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VIOLENCE AGAINST WOMEN, VIOLATION OF HUMAN RIGHTS: AN APPRASIAL ON INDIAN CONTEXT

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ABSTRACT

This Violence against women is a form of gender discrimination and violation of human rights persists all over the world. International bodies are trying to protect women's rights and dignity through various treaties and declarations. Even though there is raising awareness against these issues there has been little progress in reducing the violence against women and leaving millions of women to live in to extreme misery and pain. There are different forms of violence against women, either in the form of physical, sexual, psychological and economic. Women are subjected to violence in a wide range of set up, such as family, community, work places, armed conflicts etc and new technologies may create new forms of violence. Any kind of violence against women is the violation of human rights. This study mainly focusing on violence against women as human right violation in Indian context and an appraisal of existing laws.

Methodology: the study draws evidence from existing researches and available literature. The main data sources are from reports of UN, Case studies of different international organizations like WHO, UNFPA, World Bank, reports of NGOs working on women's rights, constitution and statutes of India.

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INTRODUCTION

Article 25. Universal Declaration of Human Rights

- (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
- (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.(1)

The violence against women is prevalent all over the world irrespective of the cast and creed, religion and community developed as a social problem and now came to the notice of the United Nations. The Secretary General made worldwide study on the problem violence against women which discloses that everywhere in the world violence prevalent and they may be in different forms ranging from family to State custody

(Violence against Women, a Study of the Secretary General, United Nations). It is the blatant violation of the Universal Declaration of the Human Rights 1948 which now becomes law as majority of the countries in the world ratified it. Before it comes to the notice of the international community, women in countries revolted against the violence against them and some countries moved towards the direction ending the violence against women. The Secretary General's Study reveals that the most common form of violence are intimate partner violence, harmful traditional practices, including early marriage or forced marriage and female genital mutilation and in the community set-up, feticide, sexual violence, sexual harassment and trafficking. The study brings out that the violence against women has far reaching consequences to women, their children and to the community as a whole. The women undergone violence face health problem and their children may also face health problem and poor performance in schools. It brings down the economic production and drains out resources and the problem is to be addressed. (Violence against Women, a Study of the Secretary General, United Nations). Based on the study report the U.N. adopted a resolution 61/143, intensification of efforts of elimination of all forms violence against women to address the evil.

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It is resolved that all member states are responsible to take effective remedial measures to reduce and finally ban the violence against women. It is reiterated that it is the clear violation of Article 25 of the Universal Declaration of Human Rights. Hence violence against women is a human right issue and is to be addressed by state and it the duty of the state. The U.N. resolved by 2015, the violence against women must be eradicated (U.N.Resolution No 61/143 adopted 19December 2006). In India violence against women is getting increasing momentum and now became a social issue. Though, there was violence previously, it was not harsh and cruel and inhuman as now. As technology develops, the tactics also changes. Different reasons are attributed for the violence against women, economic; religious cultural, race age, sexual orientation etc There are different cultures, different languages and diversity of religion within India. Women experience subordination to men in the society in all religions. Indian Women faced a lot of challenges during the medieval era but this was changed over time by vigorous campaigns from reformers and political activities, which lead to the promotion of equal rights for women in India.

It is said that the position of women in a society is the society's index of cultural and spiritual attainment. Women are struggling to pursue higher education and respectable careers like their male counterparts in many societies. However, the constitution guarantees equal rights, women still have challenges that have led to the emergence of numerous women empowerment groups to fight social injustices that inhibit women prosperity. These campaigns mainly focus on fighting against illiteracy, sexual harassment etc. Later government itself started women campaigns aimed at educating women to know more about their legal rights. Women in India have held some of the top jobs in the land including that of presidency. Even then, they still continue to face atrocities and violence cases such as like rape, forced prostitution, dowry killings and brutality. According to a report by Thomas Reuters, India is ranked fourth among the most dangerous countries for women among the G20. This is the reason why eradication of violence against women in India is becoming one of the government's major goals through different campaigns and enactments.

Indian women during the British rule

Early European scholars discovered that the Indian woman of the 19th century had a natural glamour and was more vigorous than the rest. It is during this period that many women empowerment groups and reformers such as Ram Mohan Roy emerged and fought for the rights of women. Peary Charan Sarkar set up the first free school for female students in India in 1847 in Barasat. She was a former student of Hindu collage called Calcutta. Even though one could argue that there was little support from the British Administration during the Raj era, the contrary was the case. British missionaries' wives deserve that respect they enjoy to date for they pioneered the education and training of girls in India. Their intervention was received with fierce resistance from the locals in the early stages as it was seen to defy their traditions. Later, reforms, which touched on marriage and politics among the women, began to take effect. Women in India played a major role in independence fight. Women such as Kittur Chennamma, queen of the state of Kittur Karnataka led armed rebellions

against the British rule. The queen of Jhansi named Rani Lakshmi Bai is widely considered a national hero for leading the 1857 rebellion against the British (History of India during British rule) In 1929, the Child marriage Restraint Act was passed that enforced fourteen as the minimal marriage age for a girl. (Child marriage restraint Act, 1929) Finally, Sarojini Naidu, Indian poet, became the first Indian woman to be the president of the Indian National Congress (History of India during British rule) and governor of Uttar Pradesh state. Her birthday is celebrated as Women's Day in the entire India today.

Women in Indian today fully participate in all areas like education, politics, science and technology and many more. Women are beginning to realize their rights in the society. In short, it is no longer a man's world. The Indian constitution guarantees all Indian women equality with no discrimination by the state. It stipulates equal opportunities and equal pay for work. It further advocates for affirmative action that provides special provision for women and children by the state (Constitution of India, Articles 13,14 15). The law renounces cultural practices, which are derogatory to the status of the female figure by ensuring a humane environment for work and maternity relief. Even though Women in India are still facing obstacles due to a male dominated culture despite efforts made by different organizations to reverse the norm. However, they are gradually getting empowered in areas like education, politics, professional and eventual in their households. It is agreed that women need to gain more power to equal their male counterparts in this contemporary world. The value of social development and civilization can be entire arbitrated by the role of women in a society. Today, women take active roles in politics and management positions in world-class companies. India has come of age in enhancing the position of women through laws that protect their rights.

They majorly focused on eliminating women suffrage, feminism, improving their property rights and advocating for equality in terms of opportunities. The result has been loud with increased reports showing the girl child competing vigorously in academics and other areas. It means that the girl child is now confident and can get well-paying jobs as their male counterparts. This development is a complete reversal of how the situation was in the olden days. However, the single but more worrying problem that continues to thrive in India is the negative sexual attention attached to the Indian Women. Women are hassled, stalked, raped and trafficked for sexual immorality. Furthermore, the heinous practice of female feticide and infanticide, where over 10 million infants have been killed in the last two decades (Female feticide in India. Retrieved from; //www.ncbi.nlm.nih.gov/pubmed/20879612). It is now the responsibility of law enforcing bodies to avert crime against women.

Violation of women rights in India

Violence against women in India is on the rise. Despite the incredible social changes achieved by the country, the girl child has to remain brave and vigilant to overcome sexual defilement. A recent study by the India's' Ministry of National Crime Record Bureau concluded that a woman is molested every 26 minutes and raped in every 34 in India. The report further showed that a woman is kidnapped every 43 minutes in

India. (Crime in India 2012 Statistics, National Crime Records Bureau (NCRB), Ministry of Home Affairs, Govt of India, 2012) In the given scenario the Government of India has declared zero tolerance to violence against women. His pledge was made by the President of India, in the Parliament, while making the policy address of the newly elected Narendra Modi Government. The President also announces other remedial measures to tackle the violence against women, including reforms in the judicial system which is somewhat slow (Presidential address to the joint session of the Parliament of India, June, 2014). There are also allegations of corruption and inefficiency in the judiciary. The President, Mr. Pranab Kumar Mukharji pledged that the Government will have zero tolerance to violence against women and for effective implementation of the policy, there is need to strengthen the criminal judicial system. It is in the aftermath of the murder of two low caste girls aged 12 and 14 in the northern part of Uttar Pradesh, which shocked the conscience of the Indian Society. In December 2012, a physiotherapist student was gang raped in a bus on the busy street of the National Capital and later she died of injuries.

Thousands took to street protesting against incident and demanded for change in the policing and laws. A similar shocked the world in 2014 in the state of UP. Almost half of the rural Indian people defecate in the open fields and for reason of modesty the women used to go to the field only when the darkness covers. The U.P. girls, like others, has no facility of toilets and they were attacked while going to the field and were found hanged on the branch of a tree. Five persons were arrested in connection with that murder; of them two were policemen. In PM Mr. Modi's speech, he declares that the Government will provide toilets for each household because the U.P. incident was happened while they were going to the field to relieve themselves. According to the statistics of the Central Government, 244270 incidents of violence against women were reported in 2012, which 6% higher than the just previous year (Crime in India 2012 Statistics, National Crime Records Bureau (NCRB), Ministry of Home Affairs, Govt of India, 2012). The other form of violence is the intimate partner violence especially sexual assault, dowry abuse scolding and death. The violence against women are increasing outcry from different corners tempted the Government to formulate a policy of eradicating the violence against women and towards the achievement of the goal made some positive legislations.

Legislations brought by the government in the wake of violence against women

In 1983, a new section, 498(A) was brought to the Indian Penal Code (Indian Penal Code, 1860, section 498(A)), to punish any person, who is in-laws of bride who sustains harassment at the bridegroom's house and Dowry Prohibition Act has been enacted in 1984 to eradicate the dowry (Dowry Prohibition Act, 1984). In 2005 a comprehensive legislation is enacted by the Indian Parliament to arrest the domestic violence in India and to give protection to women (Prevention of Domestic Violence Act, 2005). Violence against women is increasing by the passage of time irrespective of the education, agitation by the feminist women organization and widely covered news that comes in the media. The legal service Authority, (Legal Service Authority Act, 1986) under the chairmanship of a senior Judge of the Supreme Court of India, carries nationwide

awareness classes against the violence against women for promoting the women to come forward to institute legal action in case of violence. The corresponding sections in the penal code are made harsher. In 2002, section 354, provides the punishment for outraging the modesty of a woman (Indian Penal Code, section 354), and is made non-bailable. (Criminal Procedure Code, 1973, section 320, amended in 2002) Previously it was bailable and an amendment was brought to the section 320 of the Criminal Procedure Code and as a result the offender will not get bail in the crime stage. In the case of women below 18 years are treated as minors (Indian Majority Act) and any sexual relation with such minors, even though such relation is with her consent, is treated as rape in the eye of law. If a woman under 18 years eloped with any man, that man will be guilty of abduction of a minor and the offence is non-bailable. (Indian Penal Code, section 376, in 2013, amended and capital punishment is incorporated) In the aftermath of the gang rape of the Delhi physiotherapist, a massive agitation was launched, without the leadership of any party or organization, and demanded amendment for the criminal law providing harsh punishment for offenders. Taking into account for the demands from elsewhere from the Country, an amendment to section 376 was made, providing capital punishment for the offender in case death is caused to a victim in rape case (Indian Penal Code, section 376, in 2013, amended and capital punishment is incorporated).

The penal code of India incorporates broad provisions to deal with violence against women. If a woman is insulted by words or gestures by a man, is treated as an offence or if any man touches the body of a woman, without her consent, is an offence under section 354 of I.P.C. If a woman is taken away from the custody of the parent or guardian without her consent is treated as an offence, abduction, only triable by court of sessions, a very serious offence. (Indian Penal Code, 1860. Sections 363&366.) Although there are serious and harsh laws were enacted, violence against women are reportedly increasing. According to National Crime Record Bureau, there is an increase of 6.4% increase in the number of reported violence against women in 2012 when compared with 2008. In 2008 it was 195,856 and 2012, the number is 244,270. The number of reported rape in 2008 is 21467 and in 2012, and it became 24923, according to National Crime Record Bureau.

Female infanticide and female feticide, is other form of violence against women in India that is killing of the new born female child or aborting of the fetus, knowing it a female (Female feticide in India. Retrieved from; [//www.ncbi.nlm.nih.gov/pubmed/20879612](http://www.ncbi.nlm.nih.gov/pubmed/20879612)). Feticide occurs when the family has a preference of son over daughters and modern prenatal diagnostic techniques are used to identify. In order to control this, the Government brought a legislation, The Preconception and Prenatal Diagnostic Techniques Act of 1994 (PCPNDT Act 1994) was modified in 2003 in order to target medical professionals. (Pre conception and Prenatal Diagnostic Technique Act 1994 as amended in 2003) This law forbids the medical practitioners from disclosing the sex of the baby in the uterus. The Act has proven ineffective due to the lack of implementation. Sex-selective abortions have totaled approximately 4.2-12.1 million from 1980-2010 (Female feticide in India. Retrieved from; [//www.ncbi.nlm.nih.gov/pubmed/20879612](http://www.ncbi.nlm.nih.gov/pubmed/20879612)). The following table explains different forms of violence against women during 2008-2013 periods.

There was a greater increase in the number of sex-selective abortions in the 1990s than the 2000s. Poorer families are responsible for a higher proportion of abortions than wealthier families. Significantly more abortions occur in rural areas versus urban areas when the first child is female. But state wise disparities can be seen, female infanticide is more reported in northern states than south. Kerala the south Indian state have more number of women than men. To have a natural sex ratio like most of the world, India need more women than men its population. In a report published in 2009, the charity Action Aid India found that among some communities in Punjab there were as less as 300 girls per 1,000 boys. Overall, it is among the worst states in the country for the female to male ratio. There's a huge deficit of women because families fear the cost of raising a daughter and paying a huge amount as dowry to the groom's family. Plus, women are generally not seen as bread-winners and or allowed to inherit wealth like men in some states. In the 1980s, an infamous ad run by private hospitals stated: "Pay 5,000 rupees today (to have an abortion) and save 50,000 rupees (in dowry payments) tomorrow." Dowry was soon banned but the sentiments linger on (New states man report 2013). See Figure 1 India needs more Women

Another mode of violence against women is acid throwing, that is a corrosive liquid capable of making burns over the body. Acid attack can lead permanent scarring blindness as well as social, psychological and economical difficulties to the victim. 34% of India's acid attack was mainly related to rejection of marriage (Forensic Medicine and Toxicology, Academic Publishers, ISBN 81-87504-69-2).

Dowry related violence

As years is passing independent India is witnessing an increasing number of dowry related violence against women and it reached even up to her death. It may be murder or suicide of a married woman over the dispute of dowry. Sometimes husband or in-laws try to extort greater dowry by continuous harassment and it may end in the suicide of the woman. In 2008, reported cases are 8172 and in 2012, it is 8233. In U.P. alone 2244 cases are reported which amounts to 27.3% and in Bihar 1275, 15.5% of the Nationwide (Crime in India 2012 Statistics, National Crime Records Bureau (NCRB), Ministry of Home Affairs, Govt of India, 2012). The situation of women is varies in different parts of the country, especially in the North-east and south of India is in a better position when compared with rest of India. They are considered to be more visible and more active in public sphere and employed in public and private sectors. The attitude towards the women is the large problem when society at large is considered. It is evident from the sex ratio between women and men. In the 2001 census ratio between men and women is 933 to 1000, but in 2011 it is 940 to 1000. But India still has a lowest sex ratio in the world. But the highest number of women missing at birth is in India and 25% of missing at birth or childhood takes place in the north western states of India, study shows. (Sabu, 1998)

Table 1 Reported Violence against Women, India 2008-2013

anish woman was robbed, and gang-raped in India. There are incidents in which foreign women traveling in India have been



Source Report New statesman, 2013

Figure 1 India needs more women

Table 1. Reported violence against women India 2008-2012

Year	Reported Rapes	Domestic Violence	Reported Dowry deaths	Insult Outrage to Modesty	Violation of Immoral Traffic Act	Human trafficking
2008	21,467	81,344	81,72	40,413	26,59	67
2009	21,397	89,546	83,83	38,711	24,74	48
2010	22,172	94,041	83,91	40,613	24,99	36
2011	24,206	99,135	86,18	42,968	24,35	80
2012	24,923	106,527	82,33	45,351	25,63	59

Source Crimes against Women." National Crime Records Bureau, 2013.

Impact on economy

The violence against women in India has a strong impact on the economy of India. On January 13, 2014, a 51-year-old subjected to violence. Women from Germany, the United States, the United Kingdom, Denmark, Poland, Switzerland, China, Canada, France, and South Korea have been similarly attacked in India recently. Due to the increasing tendency of attacks, many of these countries have issued warning to the women to be extremely cautious while traveling to India, to especially to New Delhi. India's image is declining around the world and it is far from being considered a safe destination for female travelers. In 2013, it is estimated that 6.4 to 6.8 millions of tourist visited India. But 132 millions tourist visited China and 14 millions visited Singapore. India is promoting the tourism sector, it accounts 6% of the gross domestic products and 5% of the total employment. An article in Telegraph claims that the gang rape in Delhi December, 2012 caused to decline in the female tourist in the coming three months and a decline of 25% in bound tourists also (Nikita Setia, Preventing Violence Women in India, International Affairs Review, Elliott School of International Affairs at George Washington University, 2014). Sexual violence against women is a serious issue in India, as years pass by it is increasing in its number. The patriarchal culture and male dominancy causes to increase the violence against women. The legal system is very slow. National Crime Bureau reports shows that 85.1% of the cases investigated in 2012 were waiting for trial. But in the Delhi gang rape in 2012, due to the public outcry the Government set up Special court, and the trial court in Delhi sentenced four accused with capital punishment, sending a message to the public at large that harsh punishment will be awarded to the wrongdoers.

Attitudes of the courts

Now days, it is seen that courts are leaning in punishing the perpetrators involved in violence against women. The Delhi trial court sentenced four accused in the 2012 Delhi gang rape case to capital punishment. And trial court in Trissur also given capital punishment to Govinachami, the accused in Saumya rape and murder case in Thrissur, Kerala. Another case which got much media coverage known as the Sooryanelli case, 21 accused were sentenced to imprisonment by the trial court were acquitted by the High court. The supreme court set aside the acquittal in 2013 and remanded back the case to the High court for fresh consideration on a time bound basis and the Kerala High court on rehearing upheld the conviction of the trial court. In Bombay journalist gang rape case also the trial court convicted the accused to life imprisonment. All these cases are now in appeal and the final decision is yet to come. But court's attitude in the cases against violence is changing as the law covering the subject changes. The general rule regarding evidence is that every matter before the court should be proved either by documentary evidence or oral evidence. The violence against women is taken as criminal offences and in court it should be proved by in evidence of independent witnesses. The Government brought an amendment to section 113 of the Indian Evidence Act and clause is incorporated which suffices the deposition of the victim alone (Indian Evidence Act, section 113). This amendment was introduced in the Evidence Act only because the accused persons were acquitted owing to

the lack of corroboration of evidence of independent witnesses. It is quite normal that no independent witness will be available in the cases of rape or domestic violence or other forms of violence against women. The laws against the violence against women are very harsh even then the violence against women are increasing. The reason is that it is not properly implemented in case of need. The police in all the cases are not taking proper action even reluctant to register a crime, and sometimes the victim or her family keeps away from reporting. The violence against women affects different perspectives, such as health, psychological, economical, social etc. More over the human rights of the victim are affected by the violence against women

DISCUSSION

The human rights are violated by violence against women

The preamble of, The Universal Declaration of Human Rights, starts as follows "Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world" (The Universal Declaration of Human Rights, 1948). The "the preamble" starts itself with wording that the entire individual has inherent dignity and equal rights and that rights cannot be alienable also. The first article says that all are born of equal rights and dignity. That means the dignity and rights are not conferred to any human beings by any law made by any society or Government. It is inborn or natural and nobody shall have any right to take it out from an individual. When violence against women is viewed in this angle, it is seen that any kind of control over women or violence is a gross violation of the dignity and equality of women in the society. When these rights are natural no other living thing can have right to control or curtail that right. Any attempt of violence is an interference of the equality and dignity of the women and also affect the peace and justice of not a society but of the world.

Article 2 says "everyone is entitled to freedom and rights irrespective of colour, sex, language, etc".

The U.N. Declaration approved the freedom to all irrespective of sex. Hence women have the same freedom and right as that of men. Violence against women breaches the right of security, liberty and even right to their life. And article 5 says, nobody shall be subjected to torture. Articles 1 to 5 generally says about the rights that are inborn to individuals around the world irrespective of cast, creed, sex, language, or boundaries or continents. By seventies majority of the countries approved the resolution and it became the law of the World and the perpetrators are liable to be punished. The right of equality and liberty are included in the fore front of the document, which shows the priority, but that are breached every day. When a woman is assaulted or tortured, all important rules regarding human rights are breached. In India, the right of equality and liberty is included in the Constitution as Fundamental right, (Constitution of India, Articles 13,14 15). India is a signatory of the Universal Declaration of Human rights and is bound to follow the law. At the time of the independence itself the law makers included special provision to women in the constitution. Even after 67 years of independence women rights are infringed. Their liberty, freedom rights are curtailed

by interference and equality is not respected, though guaranteed by the constitution. The then societal norms did not permit women to come in public or not entitled equal treatment to that of men. Hence women did not get proper education or job in the public sector except a few. The Governments in the post independence era made a lot of attempt to the upbringing of the depressed section. Some legislation was enacted at the rescue of the women and the Penal Code included some provisions against the attacks and capital punishment is included in the case of rape coupled with murder. The Dowry Prohibition Act 1983 was passed against the practice of dowry. Lastly Prevention Domestic Violence Act was passed in the year 2005, to prevent domestic violence. Even though stringent laws are passed violence against women now a day become common. Domestic violence, rape and other forms of violence are prevalent in many parts of India and it become difficult for women to travel freely. This is because not of the deficiency of laws but due to the lack of proper implementation. The politicians and bureaucrats are not so particular in implementing the enactments and though the rule is there, the women are not benefiting. Another problem is the delay in the judicial process.

The most courts in India is overburdened with cases and have only less facility also. It takes years to complete the trial. The criminal courts have no mechanism to send it's processes and summons and it has to depend police to get it served. Generally police in India is overburdened with law and order duty and they are entrusted with other duty also and they may not get time to finish the work entrusted by the court and in most criminal cases the police officers may be witnesses as investigating officers and station house officers who register crimes. When the court becomes overburdened with works it is not possible to finish the cases time boundly and this may cause hindrance to the parties, especially witnesses, who are to wait for long time, sometimes, days which cause to evade people from testifying. Hence an aggrieved may not get justice and accused escapes from punishment and sometimes this may cause a boosting to the accused for repeating the same. In the aftermath of the December, 2012, Delhi incident, the media is seen eager and enthusiastic in reporting the violence against women, especially in public places.

When the news covers the columns and radio and televisions, it catches the attention of the people in power and in such cases immediate action also followed. The Human right commission is appointed at the national and state levels and to some extent it watches the human right violation and women commission is also working at the national and state level. But this commission has power only to recommend to the government to take any action. One important and positive action to be noticed is that the court began to change its attitude towards the perpetrator of rape other heinous crime against women by giving harsh punishment. The recent outcomes from the trial courts of different parts of India shows they are not lenient to rapist or other aggressors against women and it is a good message to the public at large against human rights violation of women. Most of the human rights are also included in the Indian Constitution and hence the Central as well as the State Governments have duty to implement laws and protect the human rights. The Indian constitution provides remedies under article 32 and 226; anybody can approach the Supreme Court directly for the

restoration of fundamental right in case of its violation and High courts can interfere under article 226. (Constitution of India, Articles 32 & 226) But the difficulty is that poor and low income people cannot afford the cost of litigation and hence these remedies are beyond their reach. In 1986, Indian parliament accepted a law called Legal Service Authority Act, which provides for free legal aid to the poor and women. But in remote areas its message has not been reached and majority is not aware of it. In Kerala, the women are organized in the local level as "kudumbasree" women self help groups is the mission for government of Kerala for the empowerment of poor women. Each unit of kudumbasree contains 20 women from the locality and if there are more than 20, another unit for the same locality will be formed. Certain works, such as data collection, in Panchayats are entrusted with these units and micro financing is also implemented with the kudumbasree which give some earning capacity to the women. The general administration of it done by kudumbasree mission in the State level. The members are given awareness classes for various subjects including laws against violence to women and about free legal aid by Legal service Authority. It is seen that the women are using the facilities in Kerala. In bringing down the violence against women, the political leadership, social reformers and bureaucracy should join hand vow to end the evil otherwise it will remain as cancer to the society.

Conclusion

India is a place where people from all over the world search spirituality. History reveals that it was a land of civilization and one of the ancient civilizations was flourished in the banks of the river Indus and it had a culture of respecting the women. But now it became a place where screaming sound of women is hearing. India accepted a democratic system of administration with executive, legislature and independent judiciary. Citizens are given certain rights, such as equality, liberty and freedom as fundamental. It is provided in article 13 that any law made in breach of the fundamental right is void. Much of the provisions of the human rights are incorporated in the Constitution itself and the Supreme Court and High courts are made the guardian of the human rights. But women are attacked in India and they could not move freely. Any kind of attack, whether physical or mental, assault or insult, is an intrusion into the right of equality and liberty, and hence a human right violation as enshrined by the Universal Declaration of Human Rights. All the Nations, signatories of the covenant are legally liable. As a party to the above said covenant, the Government of India is bound to observe whether that rights enjoyed by the citizens and bound to punish the breachers of the said covenant.

There are enough regulations here and only thing is to implement it properly so as to get protection. In India one of the main problem that persist is the slow judicial action, years will be taken to finish trial of cases and by this time important witness may demise or eye-witnesses may forget important points of the case which cause the acquittal of accused person by the court and people may lose faith in the judicial system. In order to avoid such situation enough courts must be established with facilities to speedy disposal of cases and it is possible to adduce evidence before they lost or tampered. Administrative steps must be taken to change the attitude of the police so as to make effective control of the violence.

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