

Constitutional provision
regarding Gender Equality

The Constitution of India guarantees equality of sexes and in fact grants special favors to women. These can be found in three articles of the Constitution

- Article 14---- says that the government shall not deny to any person equality before law or the equal protection of the laws
- Article 15----- declares that government shall not discriminate against any citizen on the ground of sex.
- Article 15 (3) makes a special provision, enabling the State to make affirmative discriminations in favour of women.
- Moreover, the government can pass special laws in favour of women

- Above all, the Constitution imposes a fundamental duty on every citizen through Articles 15 (A) (e) to renounce the practices derogatory to the dignity of women.

<http://india.mapsofindia.com/india-forum/womens-in-india.html>

Preamble,

- The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles of State Policy. The Constitution not only guarantees equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women.

The National Commission for Women

- The National Commission for Women was set up by an Act of Parliament in 1990 to safeguard the rights and legal entitlements of women. The 73rd and 74th Amendments to the Constitution in 1993 have provided for reservation of seats in the local bodies of Panchayats and Municipalities for women, laying a strong foundation for their participation in decision-making at the local levels.

- India has also ratified various international conventions and human rights instruments committing to secure equal rights of women. Key among them is the ratification of the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) in 1993.

<http://indiacurrentaffairs.org/women-empowerment-equal-rights-equal-opportunities-smt-anita-patnaik/>



The Personal Laws (Amendment) Act, 2010,

- A recent Act of the government of India is indeed noteworthy and indicative of this country's sincerity and commitment towards giving equal rights to women.
The Personal Laws (Amendment) Act, 2010, notified very recently, has removed the gender discriminatory provisions from two different laws - the Guardians and Wards Act, 1890 and Hindu Adoptions and Maintenance Act, 1956.

The Guardians Act

- The Guardians Act allowed a court to appoint either the father, or any other person in case the father was not alive, as the guardian of a minor child, thus diluting the mother's claim to be appointed guardian of her child in case of her husband's death. But the latest amendment to the act has removed this anomaly and the courts will no longer be free to appoint any other person as guardian of the child, ignoring the mother's claim.

The Personal Laws (Amendment) Act, 2010

- The Personal Laws (Amendment) Act, 2010 has also amended sections 8 and 9 of the Hindu Adoptions and Maintenance Act, giving women equal rights as men in matters of adopting children or giving her children in adoption to others. <http://indiagovernance.gov.in/news.php?id=295>