

Setback To Women Empowerment

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Women constitute over almost half the population in our State of Jammu & Kashmir. The noted writer —*Malala Yousafzai* in very fine words said as under:-

"I raise up my voice—not so I can shout, but so that those without a voice can be heard...we cannot succeed when half of us are held back."

Investing in women's economic empowerment sets a direct path towards gender equality, poverty eradication and inclusive economic growth. Women make enormous contributions to economies, whether in businesses, on farms, as entrepreneurs or employees, or by doing unpaid care work at home. But even then, women also remain disproportionately affected by poverty, discrimination and exploitation. Gender discrimination means women often end up in insecure, low-wage jobs, and constitute a small minority of those in senior positions. It curtails access to economic assets such as land and loans. It limits participation in shaping economic and social policies. And, because women perform the bulk of household work, they often have little time left to pursue economic opportunities.

During the Vedic periods, women enjoy almost equal status with men and women were not subject to discrimination. In the Post-Veda period, the status of the women degraded and various evil customs like Sati Pratha, prohibition on widow remarriage custom was developed and further women were not allowed to go outside home for education. Women were considered and treated very low status species and were used to domestic workers and only as a source of enjoyment in sex life by the men and for child production.

As law always played vital role for the upliftment of any class or section of Society and realizing this, during the British rule, certain important legislations were enacted by the Britishers in order to abolish atrocities which were committed on the women. Such legislations are Abolition of Sati Act 1829, Widow Remarriage Act 1856 and Child Marriage Restraint Act 1929.

After attaining the Independence, the most important event is to draft the Constitution which operate as a fundamental law. The beauty of the Constitution of India can be gathered from Preamble itself which starts with the words '**WE THE PEOPLE OF INDIA**'. The Constitution protects not only the noble principle of the equality, liberty and social justice but also provide safeguards from any kind of discrimination in favour of women. Art 15 (1) of the constitution of India prohibits discrimination on ground s of religion, caste, race, sex, place of birth or any kind of

them and similarly Art 16 clause 1 and 2 of the constitution also provides that there shall be equality of opportunity for all the citizens in matters relating to employment and appointments to any office under the state and also provides that no citizen shall on grounds only of religion, sex, caste, race, descent or place of birth be ineligible for discrimination against in respect of any employment or office under the state.

In spite of all these provisions, if we analyze ground situation, even still the woman is socially, educationally and economically not developed at par with the men and the main reason is male dominance.

Economic empowerment is the capacity of women and men to participate in, contribute to and benefit from growth processes in ways that recognise the value of their contributions, respect their dignity and make it possible to negotiate a fairer distribution of the benefits of growth. Economic empowerment increases women's access to economic resources and opportunities including jobs, financial services, property and other productive assets, skills development and market information.

Women's economic empowerment is a prerequisite for sustainable development and moreover economic empowerment is also a right. Women's economic empowerment takes sound public policies, a holistic approach and long-term commitment by the government and individuals.

Since for the overall development of the Country, the development of women is must as it almost constitutes half of the population. So, it becomes imperative that special measures are required to be taken to empower women as empowerment of women is also must. Women are required to be empowered in all aspects, i.e. socially, educationally and economically as well. Laws also played an important role besides other steps of the Govt. for the upliftment of the Women as laws are enacted in such a manner as special provisions made to empower women.

Every Govt. take certain initiatives with the sole objective to empower women of the State and one of the exemplary step was taken by the Coalition Govt. led by first woman Chief Minister of the State of Jammu & Kashmir Mehbooba Mufti and implemented vide SRO 219 dated 18.05.2018 by which the Govt. gave 100 % remission of Stamp Duty leviable under the said Act on land or estate, on its purchase in the name of a female member of the family. This is a step solely to empower women economically by encouraging the male dominant society to purchase properties in the name of female members of the family. The step taken by the coalition Govt. in which the BJP was also a coalition partner was welcomed by all the sections of the society and was regarded as a historical decision of the govt. to empower women. The issuance of the aforesaid SRO is the outcome of the decision taken by the elected democratic Government in the Cabinet.

The present incumbent Government in the State of Jammu & Kashmir headed by His Excellency Hon'ble Governor Sh. Satya Pal Malik in an unexpected move all of a sudden issued new SRO in supersession of the SRO 219 dated 18.05.2018 has been issued by the Government headed by the Governor of the State of Jammu & Kashmir vide SRO 82 dated 25.01.2019 in which stamp duty of 3 % of the market value of land/property will be charged from the female members. By this SRO, the sole objective which the elected democratic govt. wants to achieve by granting 100 % remission in duty stamp to women suffered a great set back. It is so, as the government decision is based on public policy and in the public interest as well because empowerment of woman is very essential as female constitutes almost half of the total population of the State and their economic empowerment is the need of the hour but the present govt by issuance of SRO 82 dated 25.01.2019 has created an impediment in the women empowerment in the State of Jammu & Kashmir.

Almost all the political parties almost in one voice raised voice against this unexpected move of the Government by which the decision of the Government granting 100% remission on stamp duty has been modified and 3 % stamp duty on market value of the property to be purchased has been imposed. On the one hand, the Centre Govt. as well as the State Government working on the slogan of Beti Padao, Beti Bachao and on the other hand, the provision of law which are yielding good results in women empowerment are be revokes or superseded by harsh law which creates hurdles in the empowerment of Women of the State like issuance of SRO 82 dated 25.01.2019 in supersession of SRO 219 dated 18.05.2018 issued by a democratic elected Government.

Every organ of the Government must take initiatives to empower women by introducing new policies and taking steps which practical improve the socio-economic position of the Women and must discourage laws which creates hurdles in women empowerment.

Law plays an important role for the upliftment and empowerment of any section of the society and the laws are made with certain objectives which the Govt wants to achieve and the only objective which the Mehbooba Mufti Govt wants to achieve by granting 100 % remission of Stamp Duty leviable under the Stamp Duty Act on land or estate, on its purchase in the name of a female member of the family is **empowerment of Women**. With the issuance of new SRO 82 dated 25.01.2019, the objective which the elected Govt wants to achieve has suffered a great setback and keeping in view the main objective which the Govt wants to achieve by issuance of SRO 219 dated 18.05.2018, a relook is needed by His Excellency the Hon'ble Governor Sh. Satya Pal Malik into this issue and need of the hour demands that the SRO 82 dated 25.01.2019 is required to be withdrawn immediately and earlier SRO 219 dated 18.05.2018 be restored

so that women of our State be empowered economically as empowerment of woman is empowerment of Nation. If this is not done, then the public more particularly the women will feel that all the slogans of women empowerment are mere hollow slogans.

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