



# Gender Sensitization

Special focus on *Medico Legal* Issues

AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

By  
Smt. S. Vani,  
Advocate, Supreme Court of India

# Gender Sensitization

## Special Focus on Medico Legal Issues

### What is Gender Sensitization?

Gender Sensitization refers to the modification of behaviour by raising awareness of gender equality concerns. Gender sensitization theories claim that modification of behaviour of teachers and parents towards children can have a causal effect on gender equality. Gender sensitizing “is about changing behaviour and instilling empathy into the views that we hold about our own and the other gender. It helps people in “examining their personal attitudes and beliefs and questioning the ‘realities’ they thought they know.”

# Gender Sensitization

## Special Focus on Medico Legal Issues

### What is Gender Sensitization?

Gender sensitization is a weapon towards Gender Equity, Equal Opportunity and Women Empowerment which is essential for creating sustainable development as enshrined in our constitution. The State and Central Government are making continuous efforts to realize these promises through Policies & Programs. The progress achieved in this direction has a mixed outcome and there is a long way to realize the objectives of the Equitable Society, Gender Equity and inclusive Development without discrimination which can be achieved bringing awareness among the people about the Rights given under the Constitution and the pro—omen Acts and laws affecting women's right and empowerment in India involves a complex pattern of advances and setbacks.

# Gender Sensitization

## Special Focus on Medico Legal Issues

### Relationship between Law and Gender Sensitization

Gender Sensitization essentially encompasses Women's empowerment. Empowerment of women through social change is the need. This would face several hurdles, as in our country, people relate more to their religion, community, caste, geography and other similar aspects. In the face of such vast diversities, there has to be an authority uniform to all Indians. That is where LAW steps in.

Every Law within the country has to fit into the framework of the Constitution of India. Constitution of India mandates equality before law and equal protection of laws under Article 14 and gives protection from discrimination inter alia on the basis of gender under Article 15.

# Gender Sensitization

## Special Focus on Medico Legal Issues

### AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

#### Constitutional Provisions and Privileges

- (i) Equality before law for women ([Article 14](#))
- (ii) The State not to discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them ([Article 15 \(i\)](#))
- (iii) The State to make any special provision in favour of women and children ([Article 15 \(3\)](#))
- (iv) Equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State ([Article 16](#))
- (v) The State to direct its policy towards securing for men and women equally the right to an adequate means of livelihood (Article 39(a)); and equal pay for equal work for both men and women ([Article 39\(d\)](#))

# Gender Sensitization

## Special Focus on Medico Legal Issues

### AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

#### Constitutional Provisions and Privileges

(vi) To promote justice, on a basis of equal opportunity and to provide free legal aid by suitable legislation or scheme or in any other way to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities ([Article 39 a](#))

(vii) The State to make provision for securing just and humane conditions of work and for maternity relief ([Article 42](#))

(viii) The State to promote with special care the educational and economic interests of the weaker sections of the people and to protect them from social injustice and all forms of exploitation ([Article 46](#))

(ix) The State to raise the level of nutrition and the standard of living of its people ([Article 47](#))

# Gender Sensitization

## Special Focus on Medico Legal Issues

### AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

#### Constitutional Provisions and Privileges

(x) To promote harmony and the spirit of common brotherhood amongst all the people of India and to renounce practices derogatory to the dignity of women ([Article 51\(A\) \(e\)](#))

(xi) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat to be reserved for women and such seats to be allotted by rotation to different constituencies in a Panchayat ([Article 243 D\(3\)](#))

(xii) Not less than one- third of the total number of offices of Chairpersons in the Panchayats at each level to be reserved for women ([Article 243 D \(4\)](#))

# Gender Sensitization

## Special Focus on Medico Legal Issues

### AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

#### Constitutional Provisions and Privileges

(xii) Not less than one- third of the total number of offices of Chairpersons in the Panchayats at each level to be reserved for women ([Article 243 D \(4\)](#))

(xiii) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality to be reserved for women and such seats to be allotted by rotation to different constituencies in a Municipality ([Article 243 T \(3\)](#))

(xiv) Reservation of offices of Chairpersons in Municipalities for the Scheduled Castes, the Scheduled Tribes and women in such manner as the legislature of a State may by law provide ([Article 243 T \(4\)](#))



# Gender Sensitization

## Special Focus on Medico Legal Issues

### AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

#### Laws relating to women

- Commission of Sati (Prevention) Act, 1987
- Criminal Law (Amendment) Act, 1983
- Dowry Prohibition Act, 1961
- Immoral Traffic (Prevention) Act, 1956
- Indecent Representation of Women (Prohibition) Act, 1986
- National Commission for Women Act, 1990
- Prohibition of Sexual Harassment of Women at the Workplace Bill, 2010
- Protection of Women from Domestic Violence Act, 2005

# Gender Sensitization

## Special Focus on Medico Legal Issues

### AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

#### Laws relating to working women

- Contract Labour (Regulation and Abolition) Act, 1976
- Employees State Insurance Act, 1948
- Equal Remuneration Act, 1976
- Factories (Amendment) Act, 1948
- Maternity Benefit Act, 1961 (Amended in 1995)
- Plantation Labour Act, 1951

# Gender Sensitization

## Special Focus on Medico Legal Issues

### AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

#### Laws relating to marriage & divorce

- [Anand Marriage Act, 1909](#)
- [Arya Marriage Validation Act, 1937](#)
- [Births, Deaths & Marriages Registration Act, 1886](#)
- [Bangalore Marriages Validating Act, 1936](#)
- [Converts' Marriage Dissolution Act, 1866](#)
- [Dissolution of Muslim Marriages Act, 1939](#)
- [Family Courts Act, 1984](#)
- [Foreign Marriage Act, 1969](#)
- [Hindu Marriage Act, 1955](#)
- [Hindu Marriages \(Validation of Proceedings\) Act, 1960](#)
- [Indian Christian Marriage Act, 1872](#)

# Gender Sensitization

## Special Focus on Medico Legal Issues

### AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

#### Laws relating to marriage & divorce

- [Indian Divorce Act, 1869](#)
- [Indian Divorce Amendment Bill, 2001](#)
- [Indian Matrimonial Causes \(War Marriages\) Act, 1948](#)
- [Marriage Laws \(Amendment\) Act, 2001](#)
- [Marriages Validation Act, 1892](#)
- [Muslim Women \(Protection of Rights on Divorce\) Act, 1986](#)
- [Parsi Marriage & Divorce Act, 1936](#)
- [Prohibition of Child Marriage Act, 2006](#)
- [Special Marriages Act, 1954](#)

# Gender Sensitization

## Special Focus on Medico Legal Issues

### AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

#### Laws relating to maintenance

- The Code of Criminal Procedure, 1973
- Order for maintenance of wives, children and parents under section 125
- Procedure to be followed under section 125
- Alteration in allowance under section 125
- Enforcement of the order of maintenance

# Gender Sensitization

## Special Focus on Medico Legal Issues

### AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

#### Laws relating to abortion

- [Medical Termination of Pregnancy Act, 1971](#)
- [Pre-Natal Diagnostic Techniques \(Regulation & Prevention of Misuse\) Act, 1994](#)
- [Pre-Natal Diagnostic Techniques \(Regulation & Prevention of Misuse\) Amendment Act, 2001](#)
- [Pre-Natal Diagnostic Techniques \(Regulation & Prevention of Misuse\) Amendment Act, 2002](#)

# Gender Sensitization

## Special Focus on Medico Legal Issues

### AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

Laws relating to property, succession, inheritance, guardianship & adoption

- [Guardians & Wards Act, 1890](#)
- [Hindu Adoptions & Maintenance Act, 1956](#)
- [Hindu Inheritance \(Removal of Disabilities\) Act, 1928](#)
- [Hindu Minority & Guardianship Act, 1956](#)
- [Hindu Succession Act, 1956](#)
- [Hindu Succession \(Amendment\) Act, 2005](#)
- [Indian Succession Act, 1925](#)
- [Indian Succession \(Amendment\) Act, 2002](#)
- [Married Women's Property Act, 1874](#)
- [Married Women's Property \(Extension\) Act, 1959](#)

# Gender Sensitization

## Special Focus on Medico Legal Issues

### AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

#### Laws relating to children

- Child Labour (Prohibition & Regulation) Act, 1986
- Child Marriage Restraint Act, 1929
- Children Act, 1960
- Children (Pledging of Labour) Act, 1933
- Commissions for the Protection of Child Rights Act, 2005
- Infant Milk Substitutes Act, 1992
- Infant Milk Substitutes Act, 2003
- Infant Milk Substitutes, Feeding Bottles & Infant Foods (Regulation of Production, Supply & Distribution) Act, 1992
- Infant Milk Substitutes, Feeding Bottles & Infant Foods (Regulation of Production, Supply & Distribution) Amendment Act, 2003



# Gender Sensitization

## Special Focus on Medico Legal Issues

### AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

#### Laws relating to children

- Juvenile Justice (Care & Protection of Children) Act, 2000
- Juvenile Justice (Care & Protection of Children) Amendment Act, 2006
- Prohibition of Child Marriage Act, 2006
- Reformatory Schools Act, 1897
- Young Persons (Harmful Publications) Act, 1956

# Gender Sensitization

## Special Focus on Medico Legal Issues

### AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

#### Offences against women and children in the Indian Penal Code

- Abandoning of child under 12 years of age
- Adultery
- Assault or criminal force to a woman with intent to outrage her modesty
- Buying minor for purpose of prostitution
- Causing death of quick unborn child by act amounting to culpable homicide
- Causing miscarriage or miscarriage without the woman's consent
- Cohabitation caused by a man deceitfully inducing a belief of lawful marriage
- Concealment of birth by secret disposal of dead body

# Gender Sensitization

## Special Focus on Medico Legal Issues

### AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

#### Offences against women and children in the Indian Penal Code

- Concealment of former marriage
- Death caused by act done with intent to cause miscarriage
- Dowry death
- Enticing, detaining or taking away with criminal intent a married woman
- Fraudulent marriage ceremony without lawful marriage
- Husband or relative of a husband of a woman subjecting her to cruelty
- Importation of girl from foreign country
- Intercourse by man with his wife during separation
- Intercourse by a member of management or staff of a hospital with any woman in that hospital

# Gender Sensitization

## Special Focus on Medico Legal Issues

### AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

#### Offences against women and children in the Indian Penal Code

- Intercourse by public servant with a woman in his custody
- Intercourse by superintendent of jail, remand home, etc
- Kidnapping, abducting or inducing woman to compel her marriage
- Marriage ceremony fraudulently gone through without lawful marriage
- Marrying again during lifetime of spouse
- Preventing a child from being born alive or causing its death after birth
- Procreation of minor girl
- Rape
- Selling minor for purpose of prostitution
- Word, gesture or act intended to insult the modesty of a woman

# Gender Sensitization

## Special Focus on Medico Legal Issues

AWARENESS OF RIGHTS OF WOMEN AND LEGAL REMEDIES

# Thank You

Smt. S. Vani,  
Advocate, Supreme Court of India,  
S. V. Associates, Hyderabad, India.