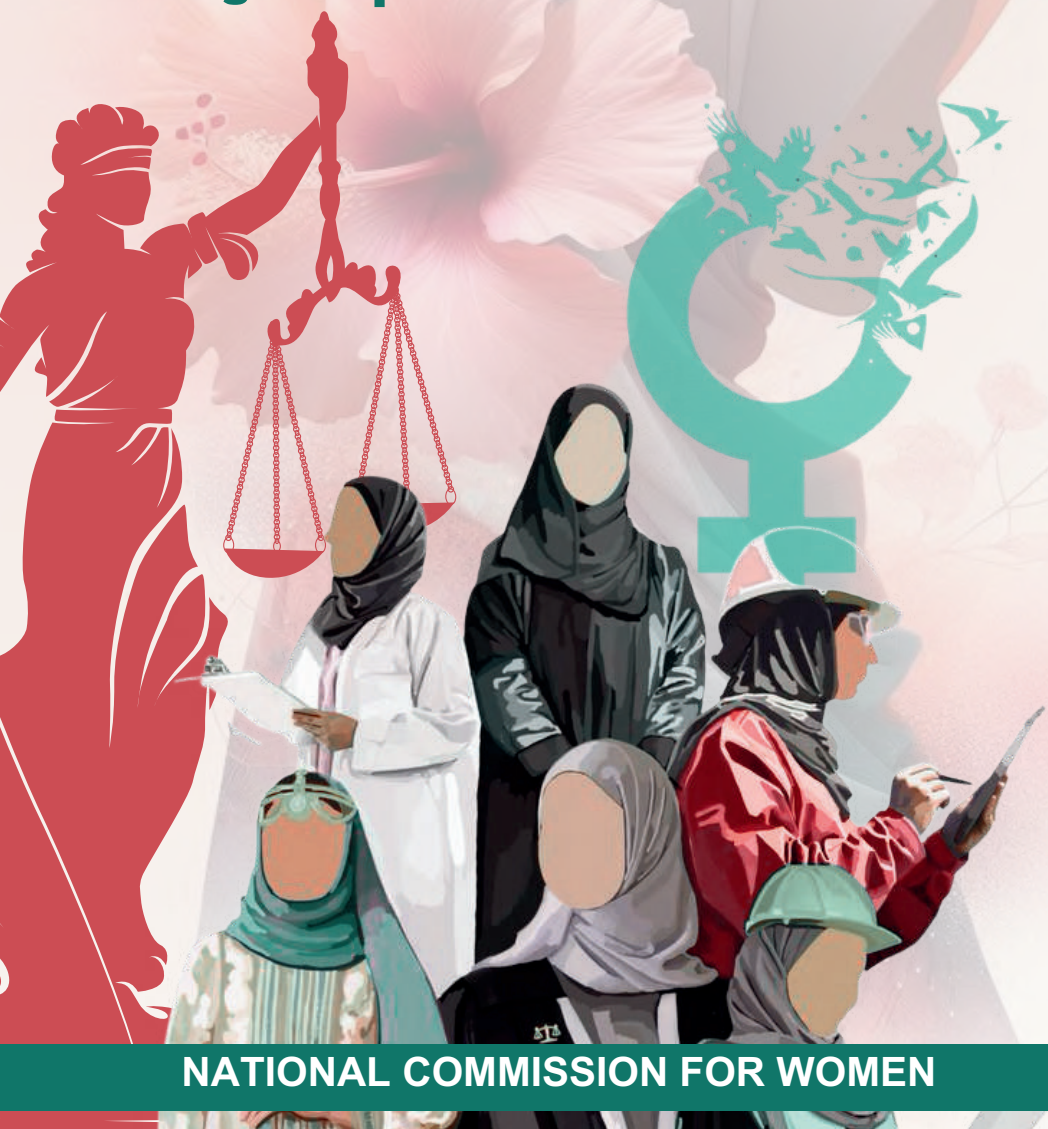


NAYA DAUR

The Legal Empowerment of Muslim Women





सत्यमेव जयते



Message

It is my privilege as the Union Minister of Minority Affairs to pen this foreword and introduce this important compendium for Muslim Women, i.e. Rights of Muslim Women, compiled by the National Commission for Women.

Indian democracy rests on the pillars of equality and justice for every citizen. Muslim women have been an integral part of its social, economic, religious, intellectual and cultural legacy. Yet, for Muslim women, the intersection of personal law and constitutional rights presents unique challenges and opportunities.

I have been privileged to witness the transformative impact of policy and legal reform in improving the lives of minorities, especially women, whose voices have too often been marginalized in the socio-legal discourse.

This booklet arrives at a moment of profound legal and social transformation for Muslim women, whose voices are finally shaping the conversation on personal laws and constitutional guarantees.

This booklet provides a clear and concise overview of the rights of Muslim women, important government initiatives, targeted schemes and projects, and landmark judicial precedents which will help to empower women with knowledge that can help them in making informed decisions and seek justice when needed.

This work represents a sincere and determined effort to analyze, understand, and strengthen the legal rights of Muslim women in India, in keeping with our constitutional values of equality, dignity, and justice for all.

It aims to ensure that the rights of Muslim women are not merely preserved but proactively safeguarded. The detailed review presented here offers valuable insights into existing legislation and highlights areas in need of reform and clarity. The aim is not only to inform, but to inspire dialogue, legal innovation, and inclusive progress.

I extend my gratitude to the National Commission for Women and all contributors for producing this comprehensive book. May it serve as a catalyst for inclusive reform and stand as a testament to our collective commitment to justice and equality.

Let us continue to champion the rights of all women—not only in principle, but in practice—and uphold the constitutional promise of equality for every Indian.

(Kiren Rijiju)

Foreword



Throughout the rich and diverse fabric of Indian society, Muslim women have long contributed to its heritage, culture, and economic life. Yet, for many, access to quality education, economic empowerment, health services, and legal protections has remained challenging.

In an effort to bridge these gaps and ensure equal participation for Muslim women across the nation, the Government of India has implemented a range of schemes and legislative measures.

This book is a comprehensive guide to the rights, benefits, and opportunities available to Muslim women. It will enable every reader to access these benefits effectively.

The National Commission for Women is committed to a future wherein all Indian women — from all walks of life — are empowered, their rights protected, and their potential fully realized.

Smt. Vijaya Rahatkar

Hon'ble Chairperson,
National Commission for Women



INTRODUCTION

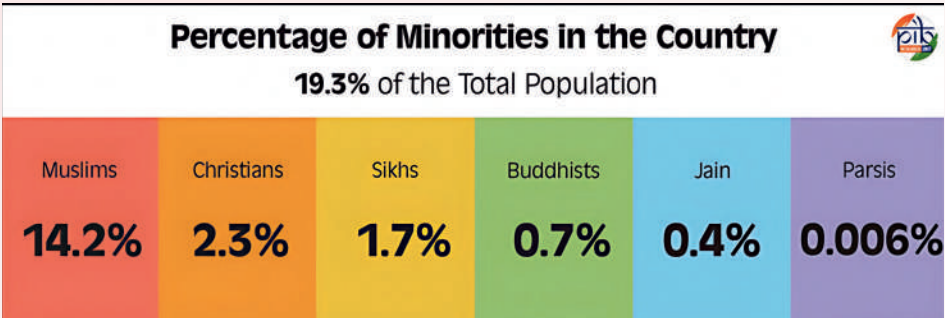


The rights of women — especially those from marginalized communities — form the bedrock of any strong and inclusive democracy. In India, a nation built upon the ideals of equality, secularism, and dignity for all, this vision is enshrined in the Constitution and is a beacon for generations to come.



Among its rich demographic and socio-cultural mosaic, Muslim women have long been an integral part of the nation’s heritage. Empowering them means creating an environment where every woman can access quality education, pursue meaningful careers, and live a life of respect, opportunity, and dignity.

Today, there are hopeful signs of progress. According to the Periodic Labour Force Survey (PLFS) 2023–24, the labour force participation rate of Muslim women has risen from 15% in 2021–22 to 21.4%.



This gain reflects a growing momentum — one that must be supported and sustained. Yet it also reminds us of the structural barriers that still exist, making it vital for us to continue our collective efforts for systemic reforms. Improving access to education, ensuring fair matrimonial and inheritance laws, and reinforcing the role of Muslim women as equal stakeholders are pivotal steps towards an inclusive and equitable democracy.



This book is both an educational resource and an action guide for Muslim women. It aims to illuminate their rights, highlight available benefits, and inspire a future where every woman can stand tall, make informed choices, and contribute to the richness of India's social, economic, and cultural life.

Together, we can foster a more just, compassionate, and empowering society for all!





SCHEMES FOR MUSLIM WOMEN



1 Post-Matric and Merit-cum-Means Scholarships

The Ministry of Minority Affairs provides three key scholarships to help Muslim students access quality education:

ii. Post-Matric Scholarship

Objective: Support Students of Class XI to PhD

Benefits: Covers admission, tuition, and maintenance allowance.

Eligibility: Must have secured at least 50% marks in the previous examination and have an annual family income not exceeding Rs. 2,00,000.



Merit-cum-Means Scholarship

Objective: Support students pursuing technical or professional courses at the undergraduate or postgraduate level.

Benefits: Provides financial support for admission, tuition, and maintenance.

Eligibility: Must have secured at least 50% marks in the last examination and have an annual family income not exceeding Rs. 2,50,000.

How to Apply?

One can apply online via the National Scholarship Portal (NSP) www.scholarships.gov.in.

Upload necessary documents including:

- Student Photo
- Institution Verification Form
- Income Certificate
- Self-Certified Community Certificate
- Marksheets, Fee Receipt, Bank Details, Aadhaar, and Domicile Certificate.

2 Begum Hazrat Mahal National Scholarship

The scholarship scheme provides financial support to girl students from minority communities for higher education.

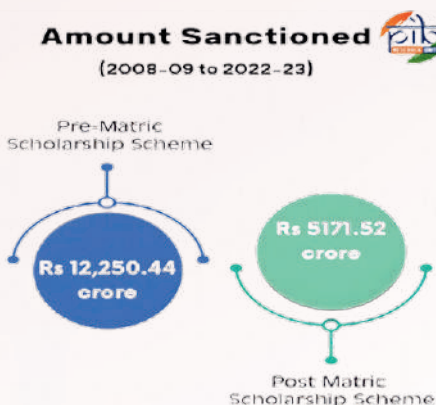
Benefits: Provides a fixed amount for students who have passed Class X and gained admission in Class XI.

Eligibility:

- Girl must belong to Minority community
- Girl must be studying in class 9th to 12th and have secured at least 50% marks in aggregate in previous class.
- Annual Family Income must not exceed Rs. 2 Lakhs.

How to Apply?

One can apply by visiting the website of National Scholarship Portal (NSP) at www.scholarships.gov.in



3 HAJ - Ladies without Mehram

In 2018, the Government of India introduced the Lady Without Mehram (LWM) category, allowing women aged 45 or above who wish to go for Hajj but do not have a male Mehram, whose school of thought (Maslak) permits to travel in groups of four or more.

This initiative was further strengthened by Prime Minister Narendra Modi's announcement and implemented by the Ministry of Minority Affairs and the Haj Committee of India.

Women in this category are granted priority in the selection process, making it more accessible for them to fulfill their religious obligations. In 2023, more than 4,300 women from across India performed Hajj under the LWM category, making it the largest group of female pilgrims traveling independently from the country. In 2024, this number rose even higher, with over 5,162 women successfully undertaking the holy journey.

The Government facilitated this by simplifying registrations and arranging dedicated flights, accommodation, transport, medical staff, and female coordinators exclusively for these pilgrims.

This policy highlights the Government of India's commitment to women's empowerment, inclusion, and accessibility, ensuring that eligible women can fulfill their religious obligations with dignity and safety.

4 Haj Suvidha App

The 'Haj Suvidha' App is a comprehensive mobile application developed to streamline and support the Haj pilgrimage for Indian pilgrims.

It allows pilgrims to focus on the spiritual journey by providing greater ease and convenience.

It is a one-stop digital platform offering real-time information on flight schedules, accommodation, training materials, health services, and emergency helplines, making the journey more accessible, safe, and convenient, especially for first-time pilgrims.

To further aid the Hajis, a multilingual Haj Guide – 2024 was also released, providing information about rituals and instructions for using the app. The Guide is published in 10 languages.

The Haj Suvidha app can be downloaded from both the Google Play Store for Android devices and the Apple App Store for iOS devices.



5

Stand-Up India and MUDRA Loans

1. Stand-Up India:

Provides loans between Rs. 10 lakhs and Rs. 1 crore for setting up greenfield enterprises. At least one-third of the loans must be granted to women entrepreneurs.

2. MUDRA (Micro Units Development and Refinance Agency) Loans:

Provides micro-credit for income-generating activities.

- **Three categories:**

- Shishu: Up to Rs. 50,000
- Kishore: Rs. 50,000–5 lakhs
- Tarun: Rs. 5 lakhs–10 lakhs

Eligibility: All women entrepreneurs, including Muslim women, engaged in the micro, small, and medium enterprises sector.

How to Apply:

Through any participating bank, micro-credit institutions, or NBFCs.



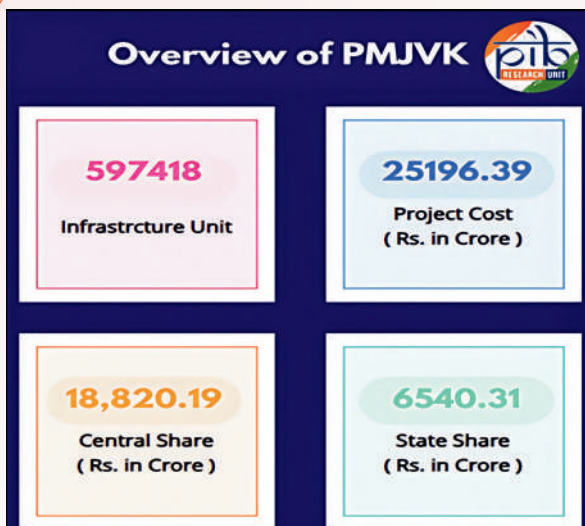
OTHER IMPORTANT SCHEMES



6 Ayushman Bharat – Pradhan Mantri Jan Arogya Yojana (PM-JAY)

Objective: Provide financial protection and access to quality healthcare for economically disadvantaged families. It supports millions of Muslim women in accessing critical medical treatments, maternal care, and surgeries.

Benefits: Health insurance cover of ₹5 lakhs per family per year for hospitalization and medical treatments across empaneled hospitals.



7

Pradhan Mantri Matru Vandana Yojana (PMMVY)

Objective: Provide cash incentives for pregnancy and lactation support.

Benefits: Enables better nutrition and recovery for the mother. Provides ₹5,000 for the first live birth.

Eligibility: All eligible pregnant and lactating mothers except those working in Government or PSUs. However, one must register within 150 days of pregnancy.



प्रधानमंत्री मातृ वंदना योजना

8

One-Stop Centres (Sakhi) for Women in Distress

Objective: Provide integrated support services for women affected by violence by providing a safe space and access to resources.

Services:

- Medical aid
- Police and legal support
- Psychological counseling
- Shelter facilities



9

Mahila Helpline 181

Objective: Provide 24x7 crisis support and information for women across the country.

Services: Assistance in cases of domestic violence, harassment, and discrimination. Provides linkages with police, hospitals, NGOs, and counseling services.



10 NCW Helpline - 7827170170

It is a vital initiative designed to support women across India who are in crisis or distress. Operating 24x7, this toll-free service (available at 7827170170) connects women to relevant authorities and provides immediate help, guidance, and counseling in cases of discrimination, harassment, or violence.

The NCW Helpline aims to ensure that every woman regardless of religion, caste, class, or location has access to protection and justice.

It offers crisis intervention, links women with the police, NGOs, legal aid, and medical services, and guides them to understand and exercise their rights effectively. By serving as a trusted and accessible support system, the NCW Helpline empowers women to stand up against injustice and build safer, more dignified lives.



11

Pradhan Mantri Virasat Ka Samvardhan (PM VIKAS) Scheme

The Pradhan Mantri Virasat Ka Samvardhan (PM VIKAS) Scheme is a Central Sector Scheme launched by the Ministry of Minority Affairs, Government of India. It aims to uplift the six centrally notified minority communities—Muslims, Christians, Sikhs, Buddhists, Jains, and Parsis—through integrated development initiatives focused on skill training, education, entrepreneurship, leadership, and the preservation of traditional crafts.

The scheme integrates five previously running programmes: Seekho aur Kamao, USTTAD, Nai Roshni, Nai Manzil, and Hamari Dharohar.

Objectives:

- Provide market-oriented skill training to youth from minority communities
- Help school dropouts from artisan and minority families complete formal education
- Foster women's leadership and entrepreneurship
- Preserve traditional arts, crafts, and cultural heritage
- Support infrastructure development for artisans and minority clusters

Key Components:

1. Skilling and Training

Includes both traditional (handicrafts, heritage skills) and non-traditional (modern trades) training programs. Training is aligned with NSQF standards and aims for employment or self-employment outcomes.

2. Education

Supports school dropouts from minority backgrounds to complete Class 8, 10, or 12 through open schooling systems like NIOS. This component was earlier implemented under the Nai Manzil scheme.

3. Leadership and Entrepreneurship

Focuses on building leadership capabilities, especially among women, and training them to become self-reliant entrepreneurs or 'Biz Sakhis'.

4. Cultural and Heritage Preservation

Supports preservation, documentation, and promotion of traditional crafts, literature, and practices through training and exhibitions.

5. Infrastructure Development

In convergence with the Pradhan Mantri Jan Vikas Karyakram (PMJVK), the scheme facilitates the development of Vishwakarma Villages—model clusters with facilities for training, production, and marketing of traditional crafts.

Target Beneficiaries:

Citizens belonging to the six notified minority communities, with priority given to women, youth, differently-abled persons, and traditional artisans.

PM VIKAS is a comprehensive effort to integrate heritage with modern livelihood opportunities. It not only addresses economic needs but also contributes to the social and cultural empowerment of India's minority communities.





KNOW YOUR RIGHTS

Laws and Rules for Muslim Women



- The rights of Muslim women in India are rooted in the Constitution of India, strengthened by statutory laws, and shaped by evolving judicial decisions.
- As an integral part of the nation's diverse social fabric, Muslim women have a host of rights and legal safeguards that enable them to live with dignity, assert their independence, and pursue their aspirations.
- The Constitution of India, through Articles 14, 15, and 25 guarantees equality before the law, prohibits discrimination on the grounds of religion, race, caste, sex, or place of birth, and upholds the right to freedom of religion.
- **Right to Equality (Article 14)** : The Right to Equality guarantees that every Muslim woman in India is treated with fairness and respect, regardless of her religion, gender, or social background. It means that she has an equal opportunity to pursue education, a career, or any other path she chooses, without discrimination or bias. This right empowers Muslim women to stand tall, knowing the Constitution supports their dignity and worth, and provides a strong foundation to build a life of independence and pride.



- **Right Against Discrimination (Article 15):** The Right Against Discrimination ensures that no Muslim woman can be treated unfairly because of her religion, gender, caste, or status. It allows her to walk into a school, apply for a job, or seek medical care with the same respect and consideration as any other citizen. This right reminds every Muslim woman that she is an equal part of the nation, and her aspirations and talents deserve to flourish in every sphere of life.



- **Right to Education (Article 21A):** The Right to Education guarantees every Muslim girl the opportunity to learn, grow, and build a better future for herself. Education is a powerful tool for empowerment — one that can break cycles of poverty, open doors to new careers, and enable girls and women to make informed decisions about their lives. This right ensures that no Muslim girl is left behind and that every woman can pursue knowledge and use it to uplift herself and her family.

Apart from these rights, there are several laws that protect the interests and well-being of muslim women. These include:

The Muslim Women (Protection of Rights on Marriage) Act, 2019

- The abolition of Triple Talaq was a landmark legal reform for Muslim women in India, addressing long-standing injustices within marital relations and ensuring their right to live with dignity and security.



- Triple Talaq (or Talaq-e-Biddat) was an age-old practice wherein a Muslim man could divorce his wife instantly and unilaterally by repeating the word "talaq" three times. This practice created vulnerability for women, left many abandoned and destitute, and fostered discrimination and uncertainty within marriages.
- The practice of Triple Talaq was declared unconstitutional by the Supreme Court in the landmark Shayara Bano v. Union of India (2017) judgment, and was later criminalized by the Muslim Women (Protection of Rights on Marriage) Act, 2019.
- The Act was enacted with the objective of protecting Muslim women from discrimination, harassment, and unjust divorce practices, making the practice of Triple Talaq illegal and void.
- The Act provides that the pronouncement of talaq by a Muslim husband upon his wife, by words, either spoken or written or in electronic form or in any other manner whatsoever, shall be void and illegal. It is a punishable offence, with imprisonment of up to three years and a fine.
- Further, it also ensures maintenance and protection for Muslim women and their children, providing a clear legal pathway for them to claim their rights and pursue maintenance and custody.

- It allows for enhanced status and security within the family, access to legal remedies against discrimination and cruelty, and protection from financial abandonment and destitution, allowing them to build a secure and hopeful future for themselves and their children.



The Waqf Act, 1955

- The Wakf Act, 1995 was enacted to govern and protect wakf properties across India, ensuring their proper administration and safeguarding their religious, charitable, and social significance for the benefit of the Muslim community, including Muslim women and children.
- The Act provides for the establishment of State Wakf Boards, the Central Wakf Council, and Wakf Tribunals to oversee the administration and protection of wakf properties, making it a robust mechanism for preserving heritage and promoting the interests of the Muslim community.



The Waqf (Amendment) Act, 2025

- The Wakf Amendment Act, 2025 was introduced to further modernize and streamline the administration and governance of wakf properties across India, strengthening the legislative framework for the protection and effective utilization of wakf assets for the benefit of the Muslim community.



- Its benefits for Muslim women and families are significant. The Amendment promotes the inclusion of Muslim women and other underrepresented groups in wakf administration, ensuring their active participation in decision-making and allowing their interests and needs to be effectively represented and prioritized.

- The Amendment further guarantees that women receive their rightful inheritance before any dedication of property as wakf, with special provisions safeguarding the interests of widows, divorced women, and orphans, thereby reinforcing their financial security and social well-being.
- It ensures that wakf properties dedicated to charitable causes are utilized more effectively for the establishment and maintenance of schools, hostels, vocational training centers, and hospitals — providing Muslim women with improved access to quality education, healthcare, and skill-building opportunities for economic empowerment and a better quality of life.



The Dowry Prohibition Act, 1961

- Dowry refers to any property, goods, or money demanded or given directly or indirectly in connection with marriage. The Dowry Prohibition Act, 1961, was enacted to curb the social evil of dowry in India. The Act prohibits the practice of giving or taking of dowry by either party to a marriage. The law punishes demanding and advertising dowry. The Act also imposes a duty on parties getting married to make a list of gifts and presents.
- The offences under the Act are cognizable, non- bailable and non-compoundable. Dowry prohibition officers are appointed to prevent dowry related offences and comply with the provisions of the Act.



It prescribes the following penalties:

- Giving or Taking Dowry: Imprisonment of at least 5 years and a fine of not less than ₹15,000 or the value of the dowry, whichever is higher.
- Demanding Dowry: Imprisonment of up to 5 years and a fine of up to ₹10,000.
- Advertising Dowry Offers: Imprisonment of up to 6 months or a fine of up to ₹5,000, or both.
- Dowry Death (under Section 80 of the Bhartiya Nyaya Sanhita, 2023): If a woman dies under unnatural circumstances within 7 years of marriage, and it is proven that she was harassed for dowry, the husband and in-laws can face imprisonment for at least 7 years, which may extend to life imprisonment.



Protection of Women from Domestic Violence Act, 2005

- The Act defines domestic violence and provides a mechanism for effective protection of women from emotional, physical, sexual and economic abuse. It applies not only to married women but also to live-in relationships, offering protection to women in any domestic arrangement.
- It ensures that women have the right to live in a shared household, irrespective of ownership, and provides provisions for protection orders, monetary relief, and legal support. The Act also provides for appointment of protection officers, to help the aggrieved women to get relief through police and court.



The Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 and the Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Amendment Act, 2002

- The Act was enacted with the intent to prohibit prenatal diagnostic techniques for determination of the sex of the fetus.
- It prohibits sex selection before or after conceptions and provides for regulation of techniques for the purpose of detecting genetic abnormalities, congenital malformations, sex-linked disorders and for the prevention of their misuse for sex determination leading to female foeticide.
- It also prohibits any advertisements relating to pre-natal determination of sex and prescribes punishment for its contravention including suspension of registration, removal of name from register, imprisonment and fine.



Assisted Reproductive Technology (Regulation) Act, 2021

- The Assisted Reproductive Technology (Regulation) Act, 2021 aims to protect and safeguard the reproductive rights of women and prevents exploitation of women and Children.
- It provides for regulating and supervising the assisted reproductive technology clinics and the assisted reproductive technology banks including through an institutional mechanism at the national and state levels.
- Prevention of misuse, safe and ethical practice of assisted reproductive technology services for becoming a parent or for freezing gametes, embryos, embryonic tissues for further use to address issues linked to infertility, disease or social or medical concerns and regulation and supervision of research and development are also covered by the Act.

The Maternity Benefit (Amendment) Act, 2017

- The Act, in pursuance of the remit of article 42 of the Constitution of India and with a view to secure just and humane conditions for work and for providing maternity relief, regulates paid maternity leave and other related benefits to women employees.
- The paid maternity leave has been increased to 26 weeks from 12 weeks vide amendment to Section-5 of Act in 2017. The maternity benefits are also available to adoptive and commissioning mothers.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

- This Act was enacted to provide protection against sexual harassment of women at workplaces and to create a safe, secure, and respectful environment for working women across sectors. It applies to all workplaces, including the organized and unorganized sectors, ensuring that every woman has the right to work in an environment free from harassment and discrimination.
- The Act defines sexual harassment comprehensively, covering any unwelcome behavior such as physical contact, advances, requests for sexual favors, or verbal and non-verbal gestures that create a hostile or intimidating work environment.
- It provides for the establishment of Internal Complaints Committees (ICCs) in workplaces with ten or more employees, and Local Complaints Committees (LCCs) in every district to address complaints of sexual harassment.
- The POSH Act empowers women to lodge complaints, ensures confidentiality, and prescribes penalties and disciplinary action for perpetrators of sexual harassment. Its provisions also mandate awareness and sensitization programs within workplaces, ensuring a safe and inclusive space for every woman to pursue her professional aspirations with dignity and respect.

Understanding these rights is vital for the empowerment of Muslim women and for ensuring a just, inclusive, and equitable society. These rights empower Muslim women to stand tall, knowing that the Constitution supports their dignity, worth, and aspirations. They provide a strong foundation upon which every woman can build a life of independence and pride — a life where she can contribute to her family, her community, and her nation with strength and confidence.



Safety, Respect, Empowerment

Helplines for Women

National Commission for Women

24 x 7 Helpline

7827170170

NALSA Legal Aid Helpline

15100

Women Helpline Number

181

Child Helpline

1098

Police Helpline

112

NATIONAL COMMISSION FOR WOMEN

Contact Us

Plot-21, Jasola Institutional Area, New Delhi-110025

Phone

+91-11-26942369, +91-11-26944754

Email

ncw@nic.in

Website

<https://www.ncw.gov.in>

North East cell

Email: northeastcell-ncw@nic.in

Legal Cell

Phone: +91-11-26944877

Email: lo-ncw@nic.in

Complaints and Inquiry Cell

Phone: +91-11-26944880, +91-11-26944883

Email: complaintcell-ncw@nic.in

Anti-Human Trafficking Cell

Email: antitrafficking-ncw@nic.in



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तीन तलाक विरोधी कानून महिला सशक्तिकरण की दिशा में एक बहुत बड़ा कदम है। तुष्टिकरण के नाम पर देश की करोड़ों माताओं-बहनों को उनके अधिकार से वंचित रखने का पाप किया गया। मुझे इस बात का गर्व है कि मुस्लिम महिलाओं को उनका हक देने का गौरव हमारी सरकार को प्राप्त हुआ है। हिन्दुस्तान की हर कोने से मुस्लिम बहनें मुझे आशिर्वाद देती हैं।

: माननीय प्रधानमंत्री श्री नरेन्द्र मोदी