

LAWS PROTECTING WOMEN IN INDIA: LEGAL PROVISIONS AND GROUND REALITIES

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1. Abstract:

The place of women in Indian society is divided, to say the least. While a section of women apparently seems to be gaining ground professionally, personally, socially, economically, and emotionally, the beneficiaries of a widening circle of opportunities created first by education, then employment, and finally by progressive legal frameworks, another sizeable section of women still struggles with ingrained problems like domestic violence, dowry harassment, workplace harassment, and economic exploitation.

Several laws have been passed in India to safeguard the rights and interests of women. The significant legislations for this are the Protection of Women from Domestic Violence Act, 2005; Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013; Dowry Prohibition Act, 1961; Maternity Benefit Act, 1961 and Equal Remuneration Act, 1976. Even with that protection by law, however, women's rights continue to be violated - and with alarming regularity. The fact that these challenges remain suggests the problem isn't so much that laws are non-existent, but rather barriers to justice, lack of knowledge about one's rights and how to safeguard them, social censure and neglectful application of existing rules.

The fact that these issues persist indicates that the problem does not rest so much in the lack of law, but rather in limited access to justice, lack of legal awareness, socio-cultural

obstacles, and inefficient enforcement of the laws on the books. These gaps have consequences for the reach of the law in effectively serving women who are most vulnerable and in need of protection.

The present paper attempts to examine the laws enacted for the protection of women in India, analyse the critical issues hindering their effective implementation, and suggest certain measures to bridge the gap between legal provisions and ground realities.

Keywords

Women's Rights; Gender Justice; Domestic Violence Act; POSH Act; Law and Implementation Gap; India

2. Introduction:

The status of women in Indian society is marked by contradictions. On the one hand, a large number of women have made significant advancements in education, employment, and social freedom. Women have become more accessible to professional opportunities, secured by law and economic independence, and thereby many have been able to live empowered and self-sufficient lives. However, a large segment of women is also presently noticed to be facing discrimination and violence in both public and private spaces. Domestic violence, harassment in relation to dowry, sexual harassment in the workplace, discrimination in salaries, and economic exploitation are practices deeply-rooted within society.

India has enacted a number of pieces of legislation designed to promote women's rights and equality. Over the years, the Parliament of India enacted a few legislations, such as the Dowry Prohibition Act in 1961, the Maternity Benefit Act of 1961, Equal Remuneration Act -1976. Protection of Women from Domestic Violence-2005 & Sexual Harassment of Women at Workplace (Prevention) Act – 2013. It is an attempt by the legislators in India to harmonise Indian laws with the goals of equality, dignity, and justice.

Despite the existence of a widespread legal framework, the breach of rights continues to record alarming levels of frequency in the matter of women's rights. The instances

reported of gender violence and discrimination suggest the failure of legal rights to ensure relief in practical reality. The demand to be grounded in reality suggests the major problem does not lie in the non-existence of the local legislation framework, in this context, the lack of awareness of the local legal infrastructure regarding the rights of the concerned segment of people, which in this case are the women, plays a major role in rendering the major job of enforcing the mentioned legislation ineffective.

Additionally, social stigma, fear of retaliation, economic dependency, and social pressure may act as deterrents for women to file complaints and take legal action. Even in cases when women can file complaints, sometimes the concerned authorities may fail to take necessary actions, thereby reducing the effect of women-oriented legislation. This causes women-oriented legislation to remain merely partially effective, especially for women from marginalised groups.

However, against this background, the current study aims to investigate the legal framework initiated for the protection of women in the Indian context and analyse the factors that act as hurdles for the effective implementation of the same. This study proposes to determine the effectiveness of the existing laws for meeting the aims and objectives, on the other hand, and help identify the gap existing between the laws and the reality on the ground. Therefore, it is expected that this study will help in analysing the ways for the improvement of the legal system for the empowerment of women in the Indian community.

3. Literature Review

A scan of the literature on Constitutional Provisions and other documents reveals the existence of a vast legal framework for the empowerment and protection of women; however, the literature clearly points to the existence of several imperfections in implementing these legal provisions. The imperfections lie in the form of difficulties related to accessibility and awareness regarding the legal provisions, and other socio-economic factors.

- **Crime in India 2023 – Part I: National Overview of Crimes Against Women¹**

The present report offers a glimpse of crime against women under the IPC and Special Laws at the national level. The crime statistics indicate the continued imbalance between the law and the ground reality despite the extensive legal frameworks to protect the safety of women. There seems to be better reporting and minimal deterrence of women-specific legislation.

- **Law Commission of India Report No. 243: Section 498A IPC²**

The study analyses the applicability of Section 498A IPC insofar as the process is concerned to tackle cruelty imposed on married women. There are concerns about misuse in this document, but nothing in this section undermines its validity.

- **Justice Verma Committee Report: Laws Relating to Sexual Violence³**

The report was created in response to a gang rape case in the year 2012 in Delhi, to change the law regarding rape cases. The requirements for changing the law were pointed out in a report, which included improving the definition of rape and providing women-friendly procedures. This report identifies the difference between legal reforms and women's accessibility to justice.

- **Law Commission of India Report (2023): Contemporary Criminal Law Reforms⁴**

The 2023 Law Commission Report examines criminal law reforms relating to the age of the victim, particularly in sexual offence cases. It highlights concerns regarding the rigid age thresholds under existing laws, which may criminalise consensual adolescent relationships. The report underscores the need for a balanced approach that protects minors while preventing misuse of criminal law.

¹ National Crime Records Bureau. (2024). *Crime in India 2023: Part I—Crimes against women (Vol. 1)*. Ministry of Home Affairs, Government of India.

<https://www.ncrb.gov.in/uploads/files/1CrimeinIndia2023PartI1.pdf>

² Law Commission of India. (2012). *Report No. 243: Section 498A IPC*. Government of India.

<https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022081023.pdf>

³ Justice Verma Committee. (2013). *Report of the Committee on Amendments to Criminal Law*. Government of India. <https://spuwac.in/pdf/jsvermacommitteereport.pdf>

⁴ Law Commission of India. (2023). *Criminal law reforms and women's safety*. Government of India. <https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2023/09/20230929466194485.pdf>

- **Annual Reports of the Ministry of Women and Child Development⁵**

The Annual Reports of the Ministry of Women and Child Development also document government actions taken towards women's safety and empowerment.

They record the implementation of policies involving violence, occupational safety, and social welfare. However, the gap between policy intentions and reality has remained apparent.

- **POSH Act Handbook: Sexual Harassment at Workplace⁶**

The POSH Act Handbook is a guide on how to comply with the law to prevent sexual harassment at work. The law requires a strict framework. Even when it is clear in law, a lack of awareness and poor enforcement become a barrier to effective protection.

- **National Judicial Data Grid (NJDG): Case Pendency in Women-Centric Laws⁷**

NJDG allows real-time tracking on pendency and disposal of cases registered under women-centric legislations. High rates of pendency indicate systemic delays in access to justice among women.

It is apparent from these statistics that the lack of proper legal protection is demonstrated by the absence of recourse to judicial remedy.

- **Biswas & Das Chatterjee (2023): *Tears Behind the Closed Doors: A Logistic Analysis of Domestic Violence Against Women in West Bengal, India*⁸**

In this paper, the focus is on Domestic Violence in West Bengal by using Logistic Analysis. It showcases how social and institutional limitations can impair the efficacy of legal safeguards afforded to women. This study highlights the disparity between statute law and reality in cases of domestic violence in Indian society.

⁵Ministry of Women and Child Development. (2023). *Annual report*. Government of India. https://wcd.gov.in/documents/uploaded/1752655749_unGJajpBQ1.pdf

⁶ Ministry of Women and Child Development, Government of India. (2015). *Handbook on sexual harassment of women at workplace (Prevention, prohibition and redressal) Act, 2013*. Government of India. <https://wcd.nic.in>

⁷ National Judicial Data Grid. (2024). *Case statistics on women-centric laws*. eCourts, Government of India. https://njdg.ecourts.gov.in/njdg_v3/

⁸ Biswas, P., & Das Chatterjee, N. (2023). Tears behind the closed doors: A logistic analysis of domestic violence against women in West Bengal, India. *Journal of Research in Crime and Delinquency*. <https://doi.org/10.1177/00111287231202784>

- **Mahato, Das & Reddy (2025): *Gender Inequality in Land Ownership in India: Evidence from National Sample Survey*⁹**

This study investigates gender disparities in land ownership as a structural barrier to women's empowerment in India. It shows that unequal land rights persist despite legal reforms, weakening women's socio-economic status. The article suggests that substantive equality requires more than statutory change; it demands effective implementation and social transformation

- **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)¹⁰**

The main international instrument binding India to end discrimination against women is CEDAW. It calls for substantive equality, effective remedies, and state responsibility. Even after ratification, discrepancies are found between international obligations and internal enforcement.

4. Objectives of the Study

The primary objectives of this study are:

- To examine the laws enacted in India for the protection of women:
- To evaluate the effectiveness of these laws in practice:
- To identify challenges hindering women's rights:
- To provide recommendations for improving implementation:

5. Research Methodology:

This study adopts a **doctrinal research** approach, aiming to explore both the legal framework and ground realities for women in India through secondary resources.

⁹ Mahato, R. K., Das, A., & Reddy, B. (2025). Gender inequality in land ownership in India: Evidence from National Sample Survey. *Journal of Development Studies*, 61(10), 1623–1641. <https://doi.org/10.1080/00220388.2025.2481879>

¹⁰ United Nations General Assembly. (1979, December 18). *Convention on the elimination of all forms of discrimination against women*. Office of the United Nations High Commissioner for Human Rights. <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>

The study of secondary sources includes:

- Review of legal documents, government reports, law commission reports, judicial verdicts, and scholarly articles.
- Analysis of statistical data on crimes against women from sources like the National Crime Records Bureau (NCRB).

Limitations:

- Due to the non-sponsored nature of the study and time constraints, the research was limited to secondary sources.

6. Research Problem:

Despite the existence of multiple legislations aimed at protecting women's rights, significant implementation challenges persist, resulting in women continuing to remain a vulnerable section of society in need of effective legal protection.

Hypothesis:

The limited effectiveness of women-centric laws in India stems from a significant gap between legal provisions and their implementation, primarily caused by societal attitudes, inadequate legal awareness, and systemic inefficiencies rather than deficiencies in the laws themselves.

7. Analysis and Interpretation of Findings

A. Legal and Constitutional Framework for the Protection of Women's

Rights:

The Constitution of India lays down the framework for the protection and promotion of the rights of women in Part III of Fundamental Rights and Part IV of Directive Principles of State Policies. Article 14¹¹ discusses equality before law and equal protection of law. Article 15¹² is on non-discrimination, but given that women and children are considered a vulnerable group in society, positive discrimination is allowed. Article 16¹³ ensures equal opportunity in the Public Sector employment. Article 21¹⁴ further emphasizes on Right to life and personal liberty, but with the help of Judicial activism, the scope has expanded to the Right to Life with Dignity and Safety.

There are certain provisions in Part IV- Directive Principles of the State Policy¹⁵ that discuss the progress and welfare of women: Article 39(a) & (d)¹⁶ – Equal pay for equal work; prevent concentration of wealth; ensure adequate means of livelihood for men and women. Article 39(e)– Special care for children and, by extension, protection of women in matters of work (since women often bear childcare responsibilities). Article 42 – Provision for just and humane conditions of work, maternity relief (directly protects women workers).

Based on this, the Legislature has enacted various laws such as the Protection of Women from Domestic Violence Act, 2005, the POSH Act, 2013, and the Dowry Prohibition Act, 1961, reflecting an intent to provide substantive protection beyond formal equality.

¹¹ (Constitution of India, art. 14, 1950)

¹² (Constitution of India, art. 15, 1950)

¹³ (Constitution of India, art. 16, 1950)

¹⁴ (Constitution of India, art. 21, 1950)

¹⁵ Ministry of External Affairs, Government of India. (n.d.). *Part IV — Directive Principles of State Policy (Constitution of India)*. <https://www.mea.gov.in/images/pdf1/part4.pdf>

¹⁶ (Constitution of India, art. 39(e), art.39(d), 1950)

On an international level, India became a signatory of Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)¹⁷ on July 30, 1980 and later ratified it in 1993. It obligates the State to eliminate discrimination, ensure effective remedies, and adopt measures for substantive equality. However, despite this robust constitutional and international framework, gaps remain in translating these commitments into effective protection on the ground.

B. Women-Centric Legislations: Scope and Objectives:

Women-centric legislations in India represent the State's response to the long-standing social, economic, and institutional disadvantages faced by women. These laws are not merely welfare-oriented or symbolic in nature; rather, they are corrective legal mechanisms intended to address structural inequalities that cannot be resolved through formal equality alone. The need for such legislation arises from the recognition that women, as a social group, experience discrimination and violence in ways that are distinct and systemic.

The scope and objectives of women-centric laws must therefore be examined not only from a statutory perspective but also in the context of constitutional values, international obligations, and lived social realities.

Scope of Women-Centric Legislations

The domain of women-specific legislation in India is extensive and covers aspects of both public and private lives of women. The aim of such laws is intended to address the day-to-day realities that women face, such as domestic violence, discrimination in employment, economic dependency and injurious social practices.

One of the first areas to be considered in such laws is prevention against violence and abuse. Protection of Women from Domestic Violence Act, 2005. A significant change

¹⁷ United Nations General Assembly. (1979, December 18). *Convention on the Elimination of All Forms of Discrimination against Women*. Office of the United Nations High Commissioner for Human Rights (OHCHR). <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>

in legal approach is observed with the framing of the Protection of Women from Domestic Violence Act, 2005, which looks at domestic violence as a violation of human rights rather than merely as a family concern. The Act, by incorporating emotional, verbal, sexual and economic abuse in its fold, is a recognition of the varied patterns where violence against women takes place in domestic situations.

Likewise, Penalising Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 concedes that women's participation in the earning sector cannot be considered empowering unless it is with a proper *enabling* alliance. The Act covers both organized and unorganized sector recognizing the vulnerabilities of women working in the informal and non-traditional employment sectors.

Laws such as these also attempt to address the economic and structural inequalities that have seen women remain dependent and marginalised. There are legislations such as the Equal Remuneration Act and Maternity Benefit Act which plan to protect women in the field who might be discriminated against, or disadvantaged on account of wage discrimination based on gender, and reproductive roles. These laws reflect an understanding that economic autonomy is essential for women to be able to claim their rights as individuals.

Another important legislation is to curb social evils like dowry with the Dowry Prohibition Act 1961, read along with allied provisions, to eradicate such evil practices that deprive women of their identity.

Apart from the above substantive rights, a number of women-centric legislations have provided for procedural safeguards that help these women to gain easier access to the administration of justice. The Acts that provide for protection officers, complaints committees, and victim-friendly procedures for women to access the legal methods to obtain justice.

In addition to the substantive rights, several women-centric statutes provide for procedural protections to facilitate their access to justice. Laws providing for protection officers, internal complaints committees, interim relief, and victim-friendly

procedures indicate an understanding that women may find traditional legal methods to be intimidating and inaccessible, which is especially true for marginalised women.

Objectives of Women-Centric Legislations

The objective of Women-Centric legislation also involves objectives that are not confined to individual redressal, but to change the mindset of society at large

An important goal is the achievement of substantive equality as conceptualised under Articles 14 and 15(3) of the Constitution. These laws recognise the fact that treating everyone the same when they are different will only lead to inequalities being perpetuated. This is why special laws are required to give equal status to women compared to men.

Another critical aim is empowerment by recognition of the law. Through recognition by the law of women's experiences of both discrimination and violence, their claims are legitimised, and a platform for their redressal is offered. This empowerment by recognition of the law seeks to empower women to exercise autonomy and freedom in decision-making.

Prevention and deterrence are equally primary concerns in women's laws. The criminalisation of activities such as violence within the home, dowry harassment, and sexual harassment at the workplace intends to prevent this violence and demonstrate to women that gender-based injustice will not be tolerated in society.

The women-specific laws also seek to promote State and institutional accountability. The POSH Act imposes obligations on the employer, and the Domestic Violence Act holds the State responsible for protecting and assisting victims of domestic violence. This move emphasises the recognition that the burden of fighting gender injustice should not lie exclusively on women.

Finally, these laws also aim at inducing a long-term change in society. These women's laws not only challenge the patriarchal societal norms set up by the family and working

institutions but also aim at reshaping the definition of the role of women in society with respect and dignity.

C. Judiciary's Role in Advancing Women's Rights:

The Indian judiciary has played a significant role in advancing the cause of women and interpreting the constitutional provisions in a liberal and purposive mode. With judicial activism, courts have not just filled silences in law, they have expanded the horizon of constitutionally protected rights and buttressed the State's duty towards preserving the dignity, equality and safety of women. Some of the path-breaking judgements set new traditions of women-centric jurisprudence that emerged from Indian judiciary.

In **Vishakha v. State of Rajasthan**¹⁸, the Supreme Court discussed the lack of legislation to tackle sexual harassment at the workplace. In recognising sexual harassment as a violation of Articles 14, 15 and 21 of the Constitution, the Court formulated the Vishakha Guidelines borrowing from India's international law obligations under CEDAW. This was a landmark decision and the first of its kind, to formally recognise workplace harassment as a form of gendered discrimination, and paved the way for the Sexual Harassment Act 2013.

Likewise, in **Laxmi v. Union of India**,¹⁹ the Supreme Court discussed acid attacks on women and identified that it is a serious violation of the right to life and dignity guaranteed under Article 21. The Court gave detailed guidelines regarding the sale of acid, compensation to be paid to survivors, and highlighted aspects of rehabilitation and medical help. This ruling shows the judiciary's awareness of gender-based violence and attention that legal protection should not be limited to punishment but also the rearing of the abused parties.

In **Gaurav Jain v. Union of India**²⁰, the Supreme Court considered the situation of women involved in prostitution raids and their children. The Court emphasised

¹⁸ *Vishakha v. State of Rajasthan*, (1997) 6 S.C.C. 241 (India).

¹⁹ *Laxmi v. Union of India*, (2014) 4 S.C.C. 427 (India).

²⁰ *Gaurav Jain v. Union of India & Ors.*, (1997) 8 S.C.C. 114; AIR 1997 S.C. 3021 (India).

rehabilitation, education and social reintegration instead of criminalization stating that women in the exploitative situation have constitutional protection and rights. It's a decision that identifies the social and economic vulnerability of the woman and recognises how gender, exploitation and structural inequality intersect.

The courts, too, have played a major part in advancing reproductive rights. Another such case is that of the Female Workers (Muster Roll) in **Municipal Corporation of Delhi vs. Female Workers (Muster Roll) (2000)**²¹, where the Supreme Court read down any employment term-related eligibility conditions for maternity benefit, holding that maternity protection flows from Article 21, and cannot be denied based on technical grounds or semantics about employment. This approach was again supported in **2025 INSC 781**²², wherein the Supreme Court reiterated that maternal benefits are an integral part of the right to life and dignity under Article 21 respectively. The Court held that maternity protection is a constitutionally enforceable right which is integral to reproductive autonomy and gender justice, not some discretionary welfare issue.

Together, these judicial pronouncements illustrate how the Indian judiciary has progressively upheld women's rights by constitutionalizing protection against discrimination, violence, exploitation and denial of dignity. Although progressive judicial reading, the continuing incidence of gender-based violence and the refusal to grant statutory benefits in practice show a stark gap between ideals expressed on paper in courts and those obtained in reality. This highlights the importance of effective compliance, institutional accountability and continued enforcement of court orders to realise in practice the gains made by the judiciary in protecting women.

²¹ *Municipal Corporation of Delhi v. Female Workers*, AIR 2000 S.C. 1274 (India).

²² *K. Umadevi v. Government of Tamil Nadu & Ors.*, (2025) INSC 781 (India). Retrieved from https://api.sci.gov.in/supremecourt/2022/32351/32351_2022_3_1508_62112_Judgement_23-May-2025.pdf

D. Executive Efforts to Strengthen Women's Safety and Empowerment²³

The Government of India has also taken a multi-pronged and life-cycle approach for the empowerment, safety, and participation of women in social, economic and political areas, which indicates a transition from development to women-led development. Child Development (ICDS) Programme' with pre-school education on one hand and non-formal/formal education on the other, 21 ranging from 'Personal Laws', Government Sector to Non-Government Sector 'Sexual Harassment at Workplace [Prevention, Prohibition and Redressal], annual reporting under MSMED Act 2006 to Ministry of Corporate Affairs.

An important legislation has been the passage of Nari Shakti Vandan Adhiniyam, 2023 (106th Constitutional Amendment) that provides for one-third reservation of seats in Parliament and State Legislative Assemblies for women, augmenting their political representation.

On the economic and workplace front, I personally believe that the Government has put in place four Labour Codes (Code on Wages, Industrial Relations Code, Code on Social Security and Occupational Safety, Health & Working Conditions Code) to rationalise 29 labour laws. Those codes outlaw sex discrimination, require equal pay for equal work and allow women to work in jobs in all sectors under safe conditions and with consent.

To reinforce protection at work, SHe-Box portal (an online complaint management system) has been operationalised by the Ministry of Women and Child Development and has incorporated provisions of Sexual Harassment of Women at Workplace Act to facilitate aggrieved women to file their complaints online for redress through centralised computer systems and also monitors action on the matter in real time.

²³ Press Information Bureau, Government of India. (2021, December 8). Measures for gender equality and empowerment of women [Press release]. *Press Information Bureau*.
<https://www.pib.gov.in/Pressreleaseshare.aspx?PRID=1779252®=3&lang=2>

A new legal regime in the criminal justice system was created by putting systems and processes in place, which included modernisation of police under Bharatiya Nyaya Sanhita, Bharatiya Nagarik Suraksha Sanhita, comprehensive legislation for women's safety including offences against children with two mechanisms - e-FIR and zero FIR; effective witness protection through Bharatiya Sakshya Adhiniyam (effective July 1, 2024

As part of the umbrella scheme “Mission Shakti”, Government has set up One Stop Centres and a 24x7 helpline (181) to provide integrated support – including emergency response, information on schemes as well as referral services – to women in distress or facing violence.

Along with safe technology, the Government has implemented social welfare schemes such as benefits of cash under PMMVY for pregnant – lactating mothers; financial inclusion schemes such as Sukanya Samriddhi Yojana, educational and sanitary improvement initiatives, as well as skills development missions, self-help group-based livelihood support, including health insurance coverage under Ayushman Bharat, along with screening services focused on women.

All together, they show a unified government approach to making the lives of women at all stages — from political participation to workplace safety and legal protections, economic empowerment and social support systems — safer and fairer and closer to what traditions define as rewarding.

E. Implementation Challenges and Ground Realities of Women-Centric Laws

Despite a strong legislative framework, the instances of crime against women as per the National Crime Records Bureau 2023²⁴ are alarming and indicate otherwise. The data is based on Report of the Technical Group on Population Projections, July, 2020, National Commission on Population, MoHFW and the Population is taken as Estimated

²⁴ National Crime Records Bureau. (2024). *Crime in India 2023: Part I—Crimes against women* (Vol. 1). Ministry of Home Affairs, Government of India.
<https://www.ncrb.gov.in/uploads/files/1CrimeinIndia2023PartI1.pdf>

population of States/UTs on the basis of 2011 Census for 2023. The important analytics of the data as shared in the report are pasted below:

TABLE 3A.1
Crime against Women (IPC+SLL) - 2021-2023

SL	State/UT	2021	2022	2023	Mid-Year Projected Population (in Lakhs) (2023)	Rate of Total Crime against Women (2023)	Chargesheeting Rate (2023)
[1]	[2]	[3]	[4]	[5]	[6]	[7]	[8]
STATES:							
1	Andhra Pradesh	17752	25503	22418	266.1	84.2	95.2
2	Arunachal Pradesh	366	335	326	7.6	42.8	71.4
3	Assam	29046	14148	12070	176.0	68.6	65.2
4	Bihar	17950	20222	22952	611.9	37.5	75.5
5	Chhattisgarh	7344	8693	8035	151.0	53.2	76.5
6	Goa	224	273	286	7.8	36.5	74.2
7	Gujarat	7348	7731	7805	341.1	22.9	89.0
8	Haryana	16658	16743	15758	142.9	110.3	56.0
9	Himachal Pradesh	1599	1551	1604	36.9	43.5	72.9
10	Jharkhand	8110	7678	6989	193.6	36.1	78.9
11	Karnataka	14468	17813	20336	334.2	60.9	81.2
12	Kerala	13539	15213	16025	186.2	86.1	93.7
13	Madhya Pradesh	30673	32765	32342	421.2	76.8	81.2
14	Maharashtra	39526	45331	47101	608.0	77.5	80.8
15	Manipur	302	248	201	16.1	12.5	69.6
16	Meghalaya	685	690	628	16.8	37.5	75.0
17	Mizoram	176	147	184	6.2	29.9	97.8
18	Nagaland	54	49	56	10.8	5.2	76.5
19	Odisha	31352	23648	25914	230.5	112.4	73.4
20	Punjab	5662	5572	5258	146.3	35.9	73.6
21	Rajasthan	40738	45058	45450	396.0	114.8	53.6
22	Sikkim	130	179	134	3.3	41.0	76.6
23	Tamil Nadu	8501	9207	8943	385.4	23.2	91.0
24	Telangana	20865	22066	23678	189.6	124.9	88.1
25	Tripura	807	752	791	20.4	38.7	89.6
26	Uttar Pradesh	56083	65743	66381	1133.5	58.6	77.1
27	Uttarakhand	3431	4337	3808	56.9	66.9	71.3
28	West Bengal	35884	34738	34691	486.4	71.3	93.8
	TOTAL STATE(S)	409273	426433	430164	6582.6	65.3	77.9
UNION TERRITORIES:							
29	A&N Islands	169	178	205	1.9	107.3	92.4
30	Chandigarh	343	325	371	5.7	65.2	63.5
31	D&N Haveli and Daman & Diu	99	126	124	4.4	28.4	70.8
32	Delhi	14277	14247	13439	100.6	133.6	69.9
33	Jammu & Kashmir	3937	3716	3653	65.0	56.2	70.1
34	Ladakh	18	15	20	1.3	15.2	78.6
35	Lakshadweep	9	16	23	0.3	69.7	81.0
36	Puducherry	153	200	212	8.7	24.4	93.2
	TOTAL UT(S)	19005	18823	18047	187.9	96.1	70.3
	TOTAL ALL INDIA	428278	445256	448211	6770.4	66.2	77.6

+ Crime Rate is calculated as Crime per one lakh of population.

TABLE 3A.1 Page 1 of 1

• Population Source: Report of Technical group on Population Projections(July, 2020) National Commission on Population, MoHFW

• As per data provided by States/UTs

• States/UTs may not be compared purely on the basis of crime figures

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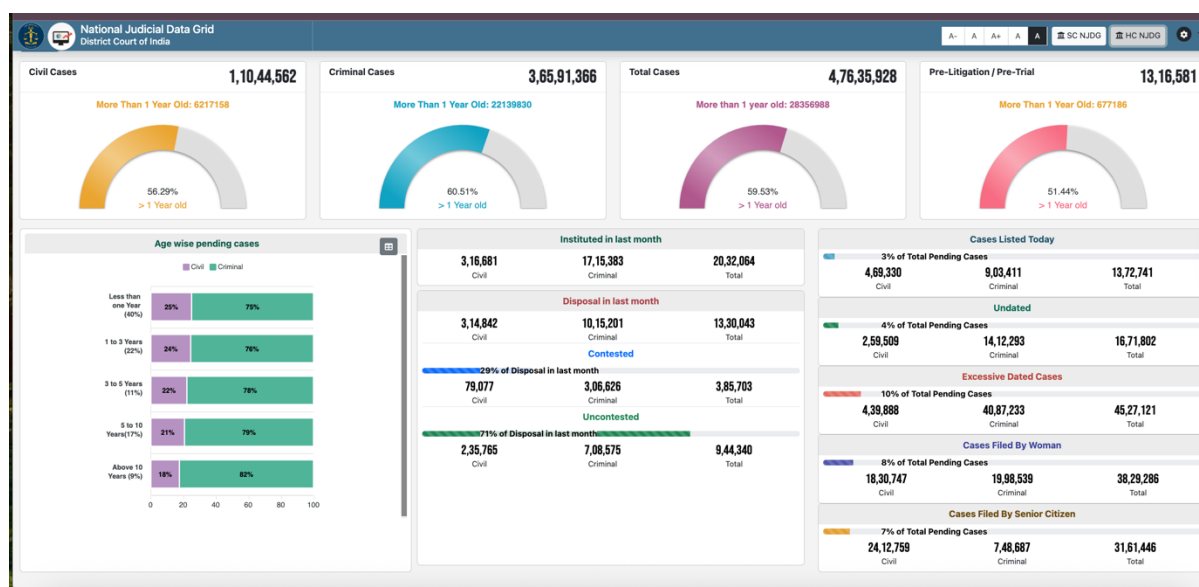
The number shows that the number of instances of crime against women is only increasing with each passing year. The report also shows state-wise bifurcation of numbers for each kind of crime against women, including cybercrime.

The above shared details question the deterrent capacity of the legal provision

The data also shows the quantitative data of how the classes are dealt and what is the status of the case- Whether Cases are true but lack evidence or untraced or no clue,

number of cases abated during the investigation, cases transferred to other states or agency or cases withdrawn by the government during the investigation, amongst others.

“These outcomes indicate institutional gaps in investigation, enforcement, and victim support mechanisms.”



The National Judicial Data grid²⁵ shows that there are a total 3829286 total cases filed by woman out of which 1830747 are of a civil nature, whereas the remaining 1998539 are of a criminal nature. Only 8% cases are dealt with until today rest all are pending, making the process tedious, lengthy and never-ending, where women are discouraged to file litigation because it seems like a never-ending process.

“Delayed justice effectively amounts to denial of justice for women.”

These are the implementational points that impact women’s access to justice. Since it is a long, cumbersome process can have implementation hiccups during the proceedings and does affect a woman emotionally, socially, physically and financially irrespective.

²⁵ National Judicial Data Grid. (n.d.). *National Judicial Data Grid (NJDG)*. eCourts Services, Ministry of Law and Justice, Government of India. https://njdg.ecourts.gov.in/njdg_v3/

F. Socio-Cultural Barriers to the Effectiveness of Laws:

Despite a strong legal foundation, certain social and cultural norms are continuously practised in society that restrict the effective implementation of laws. Examples are mentioned below

- Strong Patriarchy and gender stereotypes
- Normalising of violence against women
- Child marriages
- Financial dependency on a male
- Domestic violence and dowry-related harassment and cruelty
- Fear of social stigma, retaliation, and loss of family support prevents women from reporting abuse.

G. Lived Realities of Women:

- A man in Uttar Pradesh killed his wife and two daughters as the wife refused to wear a hijab while going out in public, and the daughters tried to intervene. Further buried their bodies in the house and lived normally for 5 days.²⁶
- A 20-year-old pregnant lady was found dead. The deceased had been enduring severe mental and physical abuse in her marital home, according to her family. They allege that her husband murdered her. Her body was found in the drainage.²⁷
- Wife died by suicide because of dowry demand by husband and family.²⁸

²⁶ The Times of India. (n.d.). No burqa, no mercy: Man kills wife, 2 kids, buries them in pit. *The Times of India*. <https://timesofindia.indiatimes.com/city/meerut/no-burqa-no-mercy-man-kills-wife-2-kids-buries-them-in-pit/articleshow/126042709.cms>

²⁷ The Hindu. (n.d.). Death of pregnant woman in Varandarappilly: Family accuses husband of murder, abuse. *The Hindu*. <https://www.thehindu.com/news/national/kerala/death-of-pregnant-woman-in-varandarappilly-family-accuses-husband-of-murder-abuse/article70330863.ece>

²⁸ Times of India. (2025, November 21). *Dowry case confirmed: Man held after wife dies by suicide*. *The Times of India*. <https://timesofindia.indiatimes.com/city/chennai/dowry-case-confirmed-man-held-after-wife-dies-by-suicide/articleshow/125486288.cms> [The Times of India](#)

H. Key Findings

Established Law and Policies

India has established a clear and systematic way to protect women through a series of legislative efforts; the Dowry Prohibition Act (1961) is an example of this, along with the Protection of Women from Domestic Violence Act (2005), the POSH Act (2013), Equal Remuneration Act (1976) and Maternity Benefit Act (1961).

Further legal protection comes from the Constitution and Articles 14,15,16 and 21, along with the International Agreement (CEDAW), further recognising and penalising the crimes against women in the digital space as well.

Implementation Barriers

Even though there are various forms of protection for women, many of the cases brought by women remain unaddressed due to reasons such as long delays in the process, a lack of information about the process, and limited financial means to pursue their case through the legislative process.

Only 8% of the cases concerning women have been dealt with promptly, as the others have had delays that prevent women from obtaining justice.

Cultural/Social Obstacles

There is a patriarchal society, which leads to women being socialised to accept abuse as normal; men are reliant on economic resources; and women fear the consequences of reporting crimes or pursuing legal avenues.

Family members continue to rely heavily on their people and deter access to justice through their family pressures.

Continuing Abuse of Women

Abuse of women, i.e. Domestic Violence, Marital Harassment, Sexual Harassment and Economic Abuse, continues at an alarming rate.

Recent history gives clear proof of the fact that even with increased enforcement, where prosecutions are instituted for crimes committed against women, many times the result has been tragic. Suicide due to dowry pressures and murders, to date, continues to be on the rise.

Inconsistent Legal vs. Practical Applications

The National Crime Records Bureau and National Judicial Data Grid have provided documentary proof of the continued high levels of cases that are pending, and that subsequently, there is weak enforcement of the laws protecting women.

The statutory provisions of the legal system in place do not provide adequate levels of protection for women. Hence, there exists a large difference between the intended outcome of the laws and the practical reality of the implementation of the laws within the community.

The Need for Awareness and Institutional Support

The lack of legal awareness among women, inadequate protective mechanisms and ineffective enforcement diminish the benefit of laws focused on women. Although there are procedural safeguards such as protection officers and a complaint committee, they are frequently underutilised or poorly enforced.

Economic and Structural Issues

There is still considerable disempowerment for women due to gender inequality in economic resources, employment and land ownership. The law regarding equal pay and maternity leave do not always protect women, as there is often insufficient enforcement of these legal protections.

Prevention and Long-Term Goals

While women-specific laws provide a remedy for the individual, it will ultimately achieve its purpose through changing the attitude of society towards women and achieving substantive equality. The objectives of prevention, deterrence, empowerment and accountability of the state are all essential goals of women's laws, but only partially realised.

8. Conclusion

The mere fact that Indian citizens' attitude and behaviour against women is deeply divisive, damaging womanhood, it can never be concluded that India does not have laws to protect the dignity of a full-grown woman. Constitutional rights which include Articles 14, 15(3) and 16 read with Article 21 are the positive measures for women taken by the legislatures to eradicate discrimination and violence against women as well as the legislation made for protecting women like: — The Protection of Women from Domestic Violence Act, 2005, POSH (Prevention of Sexual Harassment) Act, 2013 provided and The Dowry Prohibition Act, 1961 etc all show their clear cut intention. India's obligation under international CEDAW also strengthens this jurisprudential foundation.

However, according to the present study, there is still a wide discrepancy between law and practice. Data from the National Crime Records Bureau (NCRB) and the National Judicial Data Grid (NJDG) reveals a consistent upward trend in crimes against women with disturbingly high levels of pendency of cases, alluding to scant deterrence factor and low efficacy in the implementation of these laws. These cases of domestic violence, dowry harassment and workplace abuse that refuse to stop put a question mark on the efficacy of having laws when there are no effective means to ensure their implementation.

The research also confirms that women are hampered by societal barriers such as patriarchy, economic dependence, shame and fear of reprisals, which greatly undermine their access to justice. Institutional barriers such as backlogged cases, administrative inefficiencies and lack of victim support also erode the effectiveness of protective laws. Negative court decisions around misuse are therefore not only irrelevant but should be seen in the context of lack of reporting and systemic barriers faced by women.

In sum, the vulnerability of women in India endures not because of a lack of law but because of deficits in consciousness, enforcement and institutional accountability. Creating a bridge between law on the book and legal procedure, an all-round solution of legal reform, social mobilisation, and administrative diligence with constant struggle to implement laws in a timely and efficient manner as required.

9. Suggestions/ Recommendations

- **Education and schools for early intervention**

The strong practical work of women-led laws could be laid only at the school level, and by implementing it through early intervention and value-based education. Schools should integrate socio-emotional learning, gender sensitivity and constitutional values into the curriculum from early years. Children need to know what good touch and bad touch is, the concept of bodily autonomy, consent and respect, but in a manner that's age appropriate so they can identify if something is wrong and speak up. Furthermore, young girls ought to be given some rudimentary training in self-defence and a brief understanding of law so as make them feel strong and able to face the world. It is necessary to start sensitising both boys and girls from a young age so that the patriarchal mindset does not become ingrained, and social change occurs over time.

Community and Societal-Level Interventions

On the societal level, long-term efforts are needed to challenge deeply ingrained patriarchal norms and social taboo which discourage women victims from reporting these crimes. Panchayats, local bodies, citizen welfare associations and community leaders

should take part in the awareness programmes to stop issues like dowry, child marriage and domestic violence. Community-based support networks may be vital in destigmatising reporting, silencing victim-blaming and ensuring women of diverse ages feel they are not alone when accessing the legal process.

- **Judicial Responsiveness and Reduction of Pendency**

The judiciary is the key interpreter of legislative purpose into meaningful protection. The fast-track courts in respect of cases under the women-centric laws need to be activated and uniform judicial interpretation should be guaranteed so that the ultimate object of these legislations does not get lost. To redress systemic delays, there is a need for continuous tracking of the pendency data based on available digital footprints like NJDG. As long-drawn litigation dissuades women from seeking legal recourse, it also shakes faith in the justice delivery system.

- **Contribution of NGOs and CSOs**

Not-for-profit organisations and NGOs should be formally included in the implementation structure as supporting partners. The work carried out by them in supplying legal assistance, counselling, shelter and rehabilitation to post-litigation support is particularly relevant for women belonging to vulnerable and marginalised sections of society. However, enhanced cooperation between the State and NGOs can also facilitate a holistic approach outside of the courtroom to enable those harmed by gender-based violence to confront related emotional, social and economic issues.

- **Monitoring, Accountability, and Institutional Audits**

To be effectively implemented, regular monitoring and accountability measures should be institutionalised. Periodic such audits should also be of the police performance, protection officers (PO) in their own interest, which is provided under the POSH Act and Internal Complaints Committees by way of trial courts. The release of performance and compliance data can be a beneficial source for transparency, as it creates opportunities for corrective action to be taken and cases of failed institutions are not left unchecked.

- **Strengthening Legal and First-Response Services**

Legal aid and first-response services can make a significant difference in access to justice. One-stop crisis centres, helplines and district-level legal aid clinics need financial and human resources to provide counselling, medical support and legal advice at the moment of need. Prevention of re-victimisation and for women not to feel disheartened to report when first seeking justice is possible with early intervention at the point of contact.

- **Using Technology for Accessibility and Accountability**

There should be a strategic use of technology to promote access and accountability in the enforcement of women-focused laws. Digital complaint registers, online tracking of cases and technology-driven awareness campaigns could be used to connect with the women population in the rural, remote and marginalised areas. Digital tools can also be used to ensure transparency and ongoing observance of enforcement.

10. References

Government Reports & Official Sources

- National Crime Records Bureau. (2024). *Crime in India 2023: Part I—Crimes against women (Vol. 1)*. Ministry of Home Affairs, Government of India. <https://www.ncrb.gov.in/uploads/files/1CrimeinIndia2023PartI1.pdf>
- Law Commission of India. (2012). *Report No. 243: Section 498A IPC*. Government of India. <https://cdnbbsr.s3waas.gov.in/s3ca0daec69b5adc880fb464895726dbdf/uploads/2022/08/2022081023.pdf>
- Justice Verma Committee. (2013). *Report of the Committee on Amendments to Criminal Law*. Government of India. <https://spuwac.in/pdf/jsvermacommittereport.pdf>
- Ministry of Women and Child Development. (2023). *Annual report*. Government of India. https://wcd.gov.in/documents/uploaded/1752655749_unGJajpBQ1.pdf

- Ministry of External Affairs, Government of India. (n.d.). *Part IV — Directive Principles of State Policy (Constitution of India)*. <https://www.mea.gov.in/images/pdf1/part4.pdf>

Newspaper Articles

- Times of India. (2024, October 28). Dowry case confirmed: Man held after wife dies by suicide. *The Times of India*. <https://timesofindia.indiatimes.com/city/chennai/dowry-case-confirmed-man-held-after-wife-dies-by-suicide/articleshow/125486288.cms>
- The Times of India. (2024, November 6). Kerala shocker: 20-year-old pregnant woman found dead, husband booked. *The Times of India*. <https://timesofindia.indiatimes.com/city/kochi/kerala-shocker-20-year-old-pregnant-woman-found-dead-husband-booked/articleshow/125606747.cms>
- The Times of India. (2024, December 3). Anti-dowry laws suffer from ineffectiveness, misuse: Supreme Court. *The Times of India*. <https://timesofindia.indiatimes.com/india/anti-dowry-laws-suffer-from-ineffectiveness-misuse-sc/articleshow/125993332.cms>
- The Times of India. (n.d.). No burqa, no mercy: Man kills wife, 2 kids, buries them in pit. *The Times of India*. <https://timesofindia.indiatimes.com/city/meerut/no-burqa-no-mercy-man-kills-wife-2-kids-buries-them-in-pit/articleshow/126042709.cms>
- Hindu. (n.d.). Death of pregnant woman in Varandarappilly: Family accuses husband of murder, abuse. *The Hindu*. <https://www.thehindu.com/news/national/kerala/death-of-pregnant-woman-in-varandarappilly-family-accuses-husband-of-murder-abuse/article70330863.ece>

Supreme Court Cases

- Vishakha v. State of Rajasthan*, (1997) 6 S.C.C. 241 (India).
- Laxmi v. Union of India*, (2014) 4 S.C.C. 427 (India).
- Gaurav Jain v. Union of India & Ors.*, (1997) 8 S.C.C. 114; AIR 1997 S.C. 3021 (India).
- Municipal Corporation of Delhi v. Female Workers*, AIR 2000 S.C. 1274 (India).

- *K. Umadevi v. Government of Tamil Nadu & Ors.*, (2025) INSC 781 (India).
https://api.sci.gov.in/supremecourt/2022/32351/32351_2022_3_1508_62112_Judgement_23-May-2025.pdf

Constitution of India Articles

- Constitution of India, art. 14 (1950).
- Constitution of India, art. 15 (1950).
- Constitution of India, art. 16 (1950).
- Constitution of India, art. 21 (1950).
- Constitution of India, art. 39(d), 39(e) (1950).

Academic Journal Articles

- Biswas, P., & Das Chatterjee, N. (2023). Tears behind the closed doors: A logistic analysis of domestic violence against women in West Bengal, India. *Journal of Research in Crime and Delinquency*. <https://doi.org/10.1177/00111287231202784>
- Mahato, R. K., Das, A., & Reddy, B. (2025). Gender inequality in land ownership in India: Evidence from National Sample Survey. *Journal of Development Studies*, 61(10), 1623–1641. <https://doi.org/10.1080/00220388.2025.2481879>

United Nations Documents

- United Nations General Assembly. (1979, December 18). *Convention on the elimination of all forms of discrimination against women*. Office of the United Nations High Commissioner for Human Rights. <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>