

# Safeguarding Women's Rights: An Examination of Constitutional and Statutory Provisions within Hindu and Muslim Personal Laws in India

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## Abstract

Hindu and Muslim women, who face discrimination on numerous fronts due to their intersection with gender, religion, and community, have been disproportionately hit by the constitutional duality of public and private inequity. There can be no gender or religious discrimination in India, according to the constitution. But this parity does not extend to the home, where Islamic personal law blatantly discriminates against Hindu and Muslim women. The personal law system governs all family relations and applies to individuals based on their religious affiliation. Hindu and Muslim women face discrimination in divorce or marriage, custody and guardianship, inheritance and succession, and other areas where personal law is applicable. Besides this disadvantage in legal status, Hindu and Muslim women face further marginalization in citizenship and democracy in terms of socioeconomic position, political representation, and participation. This is all because they are members of a religious minority. The constitutional canon has consistently ignored the importance of gender, which has led to the marginalization of substantive gender equality. Hindu and Muslim women's substantive equality has always been positioned in opposition to minority rights and religious freedom. The quick triple talaq practice was declared null and void by the Supreme Court in the landmark Shayara Bano ruling due to its violation of the constitutional guarantee of equality. This study examines the issue to determine whether or not Hindu and Muslim women's equality rights might be included in the constitution. Using feminist constitutionalism as a lens, this article will analyze the Indian Constitution while the revolutionary possibilities it holds for Muslim and Hindu women.

**Keywords:** Indian Constitution; Women Rights; Feminist Constitutionalism; Substantive Equality; Hindu and Muslim Women's Equality.

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## 1. INTRODUCTION

Social factors, rather than legal ones, contribute to women's inequality in Bangladesh. It is quite unusual to see disparities in how the law is applied, unless it pertains to private matters. Concerns of an individual are, however, regulated by religious norms or traditions. Being the world's oldest legal system, Hindu law naturally differs, evolves, and changes significantly from other legal systems. The explanations given by various schools vary, with the exception of the use of fundamental instruments. The comments and traditions cause it to change. The legal system of Bangladesh recognizes these traditions and standards as "Personal Law," however they do not derive entirely from religious laws or practices [1]. In a religiously diverse nation like India, the rights of women are inextricably bound up with individual statutes, the Constitution, and other specific

legislation. Since various groups in India are subject to separate rules, the personal legal system is seen as problematic from an equality perspective. Furthermore, women often face discrimination in areas like as divorce, maintenance, inheritance, etc., because to their religious dress. The adoption of a unified civil code is seen, in such a context, as a means to achieve gender parity and protect women's rights [2]. Gender inequality and discrimination persist in Indian culture and the legal system despite the fact that these issues have long been prioritized in the Indian Constitution as well as Democratic Ideals. When it pertains to inheritance and succession, women have less space to assert their claim to land and property. Very few Indian women are landowners since most Indian land is inherited. Both the institutional framework and the cultural norms of patriarchal countries are profoundly biased against women. Women are vulnerable to

structural and physical forms of violence, according to many studies that have drawn attention to the connection between women's safety and property rights [3]. In a religiously diverse nation like India, the rights of women are inextricably bound up with individual statutes, the Constitution, and other specific legislation. Since various groups in India are subject to separate rules, the personal law system is seen as problematic from an equality perspective. Religiously driven circumstances often include gender discrimination against women, such as divorce, upkeep, inheritance, and more [4]. There is still a huge global issue with gender-based discrimination and violence against women. To handle these matters, it is essential to have the ability to access materials related to the law. An online resource that provides a comprehensive database of legislation and earlier verdicts pertaining to women's rights, the Women's Rights Portal, satisfies this need. Users in need of information or legal guidance may get personalized assistance using the platform's built-in chatbot system, which employs natural language processing [5]. In the context of human rights, one of the greatest contentious problems is the personal law that applies to Muslim women in India. Although the Indian Constitution explicitly protects Muslim communities' religious rights, the gender- and religion-based discrimination in the personal law system has meant that Muslim women's equality rights have been disregarded. In spite of the fact that the Indian government has passed multiple statutes guaranteeing the rights guaranteed by Sharia (Islamic law) with regard to marriage, divorce, along with maintenance, these laws have been disregarded on a community level owing to patriarchal legal norms and social norms, which goes against the spirit of the Indian Constitution [6]. As humans progressed toward a more civilized society, they brought with them a wide range of religiously-based civilizations and ways of life, some of which became the basis for property rights. Taking shape as property rights for women of all faiths and ethnicities. In order to determine their whole contribution to the development of a civilized society, the comparative concepts about women from different religious sects are constrained to the traditions with theological setting in which they have lived [7]. Indian tribal tribes have constitutionally protected autonomy as well as self-governance, which includes the preservation of traditional marriage, matrimonial rights, and inheritance laws, in honour of the unique culture and character of these people. Some women have gone to court when tribe customary law forbids them from inheriting property. Inheritance laws in Hinduism do not apply to indigenous peoples [8]. Using critical legal studies and human rights as conceptual frameworks, the study traces the development of women's rights under Jordanian law, identifies important obstacles, and suggests solutions for long-term advancements in gender equality [9]. For as long as anybody can remember, there has been discussion about creating a uniform civil code. People have been caught on several times violating women's rights via personal laws as well as religious freedom as

an excuse to push their own agendas. The Indian government is obligated to strive toward the national establishment of a standard civil code as stated in Article 44 of the Constitution. Since Goa is the only Indian state with a unified civil code, there's hope that the country's diverse population may unite under a single set of rules [10]. A number of factors, such as a resurgence in cultural views and a fresh emphasis on individual liberty among today's youth, have contributed to a change in public perception of cohabitation relationships, moving away from blatant condemnation and bigotry and toward more acceptance and tolerance. Cohabitation outside of marriage has becoming more common in our society [11]. With the aim of strengthening Muslim women through the resurrection of Islamic heritage, the Indian Muslim Women's Movement established the first Shari'a court for women in 2013. In an effort to change Muslim personal law and community norms on culture and law, BMMA is training women to be Shari'a law judges [12].

## 2. Related Work

The research delves at the topic of family rules and how they have been applied to religious groups in modern India that were there before colonization [13]. The presence of communitarian "Religious Personal Laws" raises many and diverse difficulties regarding the property privileges of spouses as well as female members, necessitating an examination of the function of the Judiciary, the third branch of government. The participation of disadvantaged or marginalized populations should always be a pillar of democracy. If they want to build a fair society, legislators need to make rules that do away with unnecessary social conventions while still protecting democratic values. Everyone knows that laws may be used to manipulate people, and that laws should be adjusted or interpreted differently depending on how society changes. When legislatures weren't doing their jobs, the wise men of the court stepped in, and sometimes it led to the inclusion process's democratic structure coming to fruition.

The effects on tribal women's inheritance rights and the Indian judiciary's reactions to the matter are discussed in [14]. In light of the widespread removal of indigenous people from their traditional homelands, that essay condemns the legal system for failing to adequately represent the intricate web of social links among indigenous communities. Instead of making tribal women choose between their heritage and inheritance rights based on the idea of "sufficient Hinduization," that article explores how the law could protect tribal women's identity without compromising their access to equal inheritance rights.

The advancement of women's rights in Jordan's basic legislation, including those pertaining to nationality, personal status, civil service, and labor, as well as in CEDAW reservations, was thoroughly examined in [15]. Moving beyond simple legal neutrality and recognizing and supporting women's positions and

duties in society is essential, but laws alone are not enough to end indirect discrimination against women. The government must see laws as protective measures and take action to fight that kind of discrimination. Research implications: Looking at how women's rights have changed throughout time in laws may teach us a lot about the possibilities, threats, and developments in the fight for gender parity and human rights in general. Value and originality: It is significant to evaluate the state of women's privileges in Jordan in light of recent legislative developments, especially the most recent constitutional amendment.

A thorough analysis of important laws protecting women's rights in India, including their history, current status, and effects on gender equality, may be found in [16]. The article examines legislation pertaining to reproductive rights, domestic violence, employment equality, sexual harassment, and sexual harassment in order to demonstrate both the successes and failures in the fight for gender justice. To guarantee the complete fulfillment of women's rights in India, the study stresses the need of ongoing legislative changes, efficient enforcement mechanisms, and social transformation.

This article explores the Islamic basis for gender-just legislation and the manner in which Muslim women activists fight against the notion that Islam is a barrier to women's rights [17]. In addition, it delves into how these Shari'a courts for women create new forms of governance that transcend the divide between religion and secularism, shedding light on how Islam and secular principles of gender justice interact with one another.

That article [18] takes a close look at how the 2015 Criminal Code of Vietnam fails to adequately protect women's rights and offers solutions to fix the problem. To make the 2015 Criminal Code even more protective of women's rights, they need to update and broaden rules, strengthen victim care and protection, enhance monitoring procedures, and make sure the laws are enforced effectively. For women to achieve their full potential and feel secure in society, they need a legal framework that is strong and reasonable. Focusing on efforts to promote gender equality while women's rights in cultures mostly inhabited by Muslims, literature review [19] methodically examines the pursuit of feminist justice within Islamic courts. The study highlights significant findings and understandings about the interplay between gender, race, socioeconomic background, and sexual orientation within the context of Islamic law, drawing on a comprehensive analysis of recent research. That emphasizes the need for legislative reforms to promote gender-sensitive decision-making in Islamic courts, eradicate discrimination against women, and strengthen women's rights within family law. Conservative groups and religious leaders' resistance, institutional roadblocks, and the complicated connection between gender inequality and other types of

discrimination are among the issues that have been identified. It is imperative that feminist researchers, activists, lawyers, and religious leaders work together in the future and engage in open and honest discourse about intersectional issues.

Laws pertaining to divorce, property rights, marriage, and domestic abuse are among the important legal instruments that are examined in [20]. Affirmative action initiatives, including municipal government reserves for women, are frequently discussed as a means to increase women's voice in policymaking. In addition, the study delves into the practical reality and ongoing issues of gender-based discrimination to examine the efficacy and implementation hurdles of these legislative frameworks. That article takes a look back at some of the landmark decisions and judicial opinions that have shaped how gender laws are interpreted and enforced. The intricacies, successes, and challenges of gender equality and empowering women under Indian legislation are illuminated by that thorough study, making it an indispensable resource for anybody concerned with the promotion of women's rights in India.

### 3. Women Rights under Different Personal Laws

All faiths' sacred texts include very lovely phrases, but they also contain deeply repressive and sometimes horrific language toward women. Nevertheless, our only objective is to ascertain whether religious texts are inclusive of women and if the teachings of different faiths impede women's empowerment in all areas of life and work. This isn't an attempt to argue that one religion is better than another; rather, it's an attempt to explain that religion has not, on the whole, contributed to women's general lack of advancement.

A prominent aspect of the majority of RPLs (Religious Personal Laws) is the unequal distribution of rights between men and women. Patriarchal male supremacy and gender inequality are central to every religion personal law system in India. The objective of gender equality is sometimes overshadowed by other political factors, as seen in the trajectory of legislative changes of RPLs in the self-governing Indian state. Even in matters of formal legal equality, women are denied it by so-called religious personal laws. Due to their social and economic subordination, women are either unable or do not know about their legal rights, which include the ability to enforce the law via the judicial process and the punishment for breaking the law. Indian women are fighting for rights in marital property today, rights that are denied to them regardless of religion. On top of that, there has been an ongoing push for a standardized Civil Code that is in line with the constitution. When women are still considered property in our country, progress will be slow and arduous. It is quite unlikely that society would recognize women's rights and equality.

The Hindu view of women is that they were created through Brahman as a part of the dual aspect of creation, to accompany men and to help them have children and carry on the family name. Looking into the past reveals that throughout the Vedic era, women were prominent in both religion and society. Women who were valued for their spiritual and religious knowledge are mentioned as Sages and Saints in the Vedas and Upanishads. Women have been worshipped as divine beings by Hindus. Contrarily, a woman has restricted autonomy according to convention. She is subservient in a home where men control most of the power. The Manu Smriti treats women more like property and advocates for stricter regulations around women.

Islam is the first global religion to acknowledge women as a separate legal entity and provide them the same rights as men. This includes women in all aspects of life. Islam freed women from servitude, granted them equal rights, and acknowledged their unique humanity. Through the establishment of legal protections for women in matters of inheritance, property, marriage, and divorce, Islam elevated women's social standing. The radical statement that women have the same rights as men and that men and women have equal responsibilities was made public by the Qur'an. This passage is characterized by renowned Quranic scholar Maulana Abul Kalam Azad as a groundbreaking proclamation of gender equality. In view of this fundamental Quranic command, the Shariah rules need to be revised. This fundamental premise is still up in the air as of right now due to opposition from ulama and jurists. Because they declared women equal to males in every way and directly challenged the seeming authority of men, the Quranic injunctions about women were unacceptable in a specific society.

India has a plethora of personal laws. The term "personal laws" refers to a body of rules that govern and control interactions between individuals. Affinity, blood, as well as marriage are the three pillars upon which the bond rests. Protection of minors, marriage, divorce, and succession are all areas regulated by personal law. Religion is a major factor in determining which regulations are applicable in any given society. In contrast to Muslims, who are governed by Muslim law, Hindu law governs Buddhists, Jains, and Sikhs. Furthermore, Christians are governed by Christian law, whereas Parsis are governed by Parsi law.

### 3.1 Hindu Law

When thinking about Hindu women's rights, the obligatory aspect of Hindu marriage comes into play. The Vedas explain the basics of Hindu marriage. A Hindu marriage is an eternal, irrevocable bond, as stated in the Vedas. No matter how horrible, inebriated, senile, or crazy her spouse is, she will be unable to seek for another husband since the union is irrevocable. It lasts forever since it forbids her from having another spouse, even after he dies. When a man and a woman are legally

considered one flesh, she loses any feeling of herself. But under unlimited polygamy, the husband might enter the holy fold of marriage an unlimited number of times. Hindu law used to see marriage and divorce in this way before the change.

#### 3.1.1 The Hindu Marriage Act, 1955

At the very least, it has rendered these distinctions moot. Monogamy has therefore become the standard for both sexes. Legally, a wife does not have any limitations on getting a divorce and getting remarried. Marriage eligibility and grounds for dissolution are laid forth in the 1955 Hindu Marriage Act. Both spouses must be legally able to provide their informed consent for the marriage to take place. The validity of the marriage might be challenged if the consent has been obtained by coercion or deceit.

#### 3.1.2 Property rights

Joint family property could only be owned by coparceners prior to codification. Since they couldn't coparcener, women had no legal claim to property. In 1937, a law was established guaranteeing Hindu women the right to own property. Female property ownership was granted to them. However, she did not acquire full ownership of the property. It was in 1956 that the Hindu Succession Act came into being. The privilege to own real estate was bestowed to women. Class I inheritors included the matriarch, her husband, and their daughter. The role of coparcener was traditionally reserved for males; girls were never considered for the position. The Hindu Succession Act of 1956 did nothing to elevate women's status relative to that of males. However, with the passing of the Hindu Succession (Amendment) Act, 2005, things took a turn for the better. The son and daughter now both possess an equal amount of the coparcenary land.

### 3.2 Muslim Law

Islamic law does not see marriage as a sacrament but rather as a legally binding contract for procreation (nikah). The approval of the groom and bride is the bedrock of this contract. Thus, as long as both partners are adults, a marriage may be legally performed with their free will; further consent is not required. Marriage cannot take place in the absence of freely given consent.

#### 3.2.1 Option of puberty

In cases when the individual is mentally unable or a juvenile, their guardian may provide permission. The marriage may be ratified or rejected by the minor when they attain the age of majority. The puberty option is what it's called. Thus, it is not permissible to coerce a girl into marriage. It is not a lawful marriage regardless of whether she is coerced into it or not. When she reaches puberty, she has the choice to end the marriage.



### 3.2.2 Maintenance

A Muslim woman might get upkeep from her husband throughout the iddat period after a divorce. After that, in the event that she becomes incapacitated, it is the responsibility of her siblings, parents, and other living relatives to provide for her from her estate. The court may direct the State Wakf Board to provide her assistance if no one else can. Also, once the Iddat time has passed, she and her husband may still seek relief for maintenance under the 1973 Criminal Procedure Code provided they agree to be bound by its terms.

- **Property Rights:** Islamic law does not deny Muslim women the ability to inherit. Aside from Mehr, Islam grants women half of a man's portion. It may seem unfair, but when seen through the lens of justice and righteousness, it is really fair. Since males—father, husband, son, or brother—are obligated to provide for females (whether they are mothers, wives, sisters, or daughters) rather than the other way around. In order to accommodate such duties, males are allotted twice as much as women.

## 4 Unique Programs for Indian Women

### 4.1 National Commission for Women

Establishing this statutory organization in January 1992, the government gave it the explicit task of

researching and keeping tabs on everything having to do with women's constitutional and legal protections, as well as reviewing current laws and propose changes where appropriate.

### 4.2 Reservation for Women in Local Self-Government

Regardless of whether a municipality is situated in a rural or urban area, the 73rd Constitutional Amendment Acts, which were enacted by Parliament in 1992, ensure that women will constitute one-third of the elected posts in that body.

### 4.3 The National Strategy to Empower Girls (1991–2000)

Ultimately, the goal of the plan of action is to provide a brighter future for girls by ensuring their survival, protection, and growth.

### 4.4 National Policy for the Empowerment of Women, 2001

The Ministry of Human Resource Development's Department of Women & Child Development drafted a "National Policy for the Empowerment of Women" in 2001. The ultimate goal of this approach is to advance women's status and provide them more agency. The above are discussed in the following acts.

The Employees State Insurance Act, 1948	The Plantation Labour Act, 1951	Immoral Traffic (Prevention) Act, 1956	The Family Courts Act, 1954	The Maternity Benefit Act, 1961 (Amended in 1995)
The Hindu Succession Act, 1956 with amendment in 2005	The Special Marriage Act, 1954	Dowry Prohibition Act, 1961	The Hindu Marriage Act, 1955	The Prohibition of Child Marriage Act, 2006
The Medical Termination of Pregnancy Act, 1971	The Contract Labour (Regulation and Abolition) Act, 1976	The Equal Remuneration Act, 1976	The Criminal Law (Amendment) Act, 1983	The Factories (Amendment) Act, 1986
	Indecent Representation of Women (Prohibition) Act, 1986	Commission of Sati (Prevention) Act, 1987	The Protection of Women from Domestic Violence Act, 2005	

Fig. 1: Women Rights Act under Indian Courts

<b>QUESTIONNAIRE</b>	
NAME:-	RELIGION
ADDRESS / CITY OF RESIDENCE :-	
CATEGORY	EDUCATED <input type="checkbox"/> UNEDUCATED <input type="checkbox"/>
<i>(Educated:- High School and above. Uneducated:- No formal schooling)</i>	
<b>AWARENESS</b>	
ARE YOU AWARE OF YOUR RELIGIOUS PERSONAL LAWS?	YES <input type="checkbox"/> NO <input type="checkbox"/>
ARE YOU AWARE ABOUT YOUR DIVORCE LAWS?	YES <input type="checkbox"/> NO <input type="checkbox"/>
ARE YOU AWARE ABOUT MAINTENANCE LAWS	YES <input type="checkbox"/> NO <input type="checkbox"/>
ARE YOU AWARE ABOUT INHERITANCE LAWS?	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>EFFECTIVENESS</b>	
ARE PERSONAL LAWS EFFECTIVE?	YES <input type="checkbox"/> NO <input type="checkbox"/>
ARE DIVORCE LAWS FAIR & EFFECTIVE?	YES <input type="checkbox"/> NO <input type="checkbox"/>
ARE MAINTENANCE RIGHTS FAIR & EFFECTIVE?	YES <input type="checkbox"/> NO <input type="checkbox"/>
ARE INHERITANCE LAWS FAIR & EFFECTIVE?	YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>IMPLEMENTATION</b>	
ARE PERSONAL LAWS IMPLEMENTED FAIRLY?	YES <input type="checkbox"/> NO <input type="checkbox"/>
IS SEEKING DIVORCE EASY?	YES <input type="checkbox"/> NO <input type="checkbox"/>
IS IT EASY TO GET MAINTENANCE THRU LEGAL PROCESS?	YES <input type="checkbox"/> NO <input type="checkbox"/>
IS IT EASY TO CLAIM INHERITANCE?	YES <input type="checkbox"/> NO <input type="checkbox"/>

Fig. 2: Questionnaire Design Model

On asked about the fairness & effectiveness of their respective Personal Laws, the results of the survey showed that 84% of Muslim and 73% of Christian women expressed that their personal Laws are effective while only 42% of Hindu women said they were effective which is in line with the response to awareness. However, on the questions of Divorce and Maintenance, 80% the Muslim women expressed their opinion against the fairness and effectiveness while 56% of Hindu and only 33% Christian women expressed their dissatisfaction over Divorce laws. On Maintenance Laws 64% Hindu women expressed their dissatisfaction as compared to 49% among Christians. On the question of effectiveness and fairness over Inheritance Laws the opinion of women is quite uniform with 49% Hindu women expressing satisfaction compared to 58% among Muslims & Christian.

### 5. Women Empowerment: Hindu and Muslim Marriage Act

Women's empowerment is a critical aspect of achieving gender equity. It includes increasing a woman's sense of self-worth, her decision-making power, her access to opportunities and resources, her

power and control over her own life inside and outside the home, and her ability to effect change. Key laws include the Equal Remuneration Act ensuring equal pay, the PoSH Act against workplace harassment, the Maternity Benefit Act for paid leave during pregnancy, the Protection of Women from Domestic Violence Act, and free legal aid under the Legal Services Authorities Act.

#### The Hindu Marriage Act, 1955

- It is compulsory to register every Hindu marriage even if it is solemnized through proper rituals.
- A Hindu marriage may be solemnized in accordance with the customary rites and ceremonies which include the Saptapadi, the marriage becomes complete and binding when the seventh step is taken.

#### The Indian Muslim Marriage Act

The Muslim Marriage Act is based on the Muslim marriage law and marriage or "Nikah" between an Indian Muslim groom and bride is a civil contract that both the groom and the bride agree to.

- In a Muslim marriage there is a proposal

("Ijab"), from one party and an acceptance ("Qubul"), from the other.

- A Kazi (or Qazi) is not necessary for the marriage to take place. The proposal ("Ijab") and acceptance ("Qubul") in the presence of two adults qualifies as a legal wedding under the act.

### **Prohibitions under Indian Muslim Marriage Act**

#### **Muslim marriage is not allowed**

- With two sisters
- With a foster mother
- If the man already has four wives
- If the man and woman were previously married and have divorced, but the woman has not remarried.

### **Legislative Provisions against Sexual Harasment**

- The Sexual Harassment of Women at Work Place (Prevention, Protection and Prohibition) Act, 2013.
- The Indecent Representation of Women (Prohibition) Act, 1986.
- The Protection of Children from Sexual Offences Act, 2012 (POCSO).

### **Widowhood Problems**

- A widow is a woman whose spouse has died.
- The condition of widows in Indian society is pitiable.
- They are considered as bad omens, not allowed to remarry irrespective of any age and are generally secluded from the society.

### **Problems of Widows**

- **Medical Issues:** The reproductive and sexual health of the widows are extremely neglected and discussion about it is considered a taboo.
- **Economic/Financial issues:** Males are the main bread earner in most families in India. With little or no saving, no steady stream of income, the poor women live at the mercy of male members of the family.
- **Social & Psychological Issues:** Till date widows are accused of being 'responsible' for the death of their husband and described as the curse of the family. They are forced to obey restrictive dress code and behaviour and have bland food, fast on particular days.
- **Legal Issues:** Unaware of her rights (especially under Hindu Succession Act, 1956) and incapable of asserting herself, a woman has no recourse to judicial help.

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

- The act applies to every establishment or class of establishments, industrial, commercial, agricultural or otherwise.
- Employment of, or work by, women prohibited during the six weeks immediately following the day of her delivery or her miscarriage.

- Every woman shall be entitled to the payment of maternity benefit at the rate of the average daily wage for the period of her actual absence immediately preceding and including the day of her delivery and for the six weeks immediately following that day.
- The maximum period for which any woman shall be entitled to maternity benefit shall be twelve weeks, that is to say, six weeks upto and including the day of her delivery and six weeks immediately following that day.
- Payment or maternity benefit in case of death of a woman.
- Payment of medical bonus.
- Leave for miscarriage.
- Leave for illness arising out of pregnancy, delivery, premature birth of child or miscarriage.
- Every woman who returns to duty after delivery shall, in addition to the interval for rest allowed, be given two breaks of prescribed duration for nursing the child until the child attains the age of fifteen months.
- Where a woman absents herself from work in accordance with the provisions of this Act, it shall be unlawful for her employer to discharge or dismiss her during absence.

## **5. CONCLUSION**

In this century, India is the center of attention among global powers. The whole globe is keeping tabs on India. To avoid ruffling feathers with global powers, India should proceed with extreme caution before venturing into hostile territory. Furthermore, rather than promoting UCC, the emphasis should be on making personal laws non-discriminatory in order to tackle the issue of gender unfairness or inequality. The recent decision by the Supreme Court to abolish Triple Talaq exemplifies how reformation may eradicate discriminatory personal laws while preserving and promoting more beneficial ones. such as Mehr for women's safety. In addition, ladies between the ages of 10 and 50 were strictly forbidden from having periods at the Sabrimala temple. But the ban's promotion of hegemonic patriarchy prompted the Supreme Court to declare it unlawful. Raising awareness of the law and placing the system for providing justice at the forefront are two ways to empower women. Indeed, reports of crimes against women seem to be higher when police personnel are female. To provide justice for women and make the legal framework more workable towards women, it is crucial, beyond a set of laws, that the judiciary makes decisions that are balanced, well-informed, and impartial.

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