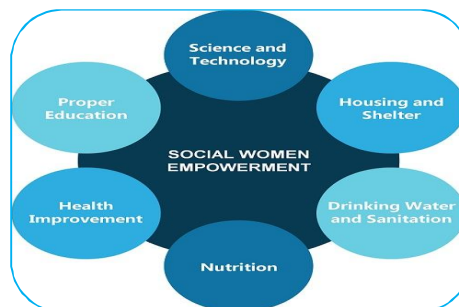




**“FROM GLOBAL COMMITMENTS TO NATIONAL ACTION: WOMEN’S
EMPOWERMENT IN INDIA”****Subashna Tamang****Assistant Professor of Law, Surendranath Law College.****ABSTRACT**

Women’s empowerment has appeared as a central concern of the human rights and development discourse, reflecting the recognition to gender equality being indispensable for sustainable progress. International initiatives such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Beijing Declaration and Platform for Action, and the Sustainable Development Goals (SDGs) have played a pivotal role for setting universal standards for advancing women’s rights and ensuring equal participation in social, economic, and political spheres. India, being a signatory to these international commitments, has attempted to harmonize its domestic framework with international obligations to reflect these global norms into domestic action. Hence, Constitution of India enshrines equality and non-discrimination, along with extensive legislation on issues ranging from the Protection of Women from Domestic Violence Act, 2005, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and Government initiatives such as Beti Bachao Beti Padhao, Pradhan Mantri Ujjwala Yojana, and Stand-Up India reflecting multi-layered approach efforts to address socio-economic disparities. Judicial interventions, have further reinforced women’s rights. However, challenges and significant gaps persist between law and actual reality due to entrenched patriarchy, weak institutional mechanisms, and intersectional inequalities. This paper explores the interface between international frameworks and Indian policies, analysing how global commitments have shaped national strategies for women’s empowerment while critically assessing gaps that demand sustained attention.

**KEYWORDS:** Women Empowerment, Human Rights. Inclusivity, Equality.**1. INTRODUCTION**

The discourse on women’s empowerment has become an integral part of global and national policy debates. Empowerment, signifies enhancing the capacity of individuals to make choices and transform those choices into desired outcomes. In the context of women, empowerment involves addressing entrenched inequalities that stem from centuries of patriarchal control, social hierarchies, and economic marginalization. It encompasses civil, political, social, cultural, and economic dimensions, aiming to create an environment where women are not merely beneficiaries of welfare but active agents of transformation ensuring equality in access to opportunities and dismantling structures that

perpetuate discrimination. Empowerment is thus both a process and an outcome—transforming women from passive beneficiaries into active agents of change.

Through international perspective, women’s rights have historically been marginalized within the larger human rights framework. The international community has, over the decades, recognized the centrality of women’s empowerment to peace, security and sustainable development. This recognition finds its roots in the foundational documents of the United Nations, such as the Charter of 1945¹ and the Universal Declaration of Human Rights of 1948,² both of which affirm the principle of equality and non-discrimination. However, despite these lofty declarations, women’s issues remained peripheral in international law for much of the 20th century not until later, with the adoption of specialized conventions and policy frameworks, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979)³, that women’s rights were accorded specific and enforceable recognition. Today, initiatives like the Beijing Declaration and Platform for Action (1995)⁴, and the Sustainable Development Goals (2015)⁵, have reinforced the centrality of gender equality in achieving peace, development, and justice.

India, as a signatory to these international commitments, has sought to harmonize its domestic framework with global standards and commitments. The Constitution of India, adopted in 1950, enshrines principles of equality, liberty, and dignity, reflecting India’s commitment to justice, including gender justice.⁶ The framers of the Constitution incorporated specific provisions guaranteeing equality before the law, prohibiting gender-based discrimination, and mandating affirmative state action to eliminate inequalities. Over time, Indian legislatures and courts have further elaborated these commitments through laws and judgments addressing critical issues such as dowry, domestic violence, sexual harassment, reproductive rights, political representation, workplace harassment to inadequate access to education, healthcare, and economic resources. At the policy level, successive governments have introduced schemes designed to empower women across socio-economic strata.

However, despite progress structural impediments between commitments and realities remains substantial. Women in India continue to face multiple layers of discrimination based not only on gender but also on caste, class, religion, and geography. On one hand, India projects itself as a responsible member of the international community, committed to achieving gender equality as a part of its broader developmental agenda. On the other hand, ground realities suggest that constitutional promises and international obligations have not fully translated into tangible empowerment for large sections of women.

This paper seeks to explore critically the interface between international initiatives for women’s empowerment and India’s domestic legal and policy framework. It aims to explore the extent to which India’s domestic legal and policy framework reflects its international obligations, identify gaps between principles and practice, the challenges that continue to obstruct progress and suggest pathways toward achieving substantive gender justice.

2. INTERNATIONAL INITIATIVES FOR THE WOMEN EMPOWERMENT

The advancement of women’s rights has been a gradual and contested journey in the international legal and policy landscape. While equality and non-discrimination were enshrined in the foundational documents of the United Nations, the recognition of women’s rights as a distinct field of concern developed progressively through specialized treaties, declarations, and global action plans.

¹ The Universal Declaration of Human Rights, art 1.

² The United Nations Charter, Preamble.

³ Convention on the Elimination of All Forms of Discrimination Against Women, 1979, UN General Assembly Resolution 34/180.

⁴ United Nations, *Beijing Declaration and Platform for Action*, Fourth World Conference on Women, Beijing, 1995.

⁵ United Nations, *Transforming Our World: The 2030 Agenda for Sustainable Development*, Resolution A/RES/70/1, adopted by the General Assembly on 25 September 2015.

⁶ The Constitution of India, 1950, Arts. 14, 15, 16, 39, 42.

International initiatives can broadly be categorized into three phases: such as early foundational instruments, consecrated conventions and contemporary sustainable development goals that integrate gender equality across multiple dimensions.

Foundational Instruments and Early Recognition

United Nations Charter (1945)

The Charter of the United Nations marked a watershed moment in global governance. For the first time, an international document explicitly recognized equality between men and women. The Preamble reaffirms “faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small.”⁷ Article 1 further identifies the promotion of human rights and fundamental freedoms without distinction, including sex, as one of the purposes of the United Nations.⁸ This was a significant acknowledgment, considering the socio-political environment of the 1940s, when most societies still relegated women to subordinate roles.

Universal Declaration of Human Rights (UDHR, 1948)

Adopted by the General Assembly in 1948, the Universal Declaration of Human Rights further consolidated the principle of equality. Article 1 declares that “all human beings are born free and equal in dignity and rights,”⁹ while Article 2 prohibits discrimination on various grounds, including sex.¹⁰ The UDHR, although not legally binding, has influenced the development of treaties and has become part of customary international law. For women, it represented the first comprehensive acknowledgment of their equal entitlement to all human rights.

International Covenants on Civil, Political, Economic, Social and Cultural Rights (1966)

The twin covenants i.e., International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) were adopted in 1966. Both reiterate the principles of equality and non-discrimination. Significantly, Article 3 of both Covenants obligates State parties to “ensure the equal right of men and women to the enjoyment of all civil and political rights” and “economic, social and cultural rights.”¹¹ These provisions were crucial in mainstreaming women’s equality as a core obligation under international law.

Consecrated Conventions

Convention on the Political Rights of Women, 1952 (CPRW)

This was the first international treaty to focus specifically on women. It guaranteed women the right to vote in elections, to be eligible for election to all publicly elected bodies, and to hold public office.¹² The Convention marked a shift from general equality clauses to specific recognition of women’s rights in political participation.

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979)

CEDAW is the most comprehensive international treaty addressing women’s rights and often referred to as the international bill of rights for women. It defines discrimination against women shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital

⁷ *Supra* note 2 at 2.

⁸ The United Nations Charter, art-1.

⁹ *Supra* note 2, art 1.

¹⁰ The Universal Declaration of Human Rights, art 2.

¹¹ International Covenant on Civil and Political Rights, 1966, art. 3; International Covenant on Economic, Social and Cultural Rights, 1966, art. 3.

¹² Convention on the Political Rights of Women, 1952, arts. 1,2,3.

status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.¹³

CEDAW obligates State parties to eliminate discrimination in political and public life,¹⁴ ensure equality in education,¹⁵ employment,¹⁶ and healthcare¹⁷, modify social and cultural patterns that perpetuate gender stereotypes¹⁸ and prohibit trafficking and exploitation of women¹⁹. The treaty established the Committee on the Elimination of Discrimination Against Women to monitor compliance through State reports and recommendations.²⁰ India ratified CEDAW in 1993, albeit with reservations on certain provisions relating to personal laws and family matters, reflecting tensions between international obligations and domestic socio-cultural norms.²¹

International Women’s Decade and the World Conferences on Women

The United Nations declared 1976–1985 as the International Women’s Decade, organizing four World Conferences on Women: Mexico City (1975), Copenhagen (1980), Nairobi (1985), and Beijing (1995).²² Each conference built upon the previous, progressively expanding the scope of women’s rights. Mexico City (1975) introduced the concept of women’s participation in development,²³ Copenhagen (1980) focused on employment, health, and education,²⁴ Nairobi (1985) adopted the Nairobi Forward-Looking Strategies, identifying specific measures for empowerment²⁵ and Beijing (1995) produced the landmark Beijing Declaration and Platform for Action, widely regarded as the most comprehensive global blueprint for gender equality.²⁶

The Beijing Declaration and Platform for Action (1995)

The Beijing Declaration remains the most ambitious global agenda for women’s rights. Adopted by 189 countries, it outlined 12 critical areas of concern: women and poverty, education and training, health, violence against women, armed conflict, economy, power and decision-making, institutional mechanisms, human rights, media, environment, and the girl child.²⁷ The Declaration emphasized the need for gender mainstreaming in all policies, legal reforms to ensure equality, women’s equal access to resources and opportunities and strengthened institutional mechanisms for implementation.²⁸

Sustainable Development Goals (2015)

The adoption of the 2030 Agenda for Sustainable Development marked a new phase in the global effort to achieve gender equality. Unlike the Millennium Development Goals (2000–2015), which included gender equality only as a subset, the SDGs explicitly recognize gender equality as a standalone

¹³ Convention on the Elimination of All Forms of Discrimination Against Women, 1979, art. 1.

¹⁴ Convention on the Elimination of All Forms of Discrimination Against Women, 1979, art. 7.

¹⁵ Convention on the Elimination of All Forms of Discrimination Against Women, 1979, art. 10.

¹⁶ Convention on the Elimination of All Forms of Discrimination Against Women, 1979, art. 11.

¹⁷ Convention on the Elimination of All Forms of Discrimination Against Women, 1979, art. 12.

¹⁸ Convention on the Elimination of All Forms of Discrimination Against Women, 1979, art. 5.

¹⁹ Convention on the Elimination of All Forms of Discrimination Against Women, 1979, art. 6.

²⁰ Convention on the Elimination of All Forms of Discrimination Against Women, 1979, art. 17.

²¹ Government of India, *Declarations, Reservations and Objections: CEDAW*, Ministry of External Affairs, (1993).

²² United Nations, *Report of the World Conferences on Women*, Mexico City (1975), Copenhagen (1980), Nairobi (1985).

²³ United Nations, *Report of the World Conference of the International Women’s Year*, Conference Report E/CONF.66/34 held from 19 June–2 July 1975, Mexico City, Mexico.

²⁴ United Nations, *Report of the World Conference of the United Nations Decade for Women*, Conference Report A/CONF.94/35, held from 14–30 July 1980, Copenhagen, Denmark.

²⁵ United Nations, *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women*, Conference Report A/CONF.116/28/Rev.1, held from 15–26 July 1985, Nairobi, Kenya.

²⁶ United Nations, *Fourth World Conference on Women*, Conference Report A/CONF.177/20/Rev.1 held from 4–15 September 1995, Beijing, China.

²⁷ United Nations, *Beijing Declaration and Platform for Action*, Fourth World Conference on Women, Beijing, 1995.

²⁸ *Ibid.*

goal (Goal 5) while integrating gender considerations across other goals.²⁹ SDG 5 seeks to end all forms of discrimination against women and girls, eliminate violence in both public and private spheres, ensure equal participation in leadership and decision-making, provide universal access to sexual and reproductive health and rights and reforms to give women equal rights to economic resources, property, and financial services.³⁰ The universality of the SDGs—applicable to both developed and developing countries—ensures that India is accountable not only to its own citizens but also to the global community in measuring progress on women’s empowerment.

International Labour Organization (ILO) Conventions

In addition to UN-led initiatives, the ILO has contributed significantly for advancing women’s rights in the workplace. Key conventions include Equal Remuneration Convention (No. 100, 1951), mandating equal pay for equal work, Discrimination (Employment and Occupation) Convention (No. 111, 1958), prohibiting discrimination in employment and Maternity Protection Convention (No. 183, 2000), setting minimum standards for maternity leave and benefits.³¹ These instruments remained vital in shaping India’s labour law framework, including the Maternity Benefit Act, 1961 (amended in 2017) and judicial recognition of the principle of equal pay.

Critical Analysis of International Frameworks on Women Empowerment

International initiatives have undeniably advanced the cause of women’s empowerment but they come with certain limitations of their own:

Enforceability: Many instruments, such as the UDHR and Beijing Declaration, are not legally binding but rely on moral and political commitments.

State Reservations: Countries, including India, have often entered reservations to CEDAW and other treaties to preserve cultural and religious practices, diluting complete effectiveness.

Implementation Gaps: Reporting mechanisms rely heavily on State self-reporting, which may not sow the actual scenario and may be incomplete or inaccurate.

Intersectionality: Early instruments inadequately addressed the compounded discrimination faced by women based on caste, class, race, or disability.

Nevertheless, these frameworks have shaped domestic reforms by providing normative standards, technical assistance, and platforms for global advocacy. The evolution of international initiatives demonstrates a growing recognition of women’s rights as central to human rights and development. For India, these instruments have not only influenced constitutional interpretation and legislative reforms but also provided benchmarks against which progress can be measured.

3. INDIAN POLICIES AND LEGAL FRAMEWORK

India’s commitment to women’s empowerment reflects a synthesis of international obligations and domestic priorities. The adoption of the Constitution of India in 1950 laid the foundation for gender equality by embedding fundamental rights, directive principles and affirmative provisions. Over the decades, successive governments and courts have expanded this framework through laws, policies, and judicial pronouncements to address persistent gender-based inequalities.

²⁹ United Nations, *Transforming Our World: The 2030 Agenda for Sustainable Development*, Resolution A/RES/70/1, adopted 25 September 2015.

³⁰ *Ibid.*

³¹ International Labour Organization, *Equal Remuneration Convention* (No. 100, 1951); *Discrimination (Employment and Occupation) Convention* (No. 111, 1958); *Maternity Protection Convention* (No. 183, 2000).

Indian Constitutional Provisions for Women’s Empowerment

Fundamental Right

The Constitution guarantees equality before the law through Article 14, prohibits discrimination on grounds of sex through Article 15, and ensures equality of opportunity in public employment through Article 16.³² Article 15(3) explicitly empowers the State to make special provisions for women and children, acknowledging the need for affirmative action.³³ These rights have been interpreted liberally by the judiciary to strike down discriminatory practices and affirm substantive equality.

Directive Principles of State Policy (DPSPs)

Though non-justiciable, Directive Principles of State Policy provides important guidelines. Article 39 mandates that men and women equally have the right to an adequate means of livelihood and equal pay for equal work. Article 42 directs the State to make provisions for maternity relief, while Article 51A(e) imposes a fundamental duty on citizens to renounce practices derogatory to the dignity of women.³⁴

Political Representation

The 73rd and 74th Constitutional Amendments (1992–93) reserved one-third of seats in Panchayati Raj Institutions and Urban Local Bodies for women.³⁵ This reform has significantly increased grassroots participation of women in governance, though challenges of patriarchal control persisted. Recently, the Constitution (106th Amendment) Act, 2023 introduced one-third reservation for women in the Lok Sabha and State Legislative Assemblies, demarking a historic step towards enhancing political empowerment.³⁶

Legislative Measures for Women’s Empowerment

Personal Laws and Family Rights

Reforms in Hindu law during the 1950s, through the Hindu Marriage Act (1955),³⁷ Hindu Succession Act (1956),³⁸ and related statutes, improved women’s rights in marriage, divorce, and inheritance. Amendments in 2005 to the Hindu Succession Act granted daughters equal coparcenary rights in ancestral property, strengthening property rights.³⁹

For Muslim women, the Muslim Women (Protection of Rights on Divorce) Act, 1986 initially restricted maintenance rights, but the Supreme Court’s progressive interpretation in *Danial Latifi v. Union of India* (2001) and restored substantive entitlements.⁴⁰ The criminalization of triple talaq in *Shayara Bano v. Union of India* (2017) and subsequent legislation reflect attempts to harmonize personal laws with constitutional guarantees.⁴¹

Protection from Violence and Exploitation

The Dowry Prohibition Act, 1961 outlawed dowry practices, though enforcement remains problematic.⁴² The Protection of Women from Domestic Violence Act, 2005 (PWDVA) was landmark legislation providing civil remedies, including protection orders, residence rights, and monetary relief.⁴³ The Immoral Traffic (Prevention) Act, 1956 and amendments address trafficking and

³² The Constitution of India, 1950, arts. 14, 15, 16.

³³ The Constitution of India, 1950, art 15(3).

³⁴ Constitution of India, 1950, arts. 39, 42, 51A(e).

³⁵ Constitution (73rd Amendment) Act, 1992; Constitution (74th Amendment) Act, 1992.

³⁶ The Constitution (one hundred and sixth amendment) Act, 2023, Act 106 of 2023, Gazette of India on 28 September 2023.

³⁷ Hindu Marriage Act, 1955

³⁸ Hindu Succession Act, 1956.

³⁹ Hindu Succession (Amendment) Act, 2005.

⁴⁰ (2001) 7 SCC 740.

⁴¹ (2017) AIR 2017 9 SCC 1 (SC)

⁴² The Dowry Prohibition Act, 1961.

⁴³ Protection of Women from Domestic Violence Act, 2005.

exploitation.⁴⁴ Considering the Nirbhaya case, in 2013, the Criminal Law (Amendment) Act strengthened provisions on sexual offences, expanding definitions of rape and sexual assault.⁴⁵

Workplace Equality

The Equal Remuneration Act, 1976 mandated equal pay for equal work, reflecting India’s obligations under ILO Convention No. 100.⁴⁶ The Maternity Benefit Act, 1961 (amended in 2017) increased paid maternity leave to 26 weeks and introduced creche facilities.⁴⁷ The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 gave statutory backing to the Vishaka guidelines, mandating Internal Complaints Committees in workplaces.⁴⁸

Political and Economic Empowerment

The Representation of the People Act, 1951 incorporates provisions for disqualification of candidates convicted of offences against women.⁴⁹ Economic empowerment measures include laws promoting microfinance, cooperative societies, and access to credit for women.

Policy Initiatives and Schemes

National Policy for the Empowerment of Women (2001)

This comprehensive policy aimed to bring gender perspectives into development planning, with objectives such as eliminating discrimination, enhancing participation in decision-making, and mainstreaming gender concerns in all sectors.⁵⁰ Certain flagship government schemes to be mentioned herewith are Beti Bachao Beti Padhao (2015) launched to combat declining child sex ratio and promote girls’ education, Mahila Shakti Kendra (2017): Strengthens community participation in women’s empowerment programs, Pradhan Mantri Ujjwala Yojana (2016): Provides free LPG connections to women below poverty line, addressing health and drudgery issues, Stand-Up India and MUDRA Yojana: Promote women entrepreneurship and financial inclusion and Sukanya Samriddhi Yojana: Encourages savings for the education and marriage of girl children.⁵¹

Education and Health Initiatives

The Right of Children to Free and Compulsory Education Act, 2009 ensures access to primary education for girls.⁵² Health programs such as Janani Suraksha Yojana and Pradhan Mantri Matru Vandana Yojana aim to improve maternal and child health outcomes.⁵³

Digital Empowerment

Recent policies emphasize digital literacy and technology access for women, recognizing the gender digital divide as a barrier to empowerment. Initiatives such as Digital India and targeted digital skilling programs aim to integrate women into the knowledge economy.

⁴⁴ The Immoral Traffic (Prevention) Act, 1956.

⁴⁵ Criminal Law (Amendment) Act, 2013.

⁴⁶ Equal Remuneration Act, 1976.

⁴⁷ Maternity Benefit (Amendment) Act, 2017.

⁴⁸ Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

⁴⁹ The Representation of the People Act, 1951, Section 8(1).

⁵⁰ Government of India, *National Policy for the Empowerment of Women*, Ministry of Women and Child Development, 2001.

⁵¹ National Commission for Women, Government of India, *Women Centric Schemes by Different Ministries of Government of India (GOI)* available at: <https://www.ncw.gov.in/publications/women-centric-schemes-by-different-ministries-of-government-of-india-goi/> (Visited on January 23, 2024).

⁵² Right of Children to Free and Compulsory Education (RTE) Act, 2009.

⁵³ Ministry of health and Family Welfare, Government of India, *National Health Mission* available at <https://nhm.gov.in/index1.php?long=1&level=2&sublinkid=822&lid=218#:~:text=Strategies%20and%20Interventions,Flagship%20Programmes,and%20antenatal%20&%20postnatal%20complications> (Visited on January 23, 2024).

Judicial Contributions

The Indian judiciary has played a pivotal role in advancing women’s rights, often stepping in, where legislation was absent or inadequate such as in case of *Vishaka v. State of Rajasthan*, The Supreme Court laid down binding guidelines on sexual harassment at the workplace, drawing from CEDAW. This was a milestone in harmonizing international obligations with domestic law.⁵⁴ In case of *Shayara Bano v. Union of India*, The Court declared instant triple talaq unconstitutional, striking a balance between personal law and constitutional equality.⁵⁵ *Joseph Shine v. Union of India*, The Court decriminalized adultery under Section 497 IPC, holding that it violated women’s dignity and autonomy.⁵⁶

Other Landmark Cases such as *Air India v. Nargesh Meerza*, The court, struck down discriminatory service conditions for air hostesses.⁵⁷ In the case of *Mary Roy v. State of Kerala*, equal inheritance rights for Syrian Christian women was upheld.⁵⁸ Further in the case of *Laxmi v. Union of India*, the court directed regulation of acid sales to curb acid attacks.⁵⁹

Through such pronouncements, the judiciary has advanced women’s rights by directly invoking constitutional guarantees and international standards. India through its legal and policy framework demonstrates significant efforts to translate global commitments into national action expanding the scope of women’s rights in multiple spheres. However, persistent gaps remain between guarantees and realities.

4. CHALLENGES AND CRITICAL ANALYSIS

Despite a strong constitutional mandate, progressive legislation, and numerous welfare schemes, the realization of women’s empowerment in India remains incomplete. The gap between global commitments and domestic implementation is evident in structural, social, economic, and institutional barriers. To understand as why women’s empowerment continues to be elusive for large segments analysis of multi-dimensional spheres, spanning socio-cultural, economic, political, institutional, and technological domains needs to be examined thoroughly.

Socio-Cultural Challenges

Patriarchy and Gender Norms

Deeply entrenched patriarchal norms continue to dictate women’s roles within the family and society. Practices such as son preference, dowry, and restrictions on women’s mobility curtail their agency despite legal prohibitions.⁶⁰ These norms reinforce the perception of women as dependents, thereby limiting their access to opportunities in education, employment, and politics.

Violence Against Women

Incidents of domestic violence, sexual assault, and trafficking remain widespread despite stringent laws like the Protection of Women from Domestic Violence Act, 2005 and the Criminal Law (Amendment) Act, 2013.⁶¹ Underreporting, stigmatization of survivors, and weak enforcement mechanisms exacerbate the problem. High-profile cases such as the 2012 Delhi gang rape demonstrate the intensity of the challenge.

⁵⁴ AIR 1997 SC 3011.

⁵⁵ (2017) 9 SCC 1.

⁵⁶ (2019) 3 SCC 39.

⁵⁷ (1981) 4 SCC 335.

⁵⁸ AIR 1986 SC 1011.

⁵⁹ (2014) 4 SCC 427.

⁶⁰ Bina Agarwal, *Gender and Command over Property: A Critical Gap in Economic Analysis and Policy in South Asia*, World Development, Vol. 22, No. 10 (1994), pp. 1455–1478.

⁶¹ Protection of Women from Domestic Violence Act, 2005; Criminal Law (Amendment) Act, 2013.

Intersectionality of Discrimination

Caste, class, religion, and regional disparities compound gender inequality. Dalit and Adivasi women, for instance, face dual marginalization—both as women and as members of disadvantaged communities.⁶² This intersectionality limits the universal applicability of empowerment measures, requiring more nuanced interventions.

Economic Challenges

Low Workforce Participation

Women’s labour force participation in India remains among the lowest globally, hovering around 20 percent in recent years.⁶³ Factors include unpaid care responsibilities, lack of flexible work opportunities, and workplace harassment. The COVID-19 pandemic further exacerbated these inequalities, with women disproportionately affected by job losses.

Wage Disparities and Informal Work

Even where women are employed, wage disparities persist. According to the International Labour Organization, women in India earn approximately 20 to 30 percent less than men for similar work.⁶⁴ A significant portion of women are engaged in the informal sector, where protections under labour laws and access to social security are limited.

Limited Access to Credit and Resources

Financial inclusion remains a huge challenge despite initiatives like Jan Dhan Yojana and Stand-Up India. Many women lack collateral for loans, and patriarchal property ownership patterns prevent them from accessing institutional credit.⁶⁵ Agricultural women workers, who constitute a substantial proportion of the rural workforce, are often denied recognition as farmers, depriving them of subsidies and entitlements.

Political and Institutional Challenges

Underrepresentation in Politics

Although women’s representation in local self-governance has improved due to reservations, their participation in state legislatures and Parliament remains low, averaging around 14 percent until the recent constitutional amendment mandating one-third reservation.⁶⁶ Tokenism and proxy representation, where elected women representatives are controlled by male relatives, undermining genuine empowerment.

Weak Institutional Mechanisms

Bodies such as the National Commission for Women (NCW) and State Commissions often suffer from inadequate funding, lack of autonomy, and limited enforcement powers.⁶⁷ As a result, their effectiveness in addressing systemic issues of gender inequality is curtailed.

Implementation Deficits

Even progressive laws prohibiting discrimination and violence etc. against women face weak implementation. Many workplaces fail to constitute Internal Complaints Committees under Sexual

⁶² Anupama Rao, *The Caste Question: Dalits and the Politics of Modern India* (2009).

⁶³ World Bank, *Labour Force Participation Rate, Female (% of Female Population Ages 15–64)*, World Development Indicators, 2021.

⁶⁴ International Labour Organization, *India Wage Report: Wage Policies for Decent Work and Inclusive Growth*, 2018.

⁶⁵ Government of India, *Pradhan Mantri Jan Dhan Yojana Progress Report*, Ministry of Finance, 2022.

⁶⁶ Inter-Parliamentary Union, *Women in National Parliaments: India Country Data*, 2023.

⁶⁷ Government of India, *Annual Report 2021–22*, National Commission for Women.

Harassment at Workplace Act, and protection officers under the PWDVA are either absent or overburdened.⁶⁸ The gap between legislation and enforcement undermines credibility.

Educational and Health Challenges

Educational Inequalities

Though the gender gap in primary education has narrowed, drop-out rates among adolescent girls remain high due to early marriage, household responsibilities, and inadequate sanitation facilities in schools.⁶⁹ Rural and marginalized communities face greater disadvantages, undermining the objective of universal access to quality education.

Health Inequities

Women in India continue to experience poor health outcomes, particularly in maternal mortality, malnutrition, and anaemia. According to the National Family Health Survey-5 (2019–21), nearly 57 percent of women aged 15–49 years are anaemic.⁷⁰ These challenges compromise their productivity, well-being, and overall empowerment.

Digital Challenges

Technology Access

The global discourse on women’s empowerment increasingly emphasizes digital inclusion. Yet, in India, only about 33 percent of women use mobile internet, compared to 57 percent of men.⁷¹ Limited access to technology reduces women’s participation in the knowledge economy and digital governance.

Cyber Harassment

The rise of social media and digital platforms has created new spaces for harassment, including online abuse, stalking, and non-consensual circulation of images.⁷² Current legal mechanisms, though evolving, are often inadequate to deal with these forms of gendered violence.

Critical Analysis

India’s progress in aligning with global commitments like CEDAW and the SDGs has been notable in terms of laws and policy frameworks. However, empowerment has often been understood in formalistic rather than substantive terms. Legal reforms granting women equal rights in property or marriage may not translate into actual empowerment due to social resistance. Similarly, political reservations have expanded women’s presence in governance, but patriarchal practices dilute their autonomy. Hence, tension between equality as a principle and empowerment as practice reveals the complexity of India’s women empowerment programme. The empowerment cannot be confined to legalistic guarantees but must involve the redistribution of resources, redefinition of gender roles, and democratization of decision-making. Furthermore, empowerment policies often adopt a “welfare” approach, treating women as beneficiaries rather than as active rights-holders. Without addressing structural inequalities such as caste, class, and regional disparities the promise of global commitments will always remain unfulfilled.

⁶⁸ Martha Farrell Foundation, *Implementation of Sexual Harassment at Workplace Act: A Study of Indian Workplaces*, 2019.

⁶⁹ Government of India, *Unified District Information System for Education (UDISE+) 2021–22 Report*.

⁷⁰ National Family Health Survey (NFHS-5), Ministry of Health and Family Welfare, 2019–21.

⁷¹ GSMA, *Mobile Gender Gap Report: India*, 2022.

⁷² Cyber Crime Wing, National Crime Records Bureau, *Crime in India Report*, 2021.

5. Suggestions for the Way Forward

Strengthening Legal and Institutional Frameworks

Enacting progressive laws without their effective implementation does not serve the purpose. Priority must be placed on ensuring adequate resources and autonomy for bodies like the NCW and State Commissions, establishing fast-track courts and specialized benches to deal with gender-based violence and mandating periodic audits of compliance with laws concerning women.

Addressing Socio-Cultural Norms

Laws alone cannot dismantle patriarchy. Public awareness, community mobilization, and educational curricula must challenge stereotypes and promote gender-sensitive values. Initiatives should particularly target rural areas, where traditional norms remain strongest. Media and digital platforms can be leveraged to amplify positive narratives of empowered women.

Economic Empowerment

Economic independence is core to empowerment. Policy efforts should focus on expanding women’s participation in the formal workforce through incentives for companies to hire and retain women employees, enhancing access to credit, property and entrepreneurial opportunities, especially for rural women, recognizing women’s unpaid care work by incorporating it into national accounts and providing state support through childcare facilities and flexible work policies.

Political Participation and Leadership

The constitutional amendment mandating one-third reservation for women in legislatures, Panchayati system and urban local bodies are historic. However, effective empowerment requires capacity-building programs for women representatives to exercise autonomy, monitoring mechanisms to prevent proxy representation by male relatives and encouraging women’s leadership within political parties through internal reservations and mentorship programs.

Education and Skill Development

Meeting the gender gap in education is critical for breaking cycles of inequality. Strengthening retention strategies for adolescent girls, such as scholarships, hostel facilities, and menstrual hygiene support, expanding vocational training and digital literacy programs to prepare women for the evolving job market will play a vital role in women empowerment.

Health and Well-Being

Women’s health is a cornerstone of empowerment. Policy priorities must include expanding access to reproductive and sexual health services, addressing malnutrition through integrated nutrition programs and strengthening maternal health infrastructure, particularly in rural and marginalized regions.

Bridging the Digital Divide

Digital inclusion is significant in the contemporary era. Policy measures should expand affordable internet access for women, particularly in rural areas, provide targeted training to enhance women’s digital skills and online safety awareness and strengthen cybercrime units to address online harassment and abuse effectively.

International Collaboration and Inclusive Approaches

India should continue to engage with global platforms, learning from best practices in countries with higher gender parity. Cooperation can facilitate the sharing of strategies tailored to developing economies. Further, policies and strategies should address and must account for the specific needs of Dalit, Adivasi, minority, and differently-abled women, ensuring inclusivity in empowerment measures.

India's journey toward women's empowerment illustrates both ambition and constraint. The vision of empowerment is not merely about legal entitlements but about restructuring society to create spaces where women can exercise choice, autonomy and leadership. Empowerment is not a destination but a continuous process of dismantling hierarchies, expanding opportunities, and affirming dignity. Major challenge does not lie in drafting laws or launching schemes but in transforming social realities and ensuring that every woman, irrespective of class, caste, or region does experience the equality promised by both international norms and the Indian Constitution.

5. CONCLUSION

The trajectory of women's empowerment in India reflects both remarkable progress and persistent challenges. From the constitutional vision of equality enshrined in 1950 to contemporary policy frameworks and judicial interventions, India has consistently sought to align itself with global commitments such as CEDAW, the Beijing Platform for Action, and the Sustainable Development Goals. Laws addressing domestic violence, workplace harassment, reproductive rights, and political participation demonstrate a willingness to translate international ideals into national action. Likewise, government schemes promoting education, health, entrepreneurship, and financial inclusion underscore a broad developmental approach. However, empowerment in India remains uneven and partial. The coexistence of progressive legislation with entrenched patriarchal norms creates a paradox, women enjoy formal equality under the law but often lack substantive equality in daily life.

The global discourse emphasizes women's empowerment not merely as a matter of social justice but as an essential condition for sustainable development. India's demographic and socio-economic diversity make this task particularly complex, requiring context-specific strategies. Achieving empowerment in its truest sense demands moving beyond a welfare-based model to a rights-based framework, where women are recognized as equal stakeholders in governance, economy, and society.