



# Legal Victory for Gender Equality

## Why in News?

The **Uttarakhand High Court (HC)** ruled that women **cannot be refused employment based on pregnancy**. It overturned a regulation prohibiting pregnant women from being eligible for government positions.

## Key Points

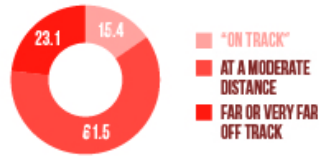
- This landmark ruling was inspired by the case of Misha Upadhyay, who was denied a nursing officer position due to her pregnancy.
- The High Court invalidated the state government's regulation **labeling women pregnant for 12 weeks or more as "temporarily unfit"** for employment.
  - It also mandated a medical examination by a registered practitioner six weeks post-delivery, along with a fitness certificate requirement.
- The court deemed the state's action "highly discriminatory against women" and emphasized on the violation of **Articles 14, 16, and 21 of the Constitution**.
  - **Article 14** stipulates that within India's territory, the State cannot deprive any individual of equality before the law or equal protection under the laws based on religion, race, caste, sex, or place of birth.
  - **Article 16** forbids discrimination in employment within any government office.
  - **Article 21** stipulates that no individual shall be deprived of their life or personal liberty except in accordance with procedures established by law.
- It underscores the importance of fostering workplaces that respect and accommodate women's reproductive choices, aligning with broader global efforts towards **gender equality**, including the **Sustainable Development Goal 5**.

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# ACHIEVE GENDER EQUALITY AND EMPOWER ALL WOMEN AND GIRLS

THE WORLD IS **NOT ON TRACK** TO ACHIEVE GENDER EQUALITY BY 2030

OUT OF GOAL 5 INDICATORS:



AT THE CURRENT RATE, IT WILL TAKE



**300 YEARS** TO END CHILD MARRIAGE



**286 YEARS** TO CLOSE GAPS IN LEGAL PROTECTION AND REMOVE DISCRIMINATORY LAWS



**140 YEARS** TO ACHIEVE EQUAL REPRESENTATION IN LEADERSHIP IN THE WORKPLACE

LEGISLATED GENDER QUOTAS ARE **EFFECTIVE** TO ACHIEVE EQUALITY IN POLITICS

WOMEN'S REPRESENTATION IN PARLIAMENT (2022)



**30.9%** COUNTRIES APPLYING QUOTAS



**21.2%** COUNTRIES WITHOUT QUOTAS



**NEARLY HALF** OF MARRIED WOMEN LACK DECISION-MAKING POWER OVER THEIR SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS

**1 IN 5** YOUNG WOMEN

ARE MARRIED BEFORE THEIR 18TH BIRTHDAY

