treat them with dignity, a day would have come when they would not fear for the safety of their daughter. That would be a real education. Of course, there is a need to change our mindset and the patriarchal views that have engulfed Indian mindsets since ages. Though the Constitution of India has given the equal rights of dignity, equality, and freedom from gender discrimination but in practical filed no one bothers to follow such law until and unless the people mindset towards a woman does not change. Therefore, it is really necessary to make them aware of their rights. At the same time, the authorities should show some sensitivity towards the victim and help them in every way possible even if it means going out of the way or taking extra efforts for them. For making the enforcement of the laws effective it is vital that we bridged the gap between victims and the justice system and provided them with essential guidance and support. Sexual Assaults, violence are acts that have a great impact on their physical and mental health. Along with providing guidance to them, it is necessary to provide other kinds of assistance like medical treatment and psychiatric treatment.

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