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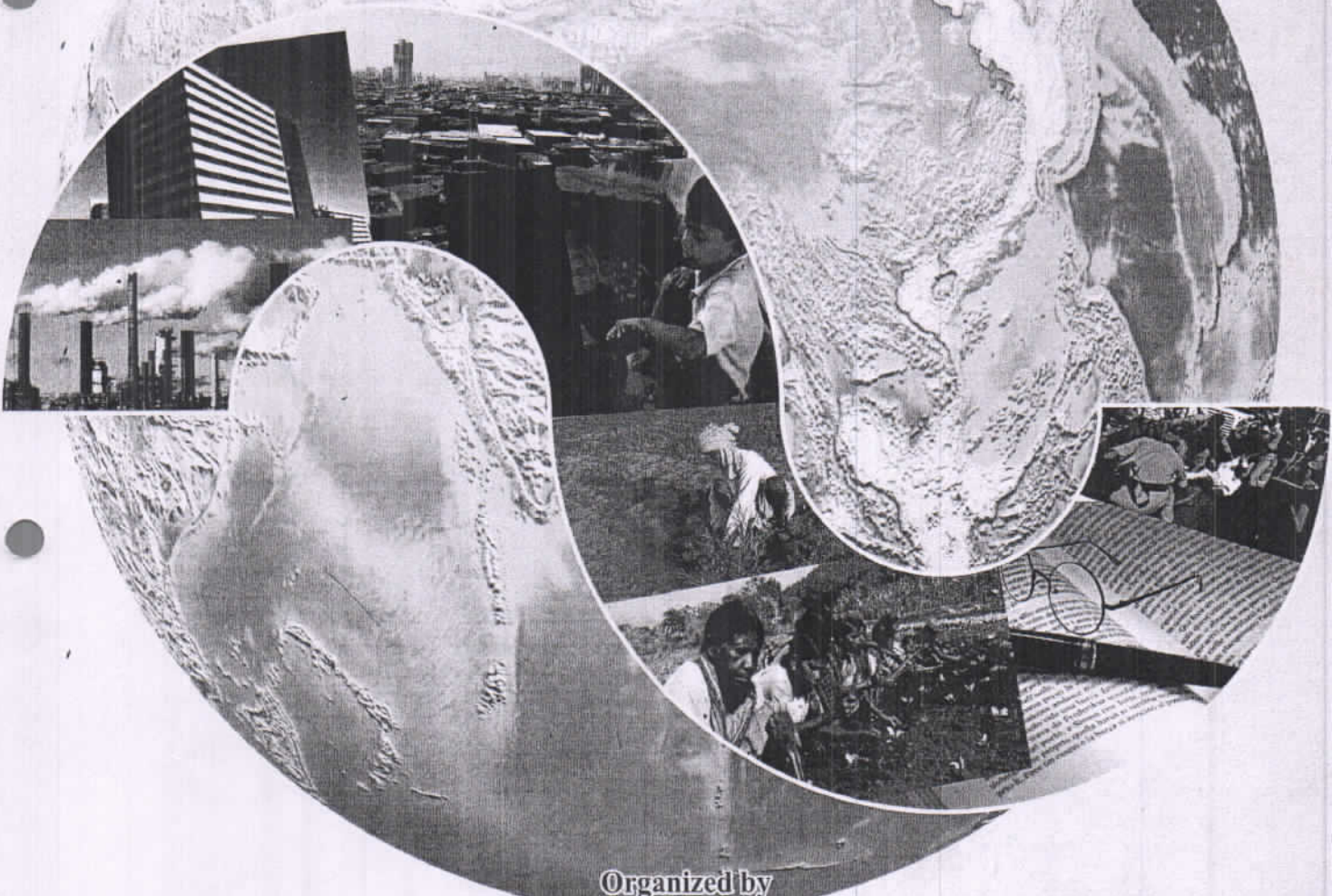
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CONFERENCE PROCEEDING

Two Day International Conference

On

**"Business Management, Information System, Social Sciences & Language & Literature :
A Need for 2020"**



Organized by

Chandrabai-Shantappa Shendure College, Hupari in Collaboration with Shivaji University
Commerce and Management Teacher's Association, Kolhapur and BVDU's Institute of
Management and Entrepreneurship Development, Pune

On 4th and 5th December, 2015

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SOCIAL JUSTICE AND GENDER DISCRIMINATION

✓ Prof. Sandhya J. Mane, Chandrabai Shantappa Shendure College Hupari

Introduction:-

Social justice is the Key stone of the Indian Constitution Dr. Ambedkar is the man of millennium for social justice. He was the man who tried to turn the wheel of the Law toward social justice for all. The concept of social justice to Dr. Ambedkar includes the three values freedom, equality and fraternity. To him there should not be any inequality of religion, caste, colour, birth etc. All people should enjoy the three values equality, fraternity and freedom.

The term justice in the preamble embraces three distinct forms social, economic and Political secured through various provisions of Fundamental Rights and Directive Principles. Social justice denotes the equal treatment of all citizen without any social distinction based on caste, colour, race, religion, sex and so on. It means absence of privileges being extended to any particular section of the society and improvement in the condition of backward classes and women. Social inequalities of India expect solution equally. Under Indian Constitution the use of social justice is accepted in wider sense which includes social and economical justice both.

Gender Discrimination:-

Gender discrimination refers to the practice of granting or denying rights or privileges to person based on their gender. Certain religious groups embrace gender discrimination attitude towards men and women have existed for generations and affect the lives of both genders.

Research Methodology:-

Descriptive research methodology has been chosen for the present study. By analyzing the secondary material the data is collected for the present study references books, related Articles, Constitution of India.

The present paper is an attempt to understand the constitutional provision of Social justice and to analyze the gender discrimination in real situation.

Gender bias in itself a violation of human rights and social justice. Women are equally important for the development of not only the family and society but also the nation and the human race. The tradition social hierarchy never consented women to establish. Their identity as women in society the clash of social and cultural reform changed stream of women identity. In the view of social Justice in pre - Independent India social and cultural conditions of the people was under imprisoned in bad tradition. Especially women's conditions were quite worst. Many social reformers such like Rajaram Mohan Ray, G.G Agarker, and Mahatma Phule have put truth effort to change women's condition and in pre- independent period Dr. B.R.Ambedkar also belong to same tradition by Indian constitution

The Indian Constitution focuses on the principles like equality liberty; fraternity along with this it gives importance to equal opportunity to women. The constitution of India contains various provisions which provide for equal rights and opportunities for both men and women same silent features are:-

• Preamble:-

The Preamble contains the essence of the constitution and reflects the ideals and aims of the people. The Preamble starts by saying that, We, the people of India, give to ourselves the constitution. The source of the constitution is thus traced to the people i.e. men and women of India, irrespective of caste, community, religion or sex. The makers of the constitution were not satisfied with mere territorial unity and integrity. If the unity is to be lasting it should be based on social, economic and political justice such justice should be equal for all.

• Provisions in India Constitution:-

Part III of the constitution consisting 12 - 35 is the heart of the constitution. Human Rights which are the entitlement of every man, woman and child because they are human beings have be made enforceable as constitutional or fundamental rights in India.

Directive Principles of state policy are not enforceable in any court of law they are essential in the governance of the country and provide for the welfare of the people including women. These provisions are contained in part IV of the constitution.

The constitution of India guarantees to all Indian woman equality (Article 14), no discrimination by the state (Article 15(1)), equality of opportunity (Article 16), equal pay for equal work (Article 39 d) In addition, it allows special provisions to be made by the state in favors of women and children (Article 15(3), provides for prohibition of traffic in human being and forced labor (Article 23)

renounce practices derogatory to the dignity of women (Article 51(A)(e)), The state shall make provision for securing just and human condition of work and for maternity relief. (Article 42) Reservation of seats for woman in panchayat and municipalities (Article 243 – D and Article 243 T) 73rd and 74th Amendment Act 1993).

The duty to safeguard and protect all the basic human rights in supreme court and high court (Article 32 and Article 226).

The basic rights of the women are protected through various constitutional provisions and several other legislation. The Indian judiciary also played a vital role for the empowerment and protection of rights of women by giving several landmark decisions in favor of women.

• **Provision against the gender bias in India:-**

Various laws have been passed by the Government of India are aimed to abolish gender bias.

- 1) Immoral Traffic (prevention) Act. 1956
- 2) Dowry Prohibition Act 1961
- 3) Indecent Representation of women (Prohibition) Act. 1986
- 4) Commission of sat (Prevention) Act. 1987
- 5) National Commission for women Act. 1990
- 6) Protection of Human Rights Act. 1993
- 7) Protection of women from Domestic Violence Act. 2005
- Protection of women against sexual Harassment Bill, 2007

Above all these provision in India Constitution is made for male – female equality and protection for women rights but Illiteracy, Patriarchal system, prejudiced Mentality, Customs and Tradition and outdated Norms are the root cause behind the inequality in male and female and because of these reasons Constitutional Provisions are not properly followed by society. Social Justice is not properly implemented because of all these reasons.

Solutions:-

- According to law, man and women are equal. But in reality the views of men are not accordingly. Men should actually lessen their dominance and change the Customs and tradition about their emotions toward women.
- Cultural and social beliefs, attitudes and practices prevent girls, women from benefiting from educational opportunities to same extent as boys so we need to not only by funding in girls education but properly help them to educate. With educational literacy they develop their confidence to understand status, rights, legal knowledge women also try to improve their self confidence level for development.
- Women cannot get human rights without social justice. In order to attain such rights certain programmes and policies are required. Women should be enable to participate in economic, social and political decision making. The government should integrate the gender perspective in the social and economic policy designing. In order to offer social justice to women and equitable access to quality education, adequate nutrition and health services should be promoted.

Conclusion:-

The Gender discrimination is present even today in modern sophisticated society. Effective implementation of male – female equality, Human Rights and women empowerment is harder task in India. Initiatives from government and NGO'S are not enough for it. But along with laws drastic change in mentality by implementing moral values and by creating social mind for awareness about women realizing problem can make male – female equality. To give social justice to depress and downtrodden there should be advocacy of the three principles liberty, equity and fraternity. Freedom is necessary for men and women and society both. There is no Value to liberty without equality and Fraternity.

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- 5) Indian constitution of India.



शिवाजी विद्यापीठ,
कोल्हापूर, महाराष्ट्र

दूर शिक्षण केंद्र



बी. ए. भाग- ३

(सत्र ५ : पेपर ११)

अभिजात पाश्चिमात्य राजकीय विचार

(सत्र ६ : पेपर १६)

आधुनिक पाश्चात्य राजकीय विचार

(शैक्षणिक वर्ष २०१५-१६ पासून)

दूर शिक्षण केंद्र,
शिवाजी विद्यापीठ,
कोल्हापूर

सत्र-५ : पेपर-११ : अभिजात पाश्चिमात्य राजकीय विचारवंत
सत्र-६ : पेपर-१६ : आधुनिक पाश्चात्य राजकीय विचार

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ता. पाटण, जि. सातारा.

प्रा. डॉ. अजितानंद जाधव
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सातारा.