

Awareness of Non-Tribal Women about their Rights on Marriage and Maintenance –A Study of Assam

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ABSTRACT

The study was conducted with hundred respondents of non tribal women in two different districts of Assam. The study revealed that a large percentage (52%) of respondents were from middle age group (28-38 years) belonged to schedule caste (42%), 72 per cent were married women having qualification up to high school standard (42%) and from nuclear families (56%). A large majority (95%) of respondents were house wives. The findings also showed that a large percentage (39%) of respondents had membership in voluntary organization like SHG, a sizable percentage (40%) of respondents used radio and news paper as a means of mass media. The study further revealed that respondents' membership in voluntary organization was found to have significant relationship with Marriage and Maintenance.

Keywords : Awareness, Non-tribal women, Marriage, Maintenance right;

Women are the moulder and builder of any nation's destiny. They play a vital and significant role in the economy of a country. Women bear almost all responsibilities for meeting the basic needs of the family, yet are deprived of resources; information and freedom of action which they need to fulfil their responsibilities. Women spend a colossal part of their time in the household activities. Women constitute almost half of the population in India and their contribution in overall wellbeing of the communities is outstanding as a producers, providers, managers of natural resources, caretakers of their families, as well as cultures for overall development of the societies. Though women's contribution for the Indian society is considerably visible but still there is a big gap between women and men since women's contribution is poorly recognized by society at large. Due to patriarchal structure prevailed in our society, women are not considered as equal to men in the societal context. Besides women's effort in various fields, their contribution often goes unnoticed and hence they are marginalized, discriminated by our society. Further, women are harassed, tortured, by their

family members day by day due to number of factors of which their lack of knowledge regarding the rights of women provided by the Indian constitution for their safeguards may be the strongest one. Besides, they are discriminated as they are not at per capita income with their male counterparts.

Violence against women is a major public health problem and a violation of human rights. There are women who are victims of violence or sexual abuse such as trafficking, rape, domestic violence, dowry, divorce etc who need a vary different but specialized rehabilitation package. Discrimination against women may take place in and outside the home. In the background of the gigantic transformation, the core issue which still remains unanswered, is that of women's right. Women in India are submissive due to force, violence and the authority of men. Incidents relating to early marriage, domestic violence, trafficking, female foeticide, dowry, rape, divorce are rolled in women's powerlessness and their dependence on the male members of the family. Besides, women are not considered as equal to men in social context,

therefore the question of women rights always get a special emphasis.

Therefore, it is very much important for women to exercise their right for a number of reasons. One important reason is to reduce the ever expanding crime against them such as sexual abuse, dowry demand, deprivation of property, forceful marriage, disallowing of divorce or separation etc. Swami Vivekananda said that there is no chance for the welfare of the world unless condition of women is improved. It is not possible for a bird to fly only with one wing. The discrimination felt by women in India is sanctified by tradition or seldom challenged by the law. In fact women have very a feeble voice in the information, implementation and interpretation of laws.

As we all know that, India is a sovereign democratic country, the constitution of India provides different legal rights like Marriage right and maintenance right laws to every individual for realizing their democratic citizenship. Though our constitution provide different legal rights to women but practically it is seen that, only few numbers of women apply it in their real life, others avoid it due to many reasons like ignorance and fear of society. Now a days, the women issues have received tremendous attention in the planning circle and in wide intellectual discussion and forums at national and global platforms. The principle of gender equality is enriched in the Indian constitution in its preamble, fundamental rights, fundamental duties and directive principles. Women's right and issues has always been a subject of serious concern for academicians, intelligentsia and policy makers.

Marriage is a social union or legal contract between individuals that create kinship. Therefore, marriage practices vary across cultures. Men and women of valid age, without any limitation due to race, nationality or religion have the right to marry any person according to their own choice to form a family. According to Law, no body can force any person to marry against his/her will. According to the Hindu Marriage Act, 1955 marriage between any two Hindus may be solemnized under the following conditions such as if neither bride nor groom should already be married or have a living husband or wife, both the persons should have reached the minimum age for marriage i.e. a valid age of 18 years in case of female and 21 years in case of male.

On the other hand, maintenance is the right to get

necessities which are reasonable. According to section 3(b) Hindu Adoption and Maintenance Act 1956, maintenance includes in all cases provision for food, clothing, residence, educational and medical attendance and treatments, in all cases of an unmarried daughter also the reasonable expenses of and incident to her marriage. It does not rest upon contract. But it is a liability created by Hindu Laws and arises out of jural relations of the parties. A Hindu wife can claim maintenance against her husband under the following conditions such as – a Hindu wife shall be entitled to be maintained by her husband during her life time. The wife shall also be entitled to live separately from her husband without forfeiting her claim to maintenance. Apart from these, the wife can claim maintenance if the husband is found guilty of desertion, abandoning her without reasonable cause and without her consent or against her will or wilfully neglecting, if the husband treated his wife with cruelty as to cause a reasonable apprehension in her mind that will be harmful or injurious to live with her husband, if he is suffering from a virulent form of leprosy, and has any other wife living, besides if the husband keeps a concubine in the same house in which his wife is living or habitually resides with a concubine elsewhere, if he has ceased to be a Hindu by conversion to another religion, if there is any other cause justifying living separately. At last, it can be said that a Hindu wife shall be entitled to be maintained ever by the father in law after the death of her husband. In this context, application of marriage of maintenance are one of the most important inputs for development of rural women which may prove phenomenal for development of rural community. As the right provides legal opportunity to every individual for realizing their democratic citizenship as well as to protect them from various violence whether it may be related to mental or physical injury.

Rights provide legal opportunity to every individual for realizing their democratic citizenship as well as to protect them from various violence whether it may be related to mental or physical injury. Women rights in a sense are inseparable from human being, since human existence without rights is of no consequence. Every individual must enjoy certain freedoms which are fundamental to their growth and purposive life in the larger human society. Women Rights are of crucial significance and are basic to human welfare and prosperity. Generally, they are designed to enhance the

status of the individual in society to protect them with safeguards which are considered essential for their protection against the arbitrary authority of the state.

Generally, women's rights and freedom include the right for safe living, the right not to be subject to torture or to cruel, inhuman or degrading treatment or punishment, the right to equal protection according to humanitarian norms in times of international or national armed conflict, the right to liberty and security of person, the right to equal protection under the law, the right to equality in the family, the right to the highest standard attainable of physical and mental health and right to just and favorable conditions of work.

Violence against women are not a new phenomenon of the Indian society. In caste hierarchical society also, women suffer from rape, dowry, divorce, crime against women, political violence and other such discrimination against men. Besides, they are beaten and treated badly by the family members also. Therefore, exercising women's rights are prime necessary to stop violence against all these. According to Article 14 and 15(1), the constitution of India provides both men and women to have equal rights and opportunities in the political, education, economic and social spheres and also prohibits discrimination against any citizen on the ground of religion, race, caste, sex etc.

Although there is a broad picture of sufferings of women predominantly due to non-exercise of rights given to them by law more particularly in the developing country like India. We the social scientists, workers can not let women continue to get these sufferings. It is the right time to find out the basic reason for this ever increasing rate of women's sufferings. Therefore, the present investigator was inclined to take up a research study to identify the awareness level of women living at grass-root i.e. the rural women regarding availability of various provision given by law for their protection through the Indian Constitution.

The findings of the study will leave adequate scope to plan for a comprehensive intervention training package to upgrade the awareness level of rural women if found low in the present investigation. The impact of such planned training programme is expected to throw light in the policy decision of legal empowerment of rural women in more practical oriented fashion. Keeping the above facts in view, the present study was carried out with following objectives:

- i. To study the socio –personal characteristics of the respondents.
- ii. To determine the extent of awareness of the respondents about their rights on marriage and maintenance.
- iii. To find out the relationship between level of awareness about their rights - Marriage and Maintenance with the selected socio-personal variables.

METHODOLOGY

Purposive cum simple random sampling method was adopted to carry out this study. The study was carried out in the two districts of Assam- Jorhat and Lakhimpur district. In Jorhat district there are three sub-divisions via, Jorhat, Titabor and Majuli. Out of these, Jorhat sub-division was selected purposively. Lakhimpur district comprised of two sub-divisions - North Lakhimpur and Dhokuakhana. Out of these North Lakhimpur sub-division was selected purposively for the present investigation. Jorhat sub-division and North Lakhimpur sub-division consists of five development blocks. Koliapani Development Block of Jorhat district and Narayanpur Development Block of Lakhimpur district were selected respectively. Five villages were selected randomly from each Kaliapani and Narayanpur Development block. From each village, ten respondents were selected randomly for this investigation. A total sample of hundred rural women were selected from these villages. An interview schedule was prepared in order to collect data. The data were collected personally through face to face interview method. All the statements regarding marriage and maintenance as stated in the constitution were framed covering all the aspects. Further the statements were validated by the legal experts for clarity and relevancy of the statements. Collected data were coded, tabulated and analyzed in accordance with the objectives of the study by using appropriate statistical techniques such as number and percentage, mean scores, correlation coefficient and t-test.

RESULTS AND DISCUSSION

Age : The data presented in the Table 1 indicates that 46 percentage of the respondents belonged to young age group of 18-28 years, and 52 percentage respondents belonged to middle age group 28-38 years. Only 2 per

cent respondents were in the old age group of 38-48. It is clear from the table that since a large majority of the respondents belonged to the young and middle age group whose level of awareness about rights was measured in the present investigation will be of much use for giving some required intervention and support.

Table 1. Socio–personal characteristics of the respondents(N=100)

Variables	Characteristics	%
Age	18-28 years	46
	28-38 years	52
	38 & above	02
Caste	General	32
	OBC	25
	SC	43
Education	Primary level	30
	Middle level	35
	Up to HSLC	35
	HSLC	14
	HSSLC	13
	Graduate	08
Marital status	Unmarried	19
	Married	72
	Widow	06
	Separated	03
Family type	Nuclear	56
	Joint	35
	Extended	09
Occupation of the family	Agriculture	24
	Service	17
	Business	27
	Wage earners	32
Occupation (respondents)	Service	05
	Home making	95
Membership in organization	Member of SHG	39
Exposure in mass media	Television	14
	Radio	40
	News paper	40
	Internet	05
	Extension bulletin	01

Caste : It is evident from the Table 1 that a sizable percentage (43%) of respondents belonged to schedule caste followed by 32 percent from general caste.. This finding revealed that the respondents were from different caste.

Educational qualification : Table 1 reflects that a large percentage (35%) of the respondents had education up to middle and HSLC standard, followed by a small

percentage (8%) of the respondents were graduates. It is encouraging to see that rural women had varied level of educational back ground which might have some role to play in their level of awareness about their rights in this investigation.

Marital status : It is clear from the table 1 that a large percentage (72%) of the respondents were married .Since a large percentage of respondents were married followed by a small percentage(19%) which was unmarried, the rights regarding maintenance would be of much value to measure their level of awareness.

Family type : Table 1 shows that highest percentage (56%) of the respondents belonged to nuclear family and a small percentage (9%) of respondents belonged to the extended families. This is interesting to see that nuclear family trend is coming in useful place in rural areas too.

Occupation of the family : It is clear from Table 1 that a large percentage (32%) of respondent's family occupation was daily wage earner, followed by 27 per cent families engaged in business. A dispersed family occupational variation were reflected in this study.

Occupation of the respondents : Table 1 highlights that a large majority (95%) of respondents were having home making as their main occupation and only a small percentage (5%) of respondents were engaged in service. Although women's emancipation in the work force is increasing, it is heartening to see that the rural women in the present investigation were predominantly taking home making responsibilities against some services out side home.

Membership in organization : Table 1 shows that a sizable per cent (39%) of respondents were from member of one organization. This finding revealed that social participation through membership in this study although found not very high but quite encouraging.

Mass media exposure : It is observed from the Table 1 that a large percentage of respondents (40%) used radio and news paper as means of mass media followed by only a sizable percentage (14%) of respondents used television. The findings revealed that respondents of this investigation used varied means of mass media of which radio and news paper were dominant among others.

Extent of awareness of the respondents about their rights on Marriage and Maintenance : Table 2.1 clearly reveals that there was a variation in ranking of

the statements concerning right to marriage. Among the statements, the statement the valid age for marriage ranked I followed by the statement the living spouse ranked II. Table 2.1 also highlights that other statements like recurrent attacks of insanity, unsoundness of mind, cause of unfit for marriage and the procreation of children and customary prohibited relationship for marriage ranked as III, IV, V and VI respectively. Statements that got place in the lower position of ranking must be taken into consideration for prioritizing in the training intervention programme of rural women to improve the awareness level in the domain of marriage. Therefore, it can be concluded that this findings will be of much help for planning development programme for rural women to increase their awareness level about rights in the domain of marriage.

Table 2. Ranking based on mean scores showing awareness of the respondents in the domain of Marriage

Statements	MS	Rank
Neither party has a spouse living at the time of marriage.	1.00	II
Is incapable of giving a valid consent to it in consequence of unsoundness of mind,	0.63	IV
Though capable of giving a valid consent has been suffering from mental disorder of such a kind or to such an extent as to be unfit for marriage and the procreation of children	0.58	V
Has been subject to recurrent attacks of insanity.	0.73	III
The bridegroom has completed the age of 21 years and the bride, the age of 18 at the time of marriage.	1.27	I
The parties are not within the degrees of prohibited relationship unless the custom or usage governing each of them permits of a marriage between the two.	0.47	VI

Table 2.2 reveals the variation in ranking of the statements concerning right to maintenance. Among the statements, the statement reflecting life time maintenance by husband ranked I, followed by the statement feeling of insecurity due to husband's cruel treatment ranked II. Further the table 2.2 highlights that other statements like living wife, having a concubine at home or else where, husband conversion to another religion, maintenance by father in law, justifiable cause for living separately and wife conversion to another

religion ranked III, IV, V, VI, VII and VIII respectively. Statements that got place in lower position of ranking should be used in prioritizing while giving knowledge about rights to the rural women.

Table 2.2. Ranking based on mean scores showing awareness of the respondents in the domain of Maintenance

Statements	MS	Rank
A Hindu wife shall be entitled to be maintained by her husband during her life time	1.09	I
If he has treated her with cruelty as to cause a reasonable apprehension in her mind that will be harmful or injurious to live with her husband	0.71	II
If he has any other wife living	0.66	III
If he keeps a concubine in the same house in which his wife is living or habitually resides with a concubine elsewhere	0.55	IV
If he has ceased to be a Hindu by conversion to another religion	0.39	V
If there is any other cause justifying living separately	0.20	VII
A Hindu wife shall not be entitled to separate residence and maintenance from her husband if she is unchaste or cease to be a Hindu by conversion to another religion	0.19	VIII
A Hindu wife shall be entitled to be maintained by father in law after her husband's death.	0.27	VI

Table 3.1. Relationship between awareness of respondents about their rights with selected independent variables in the domain of Marriage

Independent variable	r-value	t-value
Age	0.11	1.09 ^{NS}
Education	0.11	1.07 ^{NS}
Member of organization	0.48	5.39**
Mass media exposure	0.08	0.77 ^{NS}

** Significant at 1% level of significance.

Relationship of socio personal variables with level of awareness of the respondents about their rights –Marriage and Maintenance. A perusal of the data in Table 3.1. indicates that there was no significant relationship between awareness of respondents about their rights with age, education, and mass media exposure in the domain of marriage. Table 3.1. also

shows that, there was a significant relationship between awareness of respondents about their rights with their membership in organization in the domain of marriage at 1 per cent level of significance. Hence, it can be concluded that membership in organization such as SHGs give ample scope to the respondents to interact with other women which helped them to develop awareness regarding their rights on marriage.

Table 3.2. Relationship between awareness of respondents about their rights with selected independent variables in the domain of Maintenance

Independent variable	r-value	t-value
Age	0.13	1.34 ^{NS}
Education	0.09	0.87 ^{NS}
Member of organization.	0.72	10.37 ^{**}
Mass media exposure	0.03	0.32 ^{NS}

** Significant at 1% level of significance

It is evident from the Table 3.2 that there was no significant relationship between awareness of respondents about their rights with age, education and mass media exposure in the domain of maintenance. However, a significant relationship was found between awareness of women about their rights with their membership in organization in the domain of maintenance at 1 per cent level of significance. Hence, it is concluded

that women should be encouraged to become member of some or other organization there by update their knowledge and awareness in different aspects of life through some constructive interaction among the members of the organization such as Self Help Groups.

CONCLUSION

The investigator concludes from the present investigation that there was a significant relationship between awareness of the respondents about their rights with their membership in organization. Membership in organization give ample scope to an individual to interact with fellow women which helps her to develop awareness regarding different aspects. Membership in organization was found highly significant with the two areas of women's rights. Hence it is concluded that women should be encouraged to become member of some or other organization there by update their knowledge and awareness in different aspects of life through some constructive interaction among the members of the organization such as Self Help Groups. Rural women should also be helped to exercise their rights with proper care and support from different educational institutions and organizations working for rural development through adequate counselling and intervention programme planned meticulously.

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