INTRODUCTION

The Rig Vedic Women in India enjoyed high status in society. Their condition was good. But from enjoying free and esteemed positions in the Rig-Vedic society, women started being discriminated against since the Later-Vedic period in education and other rights and facilities. Child marriage, widow burning, the purdah and polygamy further worsened the women’s position.

The epics and Puranas equated women with property; a few Puranas treated them no better than beasts. Women were looked down upon as creatures worse than depraved men. Even Centuries have come, and centuries have gone, but the plight of women is not likely to change. Time has helplessly watched women suffering in the form of discrimination, oppression, exploitation, degradation, aggression, humiliation. In Indian society, woman occupies a vital position and venerable place. The Vedas glorified women as the mother, the creator, one who gives life and worshipped her as a ‘Devi’ or Goddess. But their glorification was rather mythical for at the same time, in India women found her totally suppressed and subjugated in a patriarchal society. Indian women through the countries remained subjugated and oppressed because society believed in clinging on to orthodox beliefs for the brunt of violence—domestic as well as public, Physical, emotional and mental. These ideas persist with little dilution to this day and have caused immense harm to the status of women. What is worse, her tremendous contribution in terms of work at home and outside is either ignored or belittled. An indicator of the low social position of girls in the society is the phenomenon of adverse sex ratio. Generally the sex ratio of a population is considered to be the result of biological and social factors. One of the very disturbing findings in the recent period has been the fact that girls at birth have less survival chances than boys, which is contrary to the situation in various other countries. In fact sex ratio has been adverse in India, but more disturbing trend is the declining female population over the years. In the year 1901, for every 1000 males there were 972 females; in 1981 the number of surviving females was 934 and in 1991 it was 929.
Male violence against women is a worldwide phenomenon. Fear of violence is an important factor in the lives of most women. Fear of violence is the cause of lack of participation in every sphere of life. There are various forms of crime against women. Sometimes it is even before birth, sometimes in the adulthood and other phrases of life. In the Indian society, position of women is always perceived in relation to the man. This perception has given birth to various customs and practices. Violence against women both inside and outside of their home has been a crucial issue in the contemporary Indian society. Women in India constitute nearly half of its population and most of them are grinding under the socio-cultural and religious structures. One gender has been controlling the space of the India's social, economic, political and religious fabric since time immemorial. Though there has been substantial change from the pre-independence period, the goal of universal literacy is far from realization. According to 1991 census, overall literacy for Indian women is 39.4 per cent, but in rural India it is much lower compared to towns and cities.

There seems to be socio-economic and certain educational factors affecting the retention in girl's literacy front.

Firstly the girls are considered to be useful as helpers in the home; poorer families prefer to send their boys to schools rather than the girls as the latter are needed to look after siblings or to help in the house work.

Secondly, many a time's social factors like early marriage or social restriction on the movement of girls also lead to dropping off from school girls at schools.

In the Indian society, which puts immense weight on the chastity of a woman, early marriage and permanence of marital relationship are highly valued. Widowhood, divorce or single status makes a woman vulnerable to men's advances. Marriage is almost inevitably accompanied by the obnoxious practice of dowry system in India. Modernization, instead of lessening the evil, has aggravated it. Boys with higher education, government jobs, professional standing with more remunerative jobs demand very high dowry; even girls with high education and a job, have to pay dowry to get married. The low status of woman in India is evident in the phenomenon of dowry deaths. Constant demand for more and
more gifts and goods lead to harassment of the young wife. In the name of honor, parents are not ready to give shelter to the tortured daughter. Finally not getting relief at any place, she ends her life or is murdered.

The term ‘atrocities against women’ refers to as “a cruel and wicked act against a woman which causes her emotional or physical injury or both”. Sexual harassment includes such unwelcome sexually determined behavior as physical contacts and advance, sexually colored remarks, showing pornography and sexual demands, whether by words or actions. Such conduct can be humiliating and may constitute a health and safety problem; it is discriminatory when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment, including recruiting or promotion, or when it creates a hostile working environment. Effective complaints procedures and remedies, including compensation, should be provided.

There is a need to raise voice and fight against atrocities against Women. Further, for each reported rape, many unreported rapes and for each reported eve-teasing many unreported eve-teasing cases occurs.

**Various legislative provisions related to female sexual offences:**

There are various legislation has been incorporated regarding the safeguarding of the women. Various Legislation for safeguarding crime against women, classified under two categories:

**The Crime under Indian Penal Code (IPC):**

I. Rape (Section 376 IPC)

ii. Kidnapping and abduction for specified purpose (Section 363-373 IPC)

iii. Homicide for dowry, Dowry death or their attempts. (Sec. 302/304-B IPC)

iv. Torture both mental and physical (Sec.498-A –IPC)

v. Sexual Harassment (Sec. 509 IPC)
vi. Importation of girls (Up to 21 years of age) (Sec. 366-B IPC)

**The Crimes under the Special and local Laws (SLL)- Gender specific laws**


ii. Dowry Prohibition Act, 1961


v. The Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994

vi. The Protection of Women from Domestic Violence Act, 2005

vii. The Protection of Children from Sexual Offences Act, 2012

viii. Criminal Law (Amendment) Act, 2013

**Constitutional Provisions**

Articles 14: Equality before law

Article 15: Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth

Article 19(1): All citizens shall have the right

(a) To freedom of speech and expression;

(d) To move freely throughout the territory of India;

(g) To practice any profession, or to carry on any occupation, trade or business

Article 21: Protection of life and personal liberty No person shall be deprived of his life or personal liberty except according to procedure established by law
Article 42: Provision for just and humane conditions of work and maternity relief - The State shall make provision for securing just and humane conditions of work and for maternity relief."

Article 51A: Fundamental duties. - It shall be the duty of every citizen of India, -

(a) To abide by the Constitution and respect its ideals and institutions...

(e) To promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women;

Article 51: Promotion of international peace and security –

The State shall endeavor to -(c) foster respect for international law and treaty obligations in the dealings of organized people with one another; and

The fundamental right to carry on any occupation, trade or profession depends on the availability of a "safe" working environment. Right to life means life with dignity. The primary responsibility for ensuring such safety and dignity through suitable legislation, and the creation of a mechanism for its enforcement, is of the legislature and the executive.

When, however, instances of sexual harassment resulting in violation of fundamental rights of women workers under Articles 14, 19 and 21 are brought before us for redress under Article 32, an effective redressal requires that some guidelines should be laid down for the protection of these rights to fill the legislative vacuum.

Each such incident results in violation of the fundamental rights of 'Gender Equality' and the 'Right of Life and Liberty'. It is clear violation of the rights under Articles 14, 15 and 21 of Constitution. One of the logical consequences of such an incident is also the violation of the victim's fundamental right under Article 19(1)(g) 'to practice any profession or to carry out any occupation, trade or business'. Such violations, therefore, attract the remedy under Article 32 for the enforcement of these fundamental rights of women.