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**Study of Women's Right to Property: A Human Right Perspective****Dr. Pundlik E. Bhosle**Assistant Professor,  
N.C.Law College, Nanded.**Introduction:**

One of the burning problems of the women world in the present era is the right relating to property. The topic of 'Women's Right to Property' has been recently developed into a broad field of Research, in women's property Rights, social scenario & Human Rights. The status of women has advanced in some important respects in the past decade. But that progress still amounts to inequality between women, men and have persisted a major obstacles remain, with serious consequences for the well being of all people. This situation is increasing poverty that affecting the lives of the majority of the world's people, in particular women, with origin on both the national and International levels.

**Concept and meaning:**

The term Human Rights has been recognized and proclaimed by United Nations General Assembly through the Universal Declaration of Human Rights in 1948. Human Rights means Right of Human being relating to life, liberty, equality and dignity of the individual which have been guaranteed by the international covenants. Human Rights in the present era were known as natural rights of natural person in ancient period. The natural right theory expressed by John Locke, believes that naturally the individual possesses basic human rights inherent to his personality, independent of whether these rights are recognized or not by any ruler. Human Right are intrinsic to the human personality. These individual human rights are primordial and not a favour given or granted to him by the ruler or society.

**Nature and scope:**

This is universally accepted fact that Human Rights of Human beings cannot be alienated or surrendered by their possessor to the state or to any other, because these Rights are inalienable, but history tragically proved in the 20<sup>th</sup> century that, rulers such as Adolf Hitler & Stalin illegally exterminated millions of innocents thinking to be state interests over basic Human Rights. But ultimately they failed. The every natural person of this universe has brought few natural rights with his or her birth, hence sometimes Human Rights are also known as birth rights of every natural human being.

Except few biological factors there is no difference between man and women. Men and women they all possesses love, lust, affection, envy, possessiveness etc. All such qualities we can find in men and women both. One of the natural qualities of the every Human being of the world is, 'to have a property.' To have a property is the natural instinct which can be found in men & women both. Instinct is one of the basic natural qualities of the human being and hence every natural person expects to have something i.e. love, lust to property and women also not exception to this. It

means by birth women also have the tendency to possess property. This is universal quality of both men and women. But its implementation or practice in paternal form of society is discriminatory.

**Universal Social Scenario:**

The nature of instinct is imprescriptibly and indistinguishable. It means the nature or quality of instinct is imprescriptibly i.e. which cannot be separated from human being, then the human beings may be man or woman. The nature of the instinct is permanent and inherent in every human being i.e. male and female. Neither the instinct be separated from any human being nor it be provided or given by any state or legal entity. In this sense it is said that natural person's instinct to have property is imprescriptible and it be respected by we all.

The scope of instinct is universal, universally it is known fact that instinct rests in every natural human being, then the natural human being may be man or woman. Human beings residing in any corner of the world he or she posses this instinct i.e. instinct to have something, this feature we can find on National, Regional and Universal level. This instinct floats everywhere in the world. The community of nations through General Assembly of United Nation have made positive attempt to recognize this universal instinct to have a property and to reaffirm people's faith in their fundamental human rights, dignity and worth of Human person in the equal rights of men and women and have determined to promote social progress. The international community also intends to promote social progress and better standard of life in larger freedom and to promote universal respect and observance of human rights and fundamental freedoms in every individual in the human society.

**International Legal Instruments:**

The practices of women's rights relating to property are different on universal, regional and national levels. In India social scenario of women's right to property is very strange. In Indian context it is prevalent that ,

श्रृपिता रक्षती कौमार्य !  
भ्रतार रक्षती योवने –  
पुत्र रक्षती वार्धक्य

This is present scenario of women's right to property. In India women's are treated as inferior and presumed that they have no right to property, Indian women's should depend upon the male and she has no right or share in property in required proportion today as well. After independence in India through Constitutional Provision and other legislative activities positive attempts have been made to protect Indian women's right to property, but its social fact is still miserable. At present Indian women are supposed to be one of the vulnerable groups. Her rights relating to property still denied in our Indian society. Forms of denying women's right to property in India are numerous.

To deny right to property of women in India, different types of social barricades have been created and various types of tactics are being played due to which she is facing problems and leading her miserable life in society. In conclusion, in order to women's empowerment considering women's rights to property with men would be proper, they be treated equally, in few departments, they are treated and paid equally with men but its ratio is very negligible . Its ratio be increased by making special provision in the protection of women's right to property. To protect women's right to property, legal awareness be brought in men and women both.

International instruments dealing with women's right to property to be made know to the ignorant and the message is conveyed that as to how universally women's are equal with men and how they are also entitled right to have property. Tendency of the male be reduced that men only are entitled, to have right to property. Provisions of International instruments dealing with the women's rights to property are i.e. International covenant on economic, social and cultural rights 1966, International covenant on civil and political rights 1966, International covenant on elimination of all forms of Racial discrimination, 1966. United Nations convention on the elimination of all forms of discrimination against women, 1979, The women's international decade 1975 to 1985, Declaration on the elimination of discrimination against women, 1967 and along with all these international instruments dealing with the women's right to property, few Regional Instruments dealing with the women's right to property e.g. The American convention on Human Rights, The African social charter on Human Rights, The European convention on Human Rights along with National instruments dealing with equality and women's right to property be property protected and implemented in the world and in India to give justice to women's rights to property on humanitarian ground.

### **Conclusion:**

Every human being requires right to property to lead the life in a proper manner. But this women's right to property steel denied universally. For proper implementation of women's right to property, enforcement agencies be strengthened on universal, regional, national to justify women's right to property on humanitarian ground.

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