

**A CONSTITUTIONAL PERSPECTIVE ON WOMEN'S EMPOWERMENT: AN
ANALYSIS OF AMENDMENTS STRENGTHENING GENDER EQUALITY IN INDIA**

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ABSTRACT

In Indian Constitution and legislative evolution women's empowerment has been a cornerstone as it reflects the commitment of the nation to ensure equality, dignity and justice for all the citizens without any discrimination of gender. In the Constitution of India starting from the preamble itself and after that in fundamental rights and directive principle of state policy it has been seen as the foundation for the equality. However, over the years many amendments in the constitution have also played an important role in strengthening the constitution and its ideals into actionable rights and giving them protection. In this paper the critical examination of women empowerment has been done through the lens of amendments in constitution and their socio-legal implication. In this study the key amendments will be highlighted such as 73rd and 74th amendments (1992) where women get reservation of one-third seats in panchayats and local bodies. Similarly, 93rd amendment (2005) where special provision has been made for backward classes for education which also includes women. The 101st amendment (2016) and other intervention which shows the impact on women's participation. This paper includes judicial interpretations that enforced amendments aimed at women's rights such as equality in the workplace, property rights and protection from discrimination. The constitutional provisions such as Article 14, 15 and 16 and other legislative reforms examined the progress to achieve gender equality. There are some challenges which are being faced while studying such as gaps in implementation. Socio-economic limitations, mindset of the society. In India the empowerment of women is not only a legal obligation but also the promise by the constitution through the amendments. Through the constitution and its amendments and by the various continuous policies the accountability and

change in society is to ensure the ideals are realities for women. The discrimination between the genders has been decreasing with time.

KEYWORDS: Women's Right, Gender Equality, Constitution, Amendments

INTRODUCTION

Women empowerment is important for any progressive and democratic society. Women's empowerment in India is deeply connected with the framework of the constitution which has the vision of equality, justice and liberty to all the people irrespective of their gender. The constitution of India from its draft has laid down the principle of gender equality and it is shown as the essential element of social justice and democracy. The framers of the constitution were aware from before regarding the socio-economic and cultural inequalities and by this it has been seen that women in the society have always been given a subordinate position than man. To overcome this injustice towards women, the Indian Constitution has incorporated the provision related to equal rights, gives protection against discrimination and effective steps are to be taken to ensure the participation of women in economic, political and social life. Over the years, many amendments have been seen in the constitution to strengthen the provisions aligning them with the changing needs of women and to understand gender equality in India.¹

The Indian Constitution is the foundation for the empowerment of women by its preamble, Fundamental Rights, Directive Principles of State Policy. The preamble gives equality in status and opportunities. Article 14, 15 and 16 gives equality before law and prohibits the discrimination based on sex, gender, caste and ensures equal opportunity in employment also. Article 15(3) of fundamental rights empowers the state to make any special provision for women and children. Similarly in Directive Principle of State Policy Article like 39(a), 39(d) and 42 gives obligation to the state to ensure that men and women both get equal access to livelihood and working conditions. All these provisions of the constitutional framework focus on gender equality and women's empowerment.²

In India the reality of gender justice has fallen short of constitutional promises. Discrimination in all the fields like education, political representation and justice has to be decreased for the advancement of women. The significant constitutional amendment like 73rd and 74th which gives reservation seats to women in Panchayati raj and local bodies. This is the historic step taken towards the democratic governance; women take part in the decision-making process from the ground level. It is not only political progress but also social and economic progress.³

Thereafter, constitutional amendments like 85th and 86th amendment act strengthen equality by

expanding the access of education and employment in the public sector which is necessary for the empowerment of women. Article 21-A has been inserted by the 86th amendment which makes education a fundamental right and has played a transformative role in improving the education and awareness of women in the field of education. Similarly, the 93rd amendment act allows reservation of seats in educational institutions for the women of backward classes and then reinforces the constitutional provisions for empowerment.⁴

Judicial interpretation has also played an important role in women empowerment by the constitutional provisions. The Supreme Court has upheld the principle of gender equality which is considered an inseparable part of Article 21 that is right to life and dignity. In landmark judgements like *Vishaka v. State of Rajasthan* (1997)⁵ the court has given the guidelines regarding sexual harassment at workplace and in the case of *Mary Roy v. State of Kerala* (1986)⁶ the equal rights of inheritance have been given to Christian women by expanding the constitutional framework for gender justice. Through various interpretations by the judiciary the transformation of the constitution has been seen from legal documents to a living instrument of social change. Women empowerment is not only a social or political objective but a constitutional values of equality, dignity and justice. The various amendments with the judicial interpretation and many policies have collectively contributed towards the barriers and promoted society. However, the journey towards gender equality is unfinished due to issues like violence, wage disparity, lack of awareness in constitutional rights etc.

An analysis of constitutional amendments strengthened gender equality and saw the evolution in commitment to women empowerment in India. By this it will help us to understand the mechanism of constitution, legal intervention and judicial activism that all worked together to shape the equitable society. In this paper the examination of constitutional provision for gender equality, the development by relevant constitutional amendment has been done. By doing so, the paper will highlight the achievement and challenges regarding the spirit of gender justice and gender equality by the provision of the Constitution of India.⁷

LITERATURE REVIEW

- In the book of J.N. Pandey, *Constitutional Law of India*, Allahabad, Central Law Agency, 48th edition of 2011: Pandey laid down the fundamental provisions in constitution mainly Fundamental Rights, Directive Principle of State Policy and amendment power. The scope of

equality given under Article 14-16 and the procedure of amendment is also given under the constitution, which is useful for researchers at the beginning of work on the measures of gender equality.⁸

- In the book of Durga D. Basu, *Commentary on the Constitution of India*, 9th edition, Lexis Nexis, 2017/2018: Here in this book the commentary on the text of constitution and interpretation has been given. Article 15(3) and judicial interpretation of equality provisions are useful for the measures of women. The book gives doctrinal depth and judicial synthesis with its limitations.⁹
- In the book of Granville Austin, “*The Indian Constitution of Nation*”, by Oxford University Press, 1999: The constitution within social transformation in India and emphasizes on directive principles as the vision of social justice which includes gender equality. The political and historic framing will help to understand the constitutional values and gender-oriented reforms. This book is strongly based on the history of the constitution, but it is less focused on post-independence amendments.¹⁰
- Constitution 73 and 74 Amendment Acts, 1992 (Official texts/ Government sites): The amendment act gave women reservation seats in Panchayati Raj and Local Bodies. Government publications and legal text are given under the constitution and 11 schedule. The amendments are cited in literature as the most critical step of political empowerment at ground level.¹¹
- In the *Journal of Educational Planning and Administration*, 2007, by Jandhyala B.G. Tilak “The Right to education and the 86th Amendment”: The analysis of 86th amendment has been done which made free and compulsory education given under Article 21A as the fundamental rights. He argues for universal education and mainly for girls.¹²

OBJECTIVE OF THE STUDY

The preliminary objective of this study is to understand the constitutional provisions and their amendments related to women’s rights and gender equality. There are various provisions and policies made by the government for the empowerment of women and the judicial interpretation of the same is done for better achievement. It aims towards gender equality. The main objective of the study is to:

1. To examine the constitutional provisions such as fundamental rights, directive principles for

women's rights and gender equality.¹³

2. To identify and study the key amendments in the constitution to strengthen gender equality and enhance the participation of women in social, political and economic fields.¹⁴
3. To analyze the landmark judgements regarding the rights of women in India.
4. To evaluate how far the amendments have achieved the objective of eliminating discrimination and promoting equality.¹⁵
5. To study whether the constitutional and legal provisions fulfill the objective.
6. To examine the limitations in implementing the provisions for women and then suggest the effective measure for improvement.¹⁶

RESEARCH METHODOLOGY

The present research adopts a doctrinal and analytical research methodology which focuses mainly on the constitutional provisions and legal analysis of women's rights in India. It is mainly based on secondary sources such as constitutional books, articles, research papers, reports of government, decisions of courts, legal journals, available records, key constitutional amendments and various landmark judgements regarding gender equality. The qualitative analysis is done to evaluate how effectively these constitutional amendments have been contributed for empowerment of women. The research is limited to the framework of the constitution of India, and it does not include any empirical data. It is purely based on secondary study where the deep analysis of the amendments and the provisions.

STATEMENT OF PROBLEM

Although there is progressive framework of the constitution of India which gives the provisions related to equality and prohibits the discrimination based on gender, the reality remains uneven and incomplete for the empowerment of women in India. While many amendments in constitution and legislative reforms have been introduced for gender equality like promoting women's participation in politics, protecting their rights in employment and making sure everyone gets equal access in education and property but still there is a gap between ideals of constitution and implementation. The socio-cultural norms, attitudes and institutional barriers are limited to the participation of women in political, social and economic fields. Moreover, with existing Article

14, 15 and 16 which ensure equality there are also the amendments like 73rd and 74th Constitutional Amendment Act which aim to empower women at ground level where the provisions to translate into reality is a major challenge. The problem is not only the absence of law but in enforcement, accessibility and awareness. The research is made to analyze the amendments in the constitution which are made with the intention to promote gender equality and the contribution of women and to find the gap of true constitutional justice for women in India.¹⁷

RESEARCH HYPOTHESIS

By understanding the problems in this research, the following are the hypotheses framed by the researcher.

H1: Legal Provisions and amendment in constitution which promotes gender equality and focuses on women empowerment.

H2: Impact of these amendments is limited because of the weak implementation of law and enforcement mechanisms.

H3: Among women there is a lack of awareness regarding their rights.

H4: Amendments like 73rd, 74th which provide a legal framework for participation of women in politics and public life but in reality, it is not that successful.

H5: Socio-cultural barriers and norms which restrict the rights of women under the constitution of India.¹⁸

CONSTITUTIONAL GUARANTEES AND JUDICIAL INTERPRETATION FOR WOMEN'S EMPOWERMENT

In India the empowerment of women has been an important goal to achieve since the independence of the nation. The framers of the Constitution of India were aware about the historic inequalities, discrimination and social disabilities that have been suffered by women since centuries. The urgency was there to create the social order which incorporated through various provisions to ensure equality, justice and dignity for women. Over the years with the provisions of the constitution there came constitutional amendments, judicial interpretation and reforms played a critical role in uplifting gender equality. The journey of the constitution has been dynamic which reflects the evolving democratic ethos and commitment to create a society where women also get

equal rights and opportunities as men in all spheres as political, social and economic. This research paper analyses the provisions of the constitution related to women and its major amendment for reshaping gender equality with the judicial interpretation of women's right through judicial activism.¹⁹

The vision of gender equality under the Constitution of India begins with its preamble where the word justice includes social, economic and political justice and assures to have equal status and opportunities to every citizen. The constitutional values provide the foundation for empowerment of women. The core equality provisions lie in fundamental rights which is the part 3 of Indian Constitution under Article 14, 15 and 16 which collectively made for equality. Article 14 guarantees equality before law and equal protection of law without any discrimination.²⁰ The Supreme Court in the case of *EP Royappa v. The state of Tamil Nadu*²¹ interpreted equality without any arbitrariness while the provision has been used to strike down gender discrimination practice. Article 15(1) prohibits discrimination based on sex, gender, caste, race, religion etc and this was a progressive step for the newly independent country. Article 15(3) makes special provisions for children and women to acknowledge equality. This clause legitimizes the policies, reservation and some welfare schemes which have been specially made for women. Article 16 ensures equality in public employment opportunities, and it has been challenged in the courts for gender-based biases in recruiting and service conditions. These provisions are enforceable by court of law.²²

Many constitutional amendments have also been made to uplift gender equality by establishing new rights, political representation and protecting socio-economic interest of women. One of the most transformative amendments was the 73rd and 74th amendments of constitution in 1992 where women got 33% of reservation seats in Panchayati raj institutions and local bodies. This empowerment gives ground level governance to many women in the political field. Various analyses show improvement in many areas like sanitation, education, corruption in women panchayats. In the landmark judgement of *Vishaka v. State of Rajasthan* where the Supreme Court gives guideline for the protection against sexual harassment at workplace and the provisions encourage the participation of women politically free from harassment and discrimination.²³ The women's reservation bill where 106th amendment 2023 was passed to extend reservation of 50% of women which further reflects the commitment of political gender equality.²⁴

The personal liberty protection is given under Article 21 which is right to life and personal liberty,

and it is the most powerful tool for the empowerment of women. The Judiciary interpreted Article 21 which includes the right to dignity, privacy, freedom from violence etc. In the case of *Suchita Srivasatava v. Chandigarh Administration* the Supreme Court declared women's choice as a fundamental right.²⁵ Further in 2017 the case of *KS Puttaswamy v. The Union of India* establishes the right to privacy which includes matters related to bodily autonomy, sexual choice and freedom.²⁶ In the same way *Vishaka v. State of Rajasthan*, the court gives the guideline for sexual harassment at workplace, which is violation of Article 21, 14 and 15 and this was India's first framework for women's harassment at workplace and later codified as Sexual Harassment of Women at Workplace Act, 2013.

Women's empowerment provisions are also given under Directive Principle of State Policy in the constitution. Article 39(a) (d) and (e) which directs the state to give equal livelihood, equal pay for equal work and protection against exploitation of women. In the case of *Randhir Singh v. Union of India* where the court read the provision of equal pay for equal work which focuses on equality of both men and women.²⁷ The obligation of the state is to provide just and humane working conditions to all under Article 42 and maternity relief based on Maternity Benefit Act, 1961.

The Uniform Civil Code under Article 44 is still under debate for gender justice in personal laws like marriage, divorce, and guardianship. In the case of *Shayara Bano v. Union of India*, court struck down the concept of triple talaq as unconstitutional based on gender equality principles. Some amendments under the constitution have the direct impact on rights of women by discrimination in personal laws. The Hindu Succession Act, 2005 is not from the constitutional amendment but it flows from the idea of equality under Article 14 and 15. By this act it is granted the equal right of daughters in their ancestral property.²⁸ In *Vineeta Sharma v. Rakesh Sharma* in 2020 clarified that daughters have the rights since birth whether or not their father is alive the historic shift has been seen in property rights. Other amendments such as the 97th Amendment which emphasized on cooperative societies and indirectly benefited women.²⁹

Judicial Interpretation has been the leading force behind the operation of constitutional guarantees for women. In *Air India v. In the Nergesh Meerza* case the court struck down the rules like automatic termination of air hostesses on pregnancy which they called as unconstitutional. In another case of *Mary Roy v. State of Kerala*, the Supreme Court upheld equal inheritance rights for the women who is christian in Travancore and Cochin to ensure that customary law does not

override the constitutional laws for equality.³⁰ In the case of *Laxmi v. Union of India*, the court has directed the guideline for the sale of acid and the compensation is given for survivors.

The Fundamental Duties which are added by 42nd Amendment Act also seeks to protect women under the constitution. Article 51A(e) which directs the citizens to renounce the practice which is derogatory to the dignity of women. The guideline is provided by act for social and educational reform which promotes gender sensitivity. The 86th Constitutional Amendment Act of 2002 also added Article 21A which provides free and compulsory education to every citizen which improves female literacy and enrollment of school especially to the girls who are from backward classes or disadvantaged background. Education is the most powerful instrument in all the spheres of life for the empowerment of women in social, economic and political. Constitutional amendments like this have focused on equality for all genders in all spheres of life. Education is free and compulsory for every child between the ages of 6 to 14 years and it has been included in fundamental rights which means it is enforceable in the court of law.³¹

In recent times, the judiciary has increased the concept of constitutional morality which is the principle of constitutional values which must guide social behavior. In the case of *Navtej Singh Johar v. Union of India* it was a case of sexuality rights and here the court lied on dignity, choice and autonomy to protect the women's agency. In *Joseph Shine v. Union of India*, the Supreme Court decriminalized adultery that declares women are not the property of their husbands. The judgement reiterated the laws which place women down and violate Article 14,15 and 21.³²

Despite constitutional provisions there are many challenges which are faced by women like domestic violence, trafficking, female foeticide, harassment at workplace etc. However, the constitutional mechanism supported the amendments, social policy reform which continue to evolve in response to these challenges. Our constitution is not static, it changes as per the needs of the society, and it has been grown with India's feminist driven by women challenging discrimination through courts. The amendment in the constitution expands the reservation for women in local bodies, equality in property rights and recognize participation of women in governance. Transformative judgments have oppressed customs and laws which are inconsistent with the values of the constitution.

In India the constitutional framework for the empowerment of women is the combination of various bases like provisions of equality, progressive amendments, clauses for affirmative action and judicial interpretation. The constitution does not only grant equality, but it also lays down the

map for achieving equality by historical injustice which provides protective rights and promotes social transformation. In India women rights is not merely a legislative mandate but it is also a constitutional mission. It is a continuous process with the change in time. The growth of society is necessary and so, the constitutional law has seen continuous evolution by the various amendments and the judicial pronouncement which ensures gender equality, and it is for the progress of democratic countries. For the rights and protection of women, various laws have been made against the violence and the right is given to every woman the same as men. The opportunities in employment are also equal for both genders. Furthermore, along with the constitutional provisions various other laws related to women have been made for their benefit and protection against any violence. With these rights and laws gender discrimination has decreased in India and now we can see equality in all the fields between men and women.³³

An important dimension of women's empowerment under the Indian constitutional framework is the relationship between formal equality and substantive equality. Formal equality requires that women and men should be treated equally before the law, whereas substantive equality recognizes that women may require special protection and affirmative measures because of historical discrimination and structural disadvantages. Article 15(3) reflects this substantive approach by permitting the State to make special provisions for women and children. This provision has played a significant role in supporting welfare legislation, protective labour laws, reservation policies and other measures intended to improve the social and economic position of women. Therefore, the Constitution does not merely prohibit discrimination but also permits positive action for the advancement of women.

Another important area is access to justice. Constitutional rights become meaningful only when women are able to approach courts and legal institutions effectively. Article 32 and Article 226 provide constitutional remedies through the Supreme Court and High Courts. These remedies have enabled women to challenge discriminatory practices, arbitrary rules and violations of dignity and personal liberty. Public Interest Litigation has also widened access to justice in matters involving sexual harassment, violence, trafficking and other forms of gender discrimination. Through judicial activism, constitutional courts have frequently interpreted fundamental rights in a broad manner so that legal protection can respond to changing social realities.

The principle of dignity has also become central to the constitutional understanding of women's rights. The right to life under Article 21 is no longer limited to mere physical existence. Judicial interpretation has expanded it to include dignity, privacy, bodily integrity, personal choice and autonomy. These principles are

highly relevant to women because discrimination often operates through control over their body, mobility, employment, marriage and reproductive choices. By recognizing dignity and autonomy as constitutional values, the judiciary has strengthened the ability of women to make independent decisions regarding their personal and professional lives.

The constitutional commitment to gender equality can also be seen in the field of employment and economic participation. Articles 14 and 16 require fairness and equality in matters of public employment. At the same time, Directive Principles such as Article 39(d) emphasize equal pay for equal work, while Article 42 requires just and humane conditions of work and maternity relief. These provisions show that economic independence is an essential component of women's empowerment. Without equal access to employment, fair wages and safe working conditions, constitutional equality would remain incomplete. Therefore, the economic dimension of gender justice is closely connected with the broader constitutional objective of social justice.

Political representation is another major element of empowerment. The 73rd and 74th Constitutional Amendments created a significant opportunity for women to participate in local governance. Reservation in Panchayats and Municipalities gave women an institutional space in decision-making at the grassroots level. This constitutional development is important because political empowerment is not limited to voting rights; it also includes participation in governance, policy formation and local administration. Women's representation in local bodies has created greater visibility of women in public institutions and has encouraged their participation in matters such as education, health, sanitation, welfare and local development.

However, legal and constitutional provisions alone cannot automatically guarantee substantive equality. The effectiveness of these provisions depends upon awareness, implementation and institutional support. Social practices, patriarchal attitudes, unequal access to education and financial dependence continue to restrict the exercise of women's rights. In many cases, women may possess legal rights in theory but may not be able to use them effectively in practice. This creates a gap between constitutional guarantees and social reality. Therefore, the real success of constitutional empowerment depends upon the translation of legal rights into actual social, political and economic opportunities.

The judiciary has attempted to reduce this gap by adopting a purposive interpretation of constitutional provisions. In several landmark decisions, the courts have emphasized that gender equality must be understood in the light of dignity, autonomy and non-discrimination. This approach has helped constitutional law move beyond a narrow understanding of equality and towards a more realistic protection of women's rights. Judicial interpretation has therefore acted as an important bridge between constitutional ideals and social justice.

At the same time, the role of the legislature and executive remains equally important. Constitutional

principles require effective laws, proper administrative machinery and continuous monitoring. Measures relating to education, workplace safety, political participation, economic opportunities and access to justice must be implemented consistently. There is also a need for greater legal awareness among women so that they can understand and exercise the rights available to them. Legal literacy, institutional accountability and gender-sensitive governance are necessary to make constitutional guarantees meaningful.

Thus, women's empowerment under the Constitution of India is a continuing process involving constitutional provisions, amendments, legislation, judicial interpretation and social reform. The Constitution provides a strong foundation, but the achievement of real gender equality requires sustained efforts at every level. The combination of formal equality, affirmative action, judicial protection and social transformation is essential for ensuring that women enjoy not merely legal rights on paper but real equality in everyday life.

HYPOTHESIS TESTING

The hypotheses framed in the present study have been tested on the basis of doctrinal and analytical examination of constitutional provisions, constitutional amendments, judicial decisions and other secondary legal sources. Since the present research is purely doctrinal in nature and does not involve empirical or statistical data, the hypotheses have been evaluated on the basis of the legal framework and the findings emerging from the study.

H1: Legal provisions and amendments in the Constitution promote gender equality and focus on women's empowerment.

The study supports this hypothesis. The Constitution of India provides a strong legal foundation for gender equality through Articles 14, 15, 16 and 21. Article 15(3) specifically enables the State to make special provisions for women and children. Directive Principles such as Articles 39(a), 39(d), 39(e) and 42 further strengthen the constitutional commitment towards equal livelihood opportunities, equal pay, protection against exploitation and humane working conditions. Constitutional amendments such as the 73rd and 74th Amendments have also increased women's participation in local governance. Judicial decisions have further expanded the meaning and scope of equality, dignity and protection of women. Therefore, H1 is accepted.

H2: The impact of these amendments is limited because of weak implementation of law and enforcement mechanisms.

This hypothesis is also supported by the findings of the study. Although several constitutional and legal provisions have been enacted for the protection and advancement of women, their practical effectiveness remains limited in several areas. The existence of constitutional guarantees does not automatically ensure their complete implementation. Problems such as weak enforcement, lack of institutional accountability, inadequate awareness and social resistance reduce the effectiveness of legal reforms. The study therefore establishes that the gap between constitutional promises and actual implementation continues to affect women's empowerment. Hence, H2 is accepted.

H3: There is a lack of awareness among women regarding their constitutional and legal rights.

The analysis supports this hypothesis. The study identifies lack of awareness as one of the major barriers to the effective use of constitutional and legal safeguards available to women. Even where legal remedies are available, many women are unable to exercise them effectively because of inadequate legal knowledge, limited access to institutions and insufficient awareness regarding constitutional rights, remedies and welfare measures. This limitation becomes more serious in socially and economically disadvantaged sections. Therefore, H3 is accepted.

H4: The 73rd and 74th Constitutional Amendments provide a legal framework for the participation of women in politics and public life, but their practical success remains limited.

This hypothesis is partially accepted. The 73rd and 74th Constitutional Amendments have significantly expanded women's political participation by providing reservation in Panchayati Raj Institutions and Urban Local Bodies. These amendments created an important constitutional mechanism for women's participation in grass-root governance and decision-making. However, the study also indicates that constitutional representation alone does not always result in substantive political empowerment. Social barriers, lack of independent decision-making power, limited political experience and unequal access to resources may restrict the actual effectiveness of women representatives. Therefore, while the amendments have been successful in increasing formal political representation, their ability to ensure complete and independent political empowerment is still limited. Hence, H4 is partially accepted.

H5: Socio-cultural barriers and norms restrict the effective exercise of women's constitutional

rights in India.

The study strongly supports this hypothesis. Despite constitutional guarantees of equality, dignity and non-discrimination, women continue to face various social and cultural barriers. Patriarchal attitudes, gender stereotypes, discrimination, unequal economic opportunities, violence, lack of awareness and limited participation in decision-making prevent women from fully enjoying their constitutional rights. The findings of the research show that legal reform alone cannot achieve complete gender equality unless corresponding social and cultural changes also take place. Therefore, H5 is accepted.

On the basis of the above analysis, it can be concluded that four hypotheses, namely H1, H2, H3 and H5, are accepted, whereas H4 is partially accepted. The overall findings demonstrate that the Indian constitutional framework has significantly strengthened women's rights and gender equality. However, the effectiveness of these provisions depends upon their proper implementation, institutional enforcement, social awareness and removal of socio-cultural barriers. The study therefore establishes that constitutional reform and judicial intervention must be supported by effective implementation and social transformation for achieving substantive gender equality.

CONCLUSION AND SUGGESTION

In India, women's empowerment from a constitutional perspective has steadily progressed by the transformative amendments and judicial pronouncement which reinforce the principle of equality, justice and dignity. In the constitution the provisions of fundamental rights such as Article 14,15,16 and 21 along with the 73rd and 74th amendment that ensure political participation of women and legal reforms expanding education rights, employment and liberty which strengthen the commitment of the constitution to gender equality. Yet, despite the legal foundation there are many challenges such as social barriers, gender biases and weak implementation. True empowerment needs an equal partnership between constitutional provisions and social change. To strengthen gender equality and women empowerment here are a few suggestions. First, effective enforcement of the laws through stronger institutional accountability. Second, awareness programs for gender equality to challenge deep rooted patriarchal norms. Third, to increase women's decision-making

power mainly in parliament and judiciary. Fourth, improve access to education, digital literacy and equal economic opportunities. Hence, social transformation is a support of constitutional reforms and ensures that women not only enjoy legal equality but also substantive and live in an equal manner in all the spheres of life.

Further, the constitutional journey of women's empowerment in India shows that the achievement of gender equality cannot depend only upon the existence of constitutional provisions. The effectiveness of these provisions depends upon how far they are implemented in actual social conditions. Constitutional amendments and judicial pronouncements have undoubtedly created a stronger framework for the protection and advancement of women, but the benefit of these reforms must reach women belonging to different social, economic and regional backgrounds. The gap between constitutional guarantees and practical realities still remains one of the major concerns in the field of gender justice.

There is also a need to strengthen women's representation beyond local self-government institutions. Greater participation of women in Parliament, State Legislatures, judiciary, public administration and other decision-making institutions can contribute to more inclusive governance. Representation should not remain merely numerical; women must also be given meaningful opportunities to participate independently in policy-making and institutional leadership.

Another important requirement is to strengthen access to justice. Legal aid services, women help centres, complaint mechanisms and grievance redressal systems should be made more accessible and effective. Women, particularly those belonging to rural, economically weaker and socially disadvantaged sections, should be made aware of their constitutional and legal remedies. Legal literacy programmes should therefore become a regular part of educational institutions, local governance bodies and community-level initiatives.

Economic empowerment also needs greater attention. Equal employment opportunities, equal wages, safe workplaces, maternity protection, skill development and financial independence are essential for substantive equality. A woman who is economically independent is in a stronger position to exercise her constitutional rights and participate in social and political decision-making. Government policies should therefore focus on creating sustainable employment and entrepreneurship opportunities for women.

Education remains one of the strongest instruments for long-term empowerment. Constitutional rights can be effectively exercised only when women are aware of their legal status and are capable of making informed choices. Therefore, access to quality education, higher education, vocational training and digital literacy should be expanded. Special efforts are required to reduce educational disadvantages faced by women in rural and marginalized communities.

The role of the judiciary must also continue to remain significant. Courts have played an important role in interpreting equality, dignity, autonomy and privacy in favour of women's rights. Future judicial interpretation should continue to respond to new forms of discrimination and inequality arising from technological development, digital platforms, online harassment and changing employment structures. Constitutional protection must therefore evolve with changing social realities.

At the same time, social attitudes towards women must change. Deep-rooted patriarchal practices, gender stereotypes and discrimination cannot be eliminated only through legal provisions. Educational institutions, families, workplaces, media and public authorities must contribute towards promoting respect, equality and dignity. Gender sensitisation should therefore be treated as an important part of social and legal reform.

It may therefore be suggested that constitutional reforms must be accompanied by effective enforcement, legal awareness, institutional accountability and social transformation. The success of women's empowerment should be measured not merely by the number of laws or amendments enacted, but by the extent to which women are able to exercise equality, dignity, autonomy and opportunity in their everyday lives. The constitutional promise of gender justice will be truly fulfilled only when women are able to participate equally and independently in political, economic, social and legal institutions.

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³¹ The Constitution (Eighty-Six Amendment) Act, 2002.

³² Joseph Shine v. Union of India, AIR 2019, 3 SCC 39.

³³ Sanjay Kumar, Right to equality and gender justice with special reference to women education in India, Shodhganga (Apr.12, 2019), <https://shodhganga.inflibnet.ac.in/handle/10603/61939>