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YOJANA MAGAZINE ANALYSIS

(September 2023)

(Part 2/3)

TOPICS (PART 2/3)

- WOMEN EMPOWERMENT
- LAW COMMISSION OF INDIA



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WOMEN EMPOWERMENT

The Supreme Court (SC) of India released the '**Handbook on Combating Gender Stereotypes**' which renews the discussion on **gender justice**.

WHAT IS GENDER JUSTICE?

It seeks to **promote equitable development opportunities** for **all** irrespective of biological sex.

These Principles are enshrined in our constitution through the values of liberty , equality and freedom.

STEPS TO ACHIEVE GENDER EQUALITY

- Economic Empowerment
- Ending Child Marriage
- Political Empowerment
- Gender Responsive Budgeting
- Safeguarding sexual & Reproductive Health Rights.
- Land Rights Protection
- Combating Violence

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- **Economic Empowerment:**

- Through comprehensive legal frameworks, awareness campaigns, and support services for survivors.
- Initiatives such as helplines, safe houses, and counselling programmes.

- **Ending Child Marriage:**

- Laws setting minimum marriage age, girls' education promotion, raising awareness about the consequences of child marriage, economic empowerment for girls and their families, community engagement, and other targeted interventions.

- **Economic empowerment:**

- Establishing equal pay for equal work, maternity leave and childcare policies, access to finance and entrepreneurship training, and encouraging women's participation in male-dominated areas.

- **Sexual and Reproductive Health Rights:**

- Governments should ensure sex education, family planning services, safe abortion services where legal, and investment in health infrastructure.
- Addressing stigmas, informing about rights and choices.

- **Land Rights:** Fundamental to economic empowerment.

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- **Political empowerment:**
 - Affirmative action, leadership training, and addressing systemic barriers. The institutions of Sarpanch Pati should not be dominant.
- **Gender Budgeting:** We need to make collective efforts involving governments, civil society, and individuals to create an equitable and women-inclusive world. Various laws empowering women:

SCHEMES & CAMPAIGNS BY THE GOVERNMENT

- **Beti Bachao Beti Padhao:** This campaign was launched in 2014 to address the decline of the child sex ratio. Schemes like Sukanya Samridhi Yojana were launched under this campaign to promote higher education & welfare **of the girl child.**
- **Pradhan Mantri Matru Vandana Yojana:** Financial assistance to pregnant & lactating women for health and nutrition during pregnancy and childbirth.
- **Mobile e Haat:** Digital marketplace for women entrepreneurs/artisans to market & sell their products.
- **Ujjwala Yojana:** Free LPG connections for women from BPL households.
- **Stand Up India:** Encourages women entrepreneurship with bank loans of from 1 Lakh to 1 crore to setup **greenfield enterprises.**

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- **Pradhan Mantri Kaushal Vikas Yojana:** Skill development scheme for all including women.

LAWS IN THIS REGARD

- **Criminal Law (Amendment) Act, 2013 (Nirbhaya Act)**
 - Concerning sexual offences.
 - Nirbhaya Fund was established for women's safety and empowerment. Used for one-stop centres, helplines, infrastructure, etc.
- **Maternity Benefit (Amendment) Act, 2017**
 - Maternity leave period increased from 12 to 26 weeks.
- **The Protection of Children from Sexual Offences (Amendment) Act, 2019**
 - Legal protection of children below 18 years of age from any kind of sexual offence.
- **The Muslim Women (Protection of Rights on Marriage) Act, 2019**
 - Criminalised instant triple talaq (divorce)
- **Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013**
 - Establish Internal Complaints Committee (ICC) in the workplace.

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LAW COMMISSION OF INDIA

The Law Commission of India (**non-statutory body**) is constituted by a notification of the **Government of India (GoI), (Ministry of Law and Justice (MoL&J), and Department of Legal Affairs.)**

The notification lists definite terms of reference containing **matters of law** on which **research is to be carried out** and recommendations made in the form of reports.

It also takes up subjects on references made by the Department of Legal Affairs, Supreme Court (SC), and High Courts (HCs) and submits reports.

The **22nd Law Commission** was constituted by the **GoI** with a **3-year term** in February 2020, which has been extended to 31st Aug. 2024.

COMPOSITION

- A full-time Chairperson
- Four full-time Members (including Member-Secretary)
- Secretary, Department of Legal Affairs as ex-officio Member
- Secretary, Legislative Department as ex-officio Member
- Not more than five part-time Members

Functioning: Based on references from GoI, SC, and HCs.

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REPORT BY THE COMMISSION

- The Commission **evaluates the data and opinions/suggestions** before incorporating them into the report.
- The report is then **scrutinised by the full Commission** in meeting.
- On report finalisation, a draft amendment/bill may be prepared and appended to the report by the Commission if needed.
- Report **submitted to Gol** for consideration.
- The success of the Commission is dependent upon the depth and breadth of its consultation i.e. how much data/views/suggestions it can gather and incorporate from a diverse range of stakeholders with its limited resources.

REPORTS

- Laid before Parliament from time to time by MoL&J.
- Forwarded to various Departments/Ministries for implementation.
- Acted upon by Departments/Ministries if required.
- Cited in courts, Parliament Committees, academic and public discourses.

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