

**“Gender Justice and Governance: A Case Study of
Jaunpur District of Uttar Pradesh with Special
Reference to Women Representatives in
Panchayati Raj Institution”**

**ABSTRACT OF
THESIS**

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ABSTRACT

1. INTRODUCTION:

Gender inequality is most serious form of discrimination. It is a key factor of fundamental denial of women's right. In India, women have been facing gender discrimination and socio, economic and political deprivation throughout the centuries. During the time of independence an special attention was given to women and their problems. Thus recognition of gender equality was brought in to focus by the social and political movements. It was the radical departure from the norms prevailing in the traditional Indian society. Later when India got independence, the concept of social, economic and political as well gender justice has been inserted in the Constitution of India and various provisions have been enshrined for the protection of rights of women. Justice is the one of most important moral and political concept and keeps major value in legal and social area. The word justice comes from Latin word *jus* which means right or law. The Oxford English Dictionary defines the "just" person as one who usually does what is morally right" and is liable to "giving everyone his or her due. The synonyms of just is fair which means reasonable. The gender justice can be defined as 'the protection and promotion of civil, political, economic and social rights on the basis of gender equality.

The principle of gender justice lies in the belief that nobody should be disadvantage because of their sex or gender. The gender justice can be defined as protection of social economic and political rights on the basis of gender equality. Essentially, gender justice is a human rights and indispensable for universal development of people and poverty reduction.

It protects from gender based violence and discrimination. It refers equality between sexes and it is often used with reference to emancipatory projects of advancement of through the legal changes that promote women's interests in social and economic policy. In our country gender inequality is continued to undermine the value structure of democracy and human rights and also hamper development at large. The vast level of gender discrimination and gender atrocities have threaten our democracy and human rights. It also infringes the ability of women to enjoy their constitutional rights and freedoms freely.

The concept of governance can be described as the exercise of political, economic and administrative authority to manage a country's affairs. Generally, governance means "the act or process of governing especially authoritative direction and control. Governance is now understood to include the wide range of ways in which the political, social, and administrative structure of a society affects the access of its members to basic opportunities and capabilities.

Thus, in simple term, Governance is the process of decision making or the process by which decision are implemented. It refers to the quality of relationship between the government and citizen to whom it serves and protects their rights. The governance discourse can be divided in two forms-good governance and e-governance. The e -governance has changed the basic character of governance through innovation like its operational methodology, functional style, ideological orientation, with the help of technology and innovation. E-governance makes the governance more, simple, moral, accountable, responsible and transparent. In this research work, the study of governance implies to the functionary bodies referring to Panchayati Raj Institution and the role of women as representative of village people and as an administrative

who rules power of state in decision-making process at given time, under the constitutional mandate, and the manner in which their governing organization are structured at grass root level across the country.

In India, the participation of women in local governance of rural area and concept of gender and social justice was spurred with the 73rd Constitutional Amendments in 1992. This path breaking policy initiative has enabled the participation of more than a million women in local governance through reservation of a minimum one- third of seats for women both as member and as chairpersons in locally elected governance bodies commonly refer to as Panchayati Raj Institutions. This Constitutional Amendment has also given recognition to these bodies as an institution of self-governance. In the era of globalization, issues relating to gender justice are more important than other issues relating to human rights discourse in 21st century.

In the Constitution of India as an emancipatory project for women, various provisions are inserted to remove the discrimination and to abolish all barriers of women empowerment and gender justice. Such provisions are inserted in the form of Fundamental Rights, Directive Principle of State Policies and Fundamental Duties. Part IX and IX- A is also important for the political participation of women in the governance at grass root level in rural as well as urban area of the country . In the rural area, for the participation of women, an especial provision (243D) for the reservation of women in PRI was inserted the Constitution which provides guarantee to political participation of women at grass root level self-governance. Besides these provisions, the Apex Courts of India has extended the dimension of fundamental freedom and gender justice for women on the basis of emerging new human rights model of development and interpreted the Constitutional provisions in the light of

international legal norms such as Universal Declaration of Human Rights (UDHR) 1948, Declaration on Elimination of Discrimination Against Women (DEDAW) 1967 and Convention on Elimination of All forms of Discrimination Against Women (CEDAW) 1979. With the passage of time Supreme Court of India has ensured the social economic and political justice through the land marks decisions under the Public Interest Litigation. There are some important cases such as *Nargis Mirza V/s Union of India 1982*, *Vishakha V State of Rajsthan 1997*, *Jared V/s State of Haryan* , *Madhukecwar V. State of Bihar1999* *Seema V Aswini Kumar1997*, *Geeta Hariharan v. RBI. Vishakha v State of Rajasthan1997*, *People's Union for Democratic rights v Union of India1970* and *G. Shekhar v Geeta2009*, *Shaliny v. Kishor 2015*, *Rajbala v State of Haryana 2015*, *Harsora v. Harsora 2016* etc through which the Apex Court has not only protected the rights and freedom of women but also ensures gender justice in society and in the governing system of state. The Apex courts also has directed to the government to develop a mechanism to protect the socio- economic and political rights of women in decision making process.

India has adopted a democratic system of governance which is the best form of the governance and ensures social, economic and political justice equality of status and equal opportunity to men and women both without any discrimination. Among these rights and freedoms, equal participation of women in decision- making process is strong significant means of transformation in the condition of women. Such participation is possible when power of state is decentralized in public domain equally at grass-root level and proper implementation of law and policies be ensured in the governance . The problem of gender injustice in

governance at grass root level can be solved by implementation of laws and policies in each district, block and village.

Recognised as popular channel of democracy, in accordance of Article 40 of the Constitution of India, the central government has introduced the Community Development Programme (CDP) to develop rural area but it was failed, because it was not attached with the people .It is significant that Art. 40 of the Constitution provides that state shall take step to organize village Panchayat and endow them with such power as may be necessary to enable them to function as the unit of self-governance. In 1957 **Balwant Rai Mehata Committee** was appointed by the central government to find out the failure of the CDP due to conspicuous absence of people's participation. The committee recommended the creation of three-tier system of Panchayati Raj Institutions to organize and manage the rural development activities. The blueprint of panchayat system, provided by Balwant Rai Mehta, provided a motivation to the constituent unit of the Indian Union to enact necessary legislation and to implement the Panchayati Raj System as a form of rural local self -governance.

Under this process, **Rajasthan and Andhra Pradesh** government had formed *Panchayati Raj system* in 1959. This historical step towards self-local governance taken by both of the government was followed by Karnataka and Orissa. Later on a National Committee on Panchayati Raj Institution was organised in 1977 headed by Ashok Mehata. It has reviewed the working of panchayat system. This committee has recognised Panchayati Raj Institution as soul of democracy and preferred that panchayats should be empowered with the more authority. However above both the committees did not emphasis much on the role of women in such self-governance body.

During 1990s, it was realized that without Constitutional power, self-governance at grass root level cannot be fruitful .In this regard , central government had brought 73rd constitutional amendment in 1992 with one- third reservation of seats for rural women in PRIs .It paved a new path for participation of women in decision making process at grass-root level to ensure the gender justice. As a result at present not less than ten lakhs women are working in Panchayati Raj Institution which is the 37% all elected members in Panchayat. In 2009, once again the central government had extended women's reservation up to 50% to ensure equal participation of women in PRI. Now it is being implemented by some states of the country. However, the role of women in the governance is not explicit because of subordinate position of women in male dominated society. Interference of the relatives of male member in work of elected women is still continued systematically. The proxy image of women could not be eliminated.

.After the 73rd of Constitutional Amendment Act 1992, in the state of Uttar Pradesh the first panchayat election was held 1995. The state had also operated a three-tier panchayat system like other state of India and one-third seats were reserved for women in village panchayat. The, latest election of panchayats in Uttar Pradesh held on November 2015. In the election, near about 44% women got victory even though the state of Uttar Pradesh has not followed 50% reservation for women in Panchayati Raj institution. Although in Panchayati Raj institution of Uttar Pradesh, a drastic change can be seen in increasing number of elected women at village panchayats but the gender role of women in implementing laws and policies is not clear of effective. Still women are working under the subordination of the male dominance because of the patriarchic mental

setup of society and sometimes it is seen that women are also not interested to work independently.

Jaunpur district of state of Uttar Pradesh holds its own importance historical, social political and cultural status. Historically it is known as Shiraz-e-Hind since 1359 AD. The name of city was founded by Sultan Firoz Shah Tughlaq at name of his cousin Jauna Khan who is famous as Muhammad Bin Tughalak in history of medieval India. The administrative centre of the district is situated in Jaunpur city. Jaunpur City is situated at the bank of Gomati or Gomel River. In Jaunpur district there are two Loks Sabha seats, one seat for Rajya Sabha, and nine seats of Vidhan Sabha. Thus the district plays an important role the electoral politics of state and country.

According to 2011 census, total literacy rate of Jaunpur district is 71.5%. The literacy rate of female of Jaunpur district is 59.8% in comparison to 83.8% of male and sex ratio is 1024. This is highest in state of Uttar Pradesh. Total population the district is 4,476,072. The population of female in the district Jaunpur is 2273789 and of male population is 2220465. From the administrative point of view, there are six Tehsils. The name of tahashils is Sadar, Madiyahun, Machhalishahar, Kerakat, Shahganj and Badlapur. There are 21 Development Blocks, named Sondhi (Shahganj), Suithakala, Khutahan, Karanja Kala, Badlapur, Maharajganj, Sujanganj, Baksha, Mungrabadshahpur, Machhalishahar, Madiyahun, Barsathi, Rampur, Ramnagar, Jalalpur, Kerakat, Dobhi, Muftiganj, Dharmapur, Sikrara and Sirkoni. Each block has near about 80 Gramsabha. Whole research work has been divided into seven chapters. So, Jaunpur district of Uttar Pradesh is an important from the point view of research work. The increasing sex ratio of women in the district of Jaunpur shows the fertile soil to engendering society but

it is more significant to know that there must be the real and active participation of women in all spheres of life, particularly, in decision making process of all level such as national, state and local level in the country.

2. Statement of the Problem:

All over the world, women have been played an important role as equal to men in the development of family, society and country. Yet, their contribution has always been out of narratives and they are always looked down as inferior creature. Not only in India but all over the world, women have faced discrimination and physical as well as mental violence on the basis of gender inequality since beginning of the civilization . Patriarchal social structure and dominance of masculine ideology over women are responsible for subordination of women, in family, society, and in governing process of the state.

The attitude, behaviour and living pattern of Indian society was transformed significantly in respect of women during the British period, which had improved the modern educational system in India and paved the way for establishing democratic and egalitarian society. However, without having an equal participation of women as men in the governing process of state, the aim of gender justice cannot be achieved.

In India the concept of social and gender justice were incorporated under the Constitutional Amendment of 73rd in 1992 which ensured 33% of reservation for women in Panchayati Raj Institution. This path breaking policy initiatives enable the participation of women in local governance through reservation of minimum one-third seats for women, both as a member and chair person in all of Indian locally elected governance bodies commonly refer to Panchayati Raj Institution. . In

Uttar Pradesh, first election was held in 1995 on the basis of Constitutional Amendment Act 1992. Consequently near about one-third women Pradhans were elected .It was the great achievement ensuring gender justice in the governing process of PRI.

But structural barriers, which are related to social and cultural patterns of patriarchal system, are more responsible for high level of women deprivation and gender inequality in the governance. Engendering governance may be visualized in the term of large amount of women will be in position of participating in the decision-making political institutions such as national legislature, executive bodies and as ministers and heads of the government. In order to decentralization of power and to realize gender equality, it needs, the enforcement of rules against gender discrimination should be put in place along with the transformation of agencies and structures.

The Gender based discrimination is still continued in governing system of state including Panchayati Raj Institution at grass root level too. So it is a serious problem of the society and country. The state of Uttar Pradesh is one of the largest states of the country. In this state gender disparity can be seen easily at grass root level. In India the concept of gender and social justice was spurred with the 73rd Constitutional Amendments in 1992. This path breaking policy initiative has enabled the participation of more than a million women in local governance through reservation of a minimum one- third of seats for women both as member and as chairpersons in locally elected governance bodies commonly refer to as Panchayati Raj Institutions. This Constitutional Amendment has also given recognition to these bodies as an institution of self-governance. In the era of globalization, issues relating to gender justice are more important than other issues relating to human rights discourse in 21st century. However, no

importance or recognition is given to their hard work. They have a bitter experience of gender discrimination and atrocities against them India is country of village where near about seventy percent people live in villages. Country can develop only when its villages are developed. But without equal participation and equal opportunity to all the aim and objective of the democratic country cannot be achieved. In democratic set up, it is more important to see that how much benefits are provided to the people at grass root level . Thus the research work on Gender Justice and Governance with Special Reference to Panchayati Raj Institution: A Case Study of Jaunpur District of Uttar Pradesh” is a relevant topic for the purpose of research.

3. OBJECTIVES OF RESEARCH WORK

The objective of Research work is following

- To have a conceptual understanding of notion of Gender Justice and Governance.
- To bring the gender justice in decision making process of Panchayati Raj institution under the principle of equality.
- To examine the role of Panchayati Raj Institution in gender justice and governance.
- To find out the solution of the problem of gender injustice in Panchayati Raj institution.
- To find out the myth and reality of the role of women in Panchayati Raj institution.
- To examine the clientele perspective on the role of women member and their attitude towards the general functioning of Panchayati Raj Institutions.

- To find out scope and extent of women- member participation in the process of planning, decision making and execution of various development programs.
- To examine whether the state government is providing gender justice in the governing process through Panchayati Raj Institution.
- To suggest the remedies to the problem of discrimination and arbitrariness in respect of women.

4. AREA OF RESEARCH:

Emerging as a significant area of study, the present research work has been studied in a manner to examine the role of women in decision making process of Panchayati Raj Institutions of Uttar Pradesh as functioning through an engendered framework. The present research work is focused on two development Blocks of district Jaunpur of Uttar Pradesh. Under the this research study, the role of elected women representatives in PRI of governance structure at grass root level has been examined particularly in the area of decision making and implementing the law and policies for the development of rural villages.

5. RESEARCH METHODOLOGY:

Keeping in view the nature of research problem, the doctrinal as well as non- doctrinal approaches have been applied in the research study. An analytical, descriptive and empirical research methodology has been adopted for this research work. The research material, including literature and information has been collected from the primary as well as secondary sources. For empirical study of Jaunpur District of Uttar Pradesh, two development blocks have been chosen for survey. The

name of selected development blocks are Suitha Kakan Block and Shahganj Shodhi Block. In this empirical study, a Case study method has been adopted which is based on random and stratified sampling method and surveyed through scheduled questionnaire.

6. HYPOTHESIS

1. Role of women in governance through Panchayati Raj Institution of Uttar Pradesh is not explicit.
2. Position of women in Panchayati Raj Institution of Uttar Pradesh is under the subordination of male dominated society.
3. Equal participation of women in local governance at the grass-root level is tool for empowerment and making gender justice.
4. Whether women are able to contribute effectively in implement law and policies at grass root level through Panchayati Raj Institution.

7. TESTING THE HYPOTHESIS OF THE RESEARCH STUDY

The active participation of women and their role in decision making process at all levels is one of the most challenging issues in present scenario. After the 73rd Constitutional Amendment, the decentralization of structures and powers through the setting up of a new model of three-tiers Panchayati Raj Institution at grass root level is providing way of ensuring equal representation of women in governance process and making their role more responsible. In order to examine the working nature of women representatives, their roles, nature problem being faced by them and the position of their contribution that whether

they are working independently in governance process of PRIs, the researcher has approached to Women Pradhans by interviewing through the scheduled questionnaires. For the purpose of examine the present research work and to justify the presumptions of research work, researcher has collected some data through field survey. The summarised assumptions made by Researcher in present study is as following as :

7.1. HYPOTHESIS-1:

Analyzing and observing the data the researcher has got that WP who has been elected in latest election of PRIs of Jaunpur district of Uttar Pradesh in 2015, they are mostly illiterate or primary educated. Researcher got that about 72.6% Women Pradhans are illiterate or primary educated. Low education level qualification affects the working nature of WPs and their awareness about the schemes and policies related to PRIs as well as knowledge about rules in PRIs. The study indicates that 75% WP don't have knowledge about meetings of Gram Panchayats and most of them are not aware about rule of calling meetings as per Uttar Pradesh PRIs rules. In this regards it is mentioned in the PRIs Act that Gramm Panchayat shall meet once at least every month for the transaction of business but two month shall not intervene between two consecutive meetings. It provides that the date to be appointed the first meeting of a Gramm Panchayat shall be within thirty days from the date its constitution. It was also found that about 84.8% Women Pradhans are working either under the subordinate of male person or with their assistance. This shows the subordinate position and proxy image of WP in decision making process of Jaunpur District of Uttar Pradesh. Thus the above information proves the first assumption that *“Role of women in governance through Panchayati Raj Institution is not explicit.”*

7.2. HYPOTHESIS-2:

It requires proving the subordinate position of women representatives in decision making process of Panchayati Raj Institution. Analysing and observing the data regarding the present study, the researcher has found that most of Women Pradhans don't take decision independently related to Panchayats. It was found that about 91.6% Women Pradhans admit that they don't work independently. The researcher observed that mostly *Pradhanpati* work on place of their wives or interfere in the work of WPs. it was also found that that Women Pradhans works as rubber stamps of *Pradhanpati* not independently. Most of the WPs are exerted by *Pradhapati*. It indicates the bad practices in the democratic set up of the country and the proxy image of WPs in the decision making process of PRIs. Thus above information proves the second assumption that "*Position of women in Panchayati Raj Institution is under the subordination of male dominated*".

7.3. The Hypothesis-3:

It requires proving that equal participation of women in local governance at grass root level is tool for gender justice and empowerment of women. The entry of women in the decision making process of PRIs has changed the socio-economic and political status of rural women across the country. The increasing ratio of women representatives in decision making process of PRIs have broken the myth of domination male representative in the governance process at grass root level. It has changed governance of PRIs as engendered governance at grass root level

governance. But working independently by women representatives in their jurisdiction is still a challenging issue. It was observed that more than 90% WPs admit that they don't work independently and about 90.5% WPs have been assisted by *Pradhshnpati*. Even most of the WPs have been exerted by *Pradhapati*. It indicates that most of WPs are not getting opportunity of equal participation in decision making process of the PRIs which is recognised as tool of empowerment of women and gender justice. It is because of male domination in the decision making process of PRIs. It may be possible only when women are provided opportunity to take part independently and interference and exertion of WPs would be stop. The above information supports the assumptions that *“Equal Participation of women in local governance at grass rot level is tool for empowerment and making gender justice.”*

7.4. THE HYPOTHESIS-4:

It requires proving that women are not able to contribute effectively in enforcement of law and policy in the governance process of PRIs. Analysing and observing the data regarding present study. It was found that about 98.8 % WPs are either house wife or they work in agriculture field and about 72.6% Women Pradhans are either illiterate or primary educated. 75% Women Pradhans don't have knowledge about regular meetings of Gram Panchayats. About 85.8% Women Pradhans are depended upon their husbands and others male members of their relative and more than 90% WPs admit that they don't work independently. Even they face several type of discrimination such as gender, caste and educational and other problem of crime due to social structural barriers and male domination in the society. It was found that 90.5% WPs have been faced gender discrimination and 60.7% WPs have been faced caste discrimination while 47.6% WPs educational

discrimination. The above information proves that women representatives are unable to contribute in implementing the schemes and policies at grass root level through PRIs. The researcher observed that many of the respondents were not confident about the rules of the meetings available in PRI Act. However some of the respondents given answer on the hints of the either their husbands or by those male who were assisting them. The above situation supports the assumption of research work that is “*whether women are able to contribute effectively in the implementing of schemes and policies at grass root level through Panchayati Raj institution*”. Thus all the assumption made by the researcher in present study have been proved.

8. CHAPTERIZATION OF THE THESIS:

The Thesis on “**Gender Justice and Governance: A Case Study of Jaunpur District of Uttar Pradesh With Especial Reference to Women Representatives in Panchayati Raj Institution**” is based on empirical study. The entire of the thesis has been divided into seven chapters which are discussed briefly as follows as:

8.1. CHAPTER-1: INTRODUCTION:

The first chapter of the present research study is the Introduction. At the preliminary stage of the selected research work, the researcher has identified the particular research problem. After the identification of research problem, a synopsis as well as basic structure of present research work had been developed. The main objectives of research study are put forth in this chapter. A review of literature is also presented in this chapter. A paragraph of hypothesis with four assumptions are constructed in the chapter and all the assumptions made in the hypothesis, have been

proved through the observation of scheduled questionnaire which were performed by the respondents particularly by the elected Women Pradhans. It is significant that all respondents (Women Pradhans) are working at presently in their territorial and legal jurisdictions under the system of Panchayati Raj Institution in Jaunpur District of Uttar Pradesh. Elected *Women Pradhans* of two Blocks *Suitha Kalan* and *Shahganj Shodhi* of Jaunpur district of Uttar Pradesh have been considered as respondents. Further the selection of research problem, statement of the research problem, significance of research study and scope of the research study are also briefly mentioned in the chapter of introduction.

8.2. CHAPTER-2: THE CONCEPTUALIZATION AND RELATIONSHIP BETWEEN GENDER JUSTICE AND GOVERNANCE:

In this chapter, researcher has discussed the concept and meaning of gender justice and governance. A relationship between gender justices with reference to PRIs has also been discussed in this chapter. In our country and all over the world, women have been faced gender discrimination. The socio-economic and political as well as educational deprivation of women and their exclusion from the governance process at national, state and local level has been made them more vulnerable at the place venerable in the society. Thus the engendering governance at local or state level became more important from the view point of women who constitutes half of the population of the country. In this chapter, a general conception of justice and gender justice has been made through the some definitions of justice. The concept of gender justice under the constitutional mandate and some international measures relating to this has also been briefly discussed. It is significant that gender equality is the

key component of gender justice. In this regard, the role of judiciary and some landmark decisions given by the Apex Courts are also mentioned, through which the Indian judiciary has made very clear view in the favour of women and for their protection to ascertain gender justice in social and political institutions. Hence in this chapter, some landmark judgments of Apex Courts have also been discussed.

In this chapter the concept of governance has been analysed as a process of development. In present, the governance is considered as democratic governance which is helpful to develop the efficient, just and transparent services to the people and make possible to create favourable and sustainable environment for the promotion of human rights and fundamental freedoms of the people of the country and for their universal development without any discrimination based on sex or creating protective discrimination for vulnerable and deprived people particularly for women. It also refers to equality of relationship between government and citizen to whom it serves and protects. So, governance has social, economic and political dimensions too. In fact, the concept of governance is very simple. It can be seen as a set of value, policies and institutions through which the society manage the socio, economic and political process at different level on the basis of interaction among the government and civil society. As a process of decision making and its implementation, the governance can be used in several contexts such as corporate governance, international governance, and local governance. In recent time the term governance is widely used as good governance which is emerged mainly because of bad governance, characterised by corruption and unaccountable government. In concept of good governance, there are some major features such as participation of men and women, Rule of law, Transparency, responsiveness, consensus oriented, equity

and inclusiveness, effectiveness and efficiency and lastly accountability. The governance discourse has involved with the concept of good governance as well as e- governance. The e-governance makes the governance simple, moral accountable responsive and transparent (SMART). In India, the engendered governance at grass root level spurred in Pabnchayati Raj Institution through the 73rd Constitutional Amendment by giving reservation of 33% to women .In Present time policy of 50% reservation for women in the governance of grass root level has been passed by the parliament . In the conclusion of second chapter, it is mentioned that the with incorporation of social and gender justice through the 73rd Constitutional Amendment in local governance where women representatives have been provide opportunity of equal participation in the decision making process of PRIs as voter as well as leader. However, the role women representatives are not still explicit in the governance process at grass root level because of male domination in all social and political institutions. Fortunately the government of India has been taking initiatives to bring gender justice in the governance but gender base discrimination is still continued in the governing system of state including Panchayati Raj Institution at grass root level.

8.3. CHAPTER-3: FEMINIST LEGAL THEORY TOWARDS GENDER JUSTICE:

In this chapter, the concept of feminist legal theories and feminism as a social and political movement has been discussed briefly. In the Indian context, the term feminism and its impact on status of women is also discussed which is recognised as the major cause of changing behaviour of men towards women in male dominated society. In this chapter the researcher has tried to examine the impact of ideas of feminist

thinkers on society and how the feminist and women movements are able to remove or minimise the gender discrimination and socio-economic and political deprivation of women from society and country. Feminist legal theory is one of the most dynamic fields in law. It is a kind of philosophy of law which is based on the social, economic political and cultural of gender equality without any discrimination and distinction based on gender identity. It demonstrates the ways that feminist legal theory supports to controls violence against women on domestic sphere as well as physical, mental and sexual harassment at work place. The feminist legal theory promotes all women's right including right of choices, reproductive rights along with the legal and educational rights. It also promotes the issues of gender at national as well as global level. It shows the importance of the roles of law in shaping contemporary gender issues resolving gender inequality problems. Thus a new kind of philosophy has emerged as a direct product of women's liberation movement that believe in the equality of sexes in every sphere of life. It has created new type of jurisprudential aspects in newly making laws supporting to women.

It is significant that the feminist legal theory or feminine jurisprudence is the fruit of women's liberation movement which was started in twentieth century. The term women's liberation movement is often used as synonyms of "women's movement" or "second wave of feminism. The second wave of feminism is a period of feminist activity and thought that first began in the early 1960s in the United States, and eventually spread throughout the Western world and beyond.

During the early 1960s, revolutionary changes had come in the society with development and new invention of science technology. An industrialised world was peeping with newly shaping urban society where women were ready to knocking the door of that industrialised world. At

that time pills had opened the door in the life of many fascinated women by giving them the distribution of the first consistent oral contraceptive and the birth control power to plan or avoid pregnancies. Now it became a part of right to life and liberty with dignity and it is also basic human rights that have got Constitutional protection under the umbrella of Universal Declaration of Human Rights. In present time the feminist jurisprudence is focused on law in three distinctive ways such as to identify the sources of biasness and injustice, to find out the ways to promote justice for women in all institutions and social practices and to identify and defeat the devices of rejection, insurrection, and suppression that pose barriers to reform. In present time feminist legal theory or feminine jurisprudence has evolved four major approaches or schools: formal equality theory, dominance theory, post modern theory and cultural feminism. Formal equality theory is ground in liberal thought. It argues that women be treated as same as men. Cultural feminist theory emphasizes the need to take account of "differences" between men and women. The cultural feminist theory praises the positive aspect of women and it believes in equal partnership of men and women who have separate existence and different basic functions Dominance Theory is also known "radical feminism," this theory focuses on the difference in power between men and women with a goal towards liberation of women from men. Dominance theorists propose structural or institutional reforms on large scale for example the development law relating to sexual harassment or the banning of pornography that harms women. The fundamental argument of post-modern feminism is that there is not one unique or absolute definition for gender. Post-modern feminist Judith Butler argues "woman" is a questionable category and each woman is defined independently. Feminism is another important term for gender justice. It is a collection of social theories, political movement and moral

philosophies. Feminism is a new discipline that had been grown up from the women's liberation movement during the late 1960s and 1970s. Some important branch of feminism such as liberal feminism, cultural feminism, radical feminism, social feminism, post-modern feminism, cyber feminism and global feminism are discussed in this chapter. Feminism in Indian perspective, it is considered as a set of movements aimed equal socio-economic and political rights and equal opportunities as well as equality of status for Indian women. In present scenario, the condition of women is increasing over the world and many laws are enacted and being enacted in favour of women. It was the effect of feminist movement that gender issue has got important place in the domestic law. In India, the wave of feminism has paved a path of freedom and liberty against the well-established religious tradition and customs. It has not only pursuit the rights of women but also challenged all type of discrimination and deprivation. A glimpse of engendered governance can be seen in India at grassroots level where women got fifty percent reservation in Panchayati Raj Institution. Feminism in India seek gender equality, equal socio-economic and political rights, the right to wages for equal work and equal access to health as well as education. Thus it can be said that changes in the condition of women has come because the feminist legal theory and feminism had play a significant role.

8.4. CHAPTER-4: LEGAL FRAME WORK TOWARDS GENDER JUSTICE:

In this chapter legal frame relating to women on national and international level are discussed. Women are central core of human society. They are the mother of mankind. Despite holding such significant

and respected position, women have always been victims of physical, mental psychological and sexual violence and gender discrimination at large scale across the world. They have bitter experiences of various troubles, aggression, restriction, distinction and intolerance in their own life. Thus, a need of strong and effective legal measures to remove the subjugation of women has been required since very past in the country to protect the rights and freedom of women. Therefore, in this chapter, many International legal frames, treaties, conventions etc. regarding gender justice have been discussed. On domestic level, there are many laws such as criminal laws, family law and the constitutional law of India along with the some specific law relating to women. The important provisions of aforesaid laws are discussed in this chapter. The Constitutional law of the country has provided equal fundamental freedom, liberty, equality of status and equal opportunity to women as men. Despites the Constitution, for the of women many especial Acts such as Domestic Violence Act 2005, Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013, have been enacted by the central government. The above mentioned laws are also discussed briefly in this chapter. Undoubtedly numerous laws are there and in India towards gender justice but the condition of women is not very much comfortable in the society especially of the rural women. They continue to lag behind men and the male domination is still continued in the society. The adverse sex ratio, poor health and education, improper nutritional condition, inequality in labour remuneration in organised and unorganised sectors as well as the frequent violence against women are indicators to manifest gender injustice. Women are deprived from the key areas of social, economic and political as well as decision-making process. The existing patriarchal structures of the society cannot be transformed only by external interference of law alone. Women must

themselves become active agent to bring changes in their condition and in the society too. In this respect, the state, civil society, NGOs as well as all sections of society has to work together to empower women and for their emancipation. The role of media and the people's representatives is also important to empower women and thus they have to play an important role to ensure gender justice. It is more important that without the necessary legal frameworks, women cannot access justice and they are unable to raise their voices against the gender discrimination in socio economic and political spheres.

8.5. CHAPTER-5: PANCHAYATI RAJ INSTITUTION IN INDIA:

In this chapter the Panchayati Raj Institution has been discussed referring to its origin and historical development. After the independence, the Panchayati Raj Institution in India has visualized as mechanism of governance at grass root level for development of rural people. It becomes a popular channel of democracy and decentralization of power across the country. The Panchayati Raj Institution in modern India has emerged as a fruit of philosophy of Gram Swaraj propagated by Mahatma Gandhi. In the initial stage of the Panchayati Raj institution, there was no space for women to perform their capacity under the three tier local self-governance. But a significant change regarding to women's representation in Panchayati had come when women were provided 33% reservation through 73rd Constitutional Amendment in 1992. After a decade once again a proposal of 50% reservation for women in PRIs was passed in the Parliament in 2009. This path breaking initiative had change the scenario of traditional Indian society and brought a new opportunity to the half of the people who were deprived from their political participation. It has also provided a legal basis for direct democracy at the

local-level, both in rural and urban areas. The 73rd Constitutional Amendment has brought the deprived and marginalized groups into mainstream to participate in decision making process particularly women by reserving seats for them and for people belonging to the Scheduled Castes and Scheduled Tribes. In present time, there are more than one million elected women representatives who are working at grass root level. However, but the role of women in decision making process is still inexplicit. It is relevant to mention that there are only few instances where women have been played an exemplary role in PRIs .They had a desire to perform their best during their tenure. Most of them had also got the support of their family members, political party or a group of society. It is reality that a large number of women representatives are illiterate and inexperienced. In this chapter it is examined that how the relatives of women members particularly their husbands are working at the place of women. Notwithstanding, it is significant that the PRIs have potential to start the process of women empowerment and it can change the social economic scenario of the villages. It would also help in managing the violence against women.

8.6. CHAPTER-6: THE ROLE OF WOMEN IN PANCHAYATI RAJ INSTITUTION OF UTTAR PRADESH: A CASE STUDY OF JAUNPUR DISTRICT OF UTTAR PRADESH:

This chapter of the present research work is based on empirical survey of two block of Jaunpur District of Uttar Pradesh which is one of the largest states of India in population. According to census 2011, it is the most populous state of the country with a population of 199,581,477. It has 18 divisions, 75 districts, 915 urban bodies, 8135 Nyaya Panchayats. 13 Municipal corporations, 226 municipal boards, 59163 gram sabhas, 822 development blocks, 97941 populated villages 180000

post offices and 2885 telephone exchanges. In state of Uttar Pradesh there are 80 seats of Lok Sabha, 31 seats of Rajya Sabha and 404 seats of Legislative Assembly and 100 for Legislative council. Researcher has selected two Blocks named Suitha Kalan and Shahganj Shodhi of Jaunpur district of Uttar Pradesh for data collection. Researcher has prepared some scheduled questionnaires to observe the work culture and role of Women Pradhans in decision making process of PRIs .In the present study it is found that 44% women have got victory in PRI election in Uttar Pradesh held in 2015. This is main chapter to prove the assumptions made by the researcher. To examine the gender role in PRIs of Uttar Pradesh the collected data have been described and analysed through the tabulation and charts in this chapter. It is significant that all respondent are Women Pradhans. The Panchayati Raj system in Uttar Pradesh as well in Jaunpur District was brought immediately just after independence through the enactment of the UP Panchayat Raj Act, 1947. The recommendations of Balwant Rai Mehta Committee, a three-tier system of panchayats was established in the state through the enactment of the U.P. Kshetra Samitis and Zilla Parishads Act, 1961 which is now renamed as UP Kshetra Panchayats and Zilla Panchayats Adhiniyam, 1961. The state has also followed the mandates of 73rd Amendment Constitutional Amenment Act, 1992 and in order to bring conformity with the provisions of the Constitution, the Government of Uttar Pradesh had amended the two existing Acts through the Uttar Pradesh Panchayat Laws (Amendment) Act, 1994. In the panchayat election of 2015 in Uttar Pradesh women have got victory on about 44% of total seats. It was immense surprise for the myth of male domination prevailing in elections at the rural level. Panchayati Raj Institution at three tiers of local self-governance is providing the way of ensuring equal representation of women in governance and making their role more responsible. Unless the

male domination is transformed from the society and replaced by a better socio-economic set up where men and women are treated equally the miserable condition of women cannot be reform and women cannot be empowered.

8.7. CHAPTER-7: CONCLUSION AND SUGGESTIONS

The last chapter of the thesis is Conclusion and suggestion. The 73rd Constitutional Amendment has engendered the governance process of PRIs across the country ensuring the entry of women to contribute in decision making process at grass root level through the policy reservation of 33% in 1992 which have been extended up to 50% in 2009.

In India, essential change can be seen in the condition of women in the society. These changes have not come suddenly. It has covered a long journey of feminist movement. With the passes of time the feminist legal theories and wave of feminism paved a path of freedom to women and denounced the derogatory practices against women. At the time of framing of the constitution of India, an especial attention was given to issues of gender and many provisions were inserted as an emancipatory project for women and for their inclusion in the society and governance process. The Constitution of India has provided equal rights and freedoms, equal opportunity and equality of status to all of its citizens including women without any discrimination. The Indian Judiciary has recognized all international instrumentalism, and norms of conventions to provide gender justice in the society. The decentralization of structures and powers through the setting up of a new model of Panchayati Raj Institution at three tiers of local self governance is providing the way of ensuring equal representation of women in governance and making their role more responsible. Unless the male domination is transformed from

the society and replaced by a better socio-economic set up where men and women are treated equally the miserable condition of women cannot be reform and women cannot be empowered. Though the government of India also has been taken necessary steps in making women supportive laws and to implementing them but still Indian women are forced to face several types of violation and gender discrimination. Male domination is still remained in the society that creates superiority complexes and gender discrimination. Therefore, it would be significant to change the mind set of both sides of men women in society and in family to bring gender justice. The government should take more initiative relating to women issue for their empowerment

On the bases of outcome of Research study, some suggestions are given below briefly.

- Education plays very important role in development of human being. It is seen that maximum Women Pradhans are either primary eructated or illiterate. They are not aware for their right and power to find the goal of democracy through Panchayati Raj. Therefore, it is necessary make them educated for their empowerment.
- Women in PRIs get opportunity only through law but lack of proper training they are unable to tackle the problem of village people and they find themselves incapable to use their power and perform their duties. So, it is necessary to provide them regular and proper training related to their work. They should be provided encouragement from the administration and other agencies of the government.
- Women constitute near about 50% population of the country and of the state of Uttar Pradesh. But only 33% reservation is given to them in the state of Uttar Pradesh. It should be extended according to recently given 50% reservation in PRIs since 2009.

- Women are to be mobilized and trained to handle the complexity of function of local governance because it demands skill and knowledge.
- Women in local governance at grass root level are proxy to men. Women should come forward to participate independently in decision making process of the governing system at all level.
- The patriarchal society does not allow to women to participate in public life. Thus subjugation of women still remained. Therefore, to make them empower we have to change our mind set up in favor of women.
- Panchayati Raj Institutions should be more strengthened and democratic for social and gender justice. Elected women should be provided a regular training regarding to governing system of PRIs.
- There must be a strict rule to check the interference of husband or other relatives of Women Pradhans who work at place of their wives and elected women pradhan should be provided a van, security and working hand so that they could perform their duty without interference.
- They should be provided awareness of law, policies and it implementation.

Thus, engendering of women may possible only through providing them intensive training of leadership in decision making process. They should be encouraged by the society and state authority and importance should be given to their voices in at the time of decisions. The suitable environment and feelings of equal entity of society as men makes the energetic.

