CONCLUSIONS AND RECOMMENDATIONS

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Chapter 6 CONCLUSIONS AND SUGGESTIONS

6.1: INTRODUCTION

Gender Equality, Awareness of Laws, and Proper Governmental Actions supporting the newly implemented Law and moreover the Attitudinal Change that Woman can be subdued and used and that they enjoy any such type of sexual behavior needs a drastic change. It is time that we women stand for OUR LEGAL AND SOCIAL RIGHTS which definitely will not be served to us royally in a platter. We need to come together for one and all and commonly remove this menace from the Society. It is only when we React, Refrain, Communicate, Say No and Stop this disgraceful act, that too, strongly vigilantly and united we can have a beautiful world to live in with dignity as our crown of success.

1.1.1 Key issues faced by Women working in the Unorganized Sector

- Most of the women working in the Unorganized or Informal sector are illiterate. Other than basic literacy they are also unskilled to do any formal work in the organized or formal sector. Illiteracy and unskilled nature of work is the root cause of the menace faced as they opt for any work which does not require education or skill and can be easily managed by them and the journey of violence and manipulation starts as they are in need of work which is known to the employer and hence the exploitation starts.

- Many of these women workers are also paid extremely less as compared to their male counter parts in spite of the same level of hard work they do. Most of the agricultural
workers and women working on the Construction sites complain that even the nature of work allotted or assigned to them is very different indicating the lower status of women as far as work is considered. Many are not considered worth it to do that specific work and are humiliated just that they are women.

- Most of these women lack the bargaining power or have any voice of their own. They accept whatever menial amount as wages is given to them hence they mostly remain underpaid for the hard work done.

- Many women workers, especially the live-in-workers, domestic workers and aayabai’s may have to work in bad working conditions for need of job. Other than not having any or much safety at workplace even their timings of work are not well defined. They very rarely have proper rest intervals or specific weekly or monthly offs etc.

- Many workers especially those working in as domestic maids, agricultural workers or rag pickers and workers on the construction sites get easily exposed to sexual violence as also violent abuses in cases of their showing negativism in relation to the sexual favors asked by the employers. Many are forced to carry on work inspite of sexual and other abuses in the name of contracts signed or ostracism in the market place etc due to which the women has nowhere to go or no one to approach but to accept it for her family’s dire need.

- There is no medical, maternity, social or old age protection available. Most of these women who enter the unorganized sector are unskilled and without any formal training for work and neither do they receive any skill during the course of employment or re-skill or skill trainings. No one ever thinks of investing that much of time and money on them resultant they remain so for lifelong and are exploited further.

6.1.2 CHALLENGES FACED BY WOMEN WORKING IN THE UNORGANIZED SECTOR
There are several challenges in bringing adequate policy measures, legislations and programs for Women working in the unorganized sector. Some of the key challenges are discussed below:

1) **Work not considered as real work**
   The major challenge is that the domestic work and the other work in the informal sector is an invisible occupation. There is no statistical data ever collected on a nationwide basis to find out their real strength and hence their work is also not accounted for or counted in the economy.

2) **Nature of Work**
   Women’s working in the informal sector is an extension of basic household work, or for some gain without a specified employer or fixed wages or a specific place of work. Similarly most of them are unskilled and hence dignity attached to their work is limited especially the rag pickers and women working on construction sites. They are viewed as easily available to all types of violence anywhere and everywhere.

3) **Feminization of work**
   The feminization or the gender dimension of the domestic work or fisherwomen, beautician, vegetable vendors etc. has further contributed to demeaning the value of their work. The society has labeled them with certain sets of work like beauticians or bhajiwalis or machiwallis etc which may take a generation to change.

4) **Lack of specific legislation**
   These women workers do not have a clear status as a worker and tend to be most of the time excluded de facto from labor legislations as well as their effective enforcements. The late Social Security Act too has its limited applications and has not yet reached these classes of women working relentlessly for their families.

5) **Lack of support of Trade Union**
   Most of these women working in the unorganized sector are not represented or even supported by any trade union and hence they lack collective bargaining power. They can be easily manipulated and exploited as they don’t have a common voice.
1.2 CONCLUSION

Real civilization will start only when relentless efforts are made from all sides. It is the basic attitudinal change which can save the society. A female is the root of the very fabric or tree which we call the society. If she is battered, teased, raped, assaulted, not given due dignity it is very obvious that the root will no longer hold the tree firm. Once this woman shatters the society will gradually do so. It is only the realization for a drastic wrong that things can change.

Women in our society have so far forcefully or either through economic, emotional and family constraints being pushed to have a secondary status. Since childhood a girl, her health, happiness and education is not given importance due to which woman and all her services are taken for granted by one and all in the family as well as outside her home? Women work for longer period as compared to male and carry major share of work but still that are unpaid and invisible. Women spent most of their time in cooking, cleaning, taking care children and all at home, collecting fuel, fodder and water, growing vegetables, or keeping poultry for domestic consumption. But all this work done by women is unrecorded; it is not been found in any records of women employment available.

Majority of them are unaware of laws and schemes available and this illiteracy and ignorance along with other related domestic and workplace related problems imposes greater responsibility on government to make popular all the schemes and laws which is initiated for the rural unemployed women and women in general.

There are many NGO’s who is taking efforts to create awareness among rural women about employment and trying to improve their working condition. A Rights Based approach rather than a Welfare Based approach should be followed to make any scheme or law applicable and effective in India today.

It has never been easy for a woman to come up against all odds outstandingly nor will be easy in the near future to do so single handedly. However Changes in Conventional concepts of work, Education, Knowledge, Awareness and Legislative Enactments with Legal Empowerment all together can definitely lead to Growth of Women and the World together.
Government is trying its level best on its part of policy formation and designing for these vulnerable but in spite of all efforts taken social justice and social security do not reach these to a multiple of reasons. Although the COI has conferred equal rights on Women and there are a number of laws to protect the rights and interests of Women. In spite of these laws there are a number of customs, traditions, usages and practices from times immemorial which are degrading the life and living of women in our society.

Women are still subject to severe hardships ranging from physical assault, rape, domestic violence, prostitution, economic deprivation and mental subjugation. Although the ideologies and institutional practices and norms which are in existence in the society since long contributes to humiliation, harassment and exploitation of women, the core reason still remaining is that illiteracy, lack of Awareness and acceptance of the situation has worsened the situation of working women especially in the unorganized sector almost in every walk of their lives. They are still heavily dependent on some or the other male member thereby giving boost to the age old patriarchy and dominations and sub-judicators in every walk of life. The need of the day is that the men and society realize that the time has come that education and due respect be given to the woman if the society has to grow.

6.3 SUGGESTIONS AND RECOMMENDATIONS

Awakening of the collective physically as well as consciously is the need of the day. Change of attitude along with education and economic independence can bring about a change in the social evil. The Legislature too on the realization of the gravity of the situation with respect to growing crimes against women especially those of rape or domestic violence etc. has amended the laws and provided for stringent punishments in cases of rape or dowry deaths. However the need of the day is Social Reformers or Scientists who can bring about a attitudinal change crossing across all barriers especially sex or gender related. With respect to necessary suggestions and recommendation the Researcher has tried to categorize the same under the following two heads namely:

- Legal
- Socio-economic
Legal Changes recommended are as follows:

- The role of courts under different circumstances should assume different dimensions of interpretations and even though assuming a realistic approach not allows the criminals to escape on account of procedural errors or technicalities as it would only lead to motivating the criminals and their abettors.

- The courts need also to be sensitive in cases of crimes especially affecting the dignity of women. Where the court appeals for death penalty in rarest of rare case it should be speeded up taking each case against women to be urgent and rare and maximum and rigorous punishment should be imposed.

- The Laws related to Acid Attacks namely Sections 320, 322, 325 and 326 needs to change and come out of offences of hurt and grievous hurt. The Law needs a drastic change not only in the sections but the availability of these acids easily. Strict and long punishments should also be imposed on traders who make the sale of these acids easy and lucrative at the cost of one’s life.

- Women helpline programs should be initiated free of cost for all women in distress. Along with it a necessary legal provision should be made mandatory for the respective State Governments to make changes in the police functioning where more policemen should be employed for the security of women and general public rather than the politicians. There is a need to improve the image and relationship of police with the general public so that people start banking on them for help.

- In cases of eve teasing, molestation and stalking laws should be made more stringent and the enforcement agencies should along with NGO’s work on its implementation.

- In rape cases anonymity of the victim needs to be maintained. Similarly not only stringent or long tenure of jail but compensation should be awarded to the Rape Victims partly by the Government and partly or mainly by the offender out of his personal assets. In case he is an insolvent or unable to pay compensation or damages he should be made to work in the jail and all those income generated in jail should be given to the victim. This trend will demotivate the offender as well as the society to look leniently at such heinous crimes. For this purpose Compensation Board can be set up with the help of Governmental Agencies and NGO’s.

- In cases of domestic Violence, female infanticide, female feticide, Dowry and many such heinous crimes it is found that the offender is many a times the other woman either the
mother-in-law, sister-in-law etc so strict action along with they providing compensation to the victim must be stressed.

- In most cases of molestation the offender is known and at such times either due to societal or parental fear and many a times the fear of the offender itself does not allow a woman to file or register a complaint. Hence there should be Protective Homes attached every police station in each taluka of each district of the State and these protective homes should be managed and monitored collectively with the help of Governmental agencies, Mahila Mandals and NGO’s. The working of these should be monitored by the judiciary or Women attached to such mission.

- In cases of rag pickers or be it domestic workers a Board should be established to firstly locate the number of women employed in unorganized sector. Once counted on them various social benefit schemes can be introduced. The Government can make it mandatory for all employers to start with pension or provident fund or saving schemes with part contribution by the employee too. Such schemes or savings should be audited every year and some tax concessions or benefits can be given specifically to the employers. In this process the saving capacity of an individual will be strengthened and the economy can grow as a whole.

- Many sections especially in cases of Eve teasing and Stalking are not been exclusively drafted or framed to incorporate acts related to these types of violence. Hence it is the duty of the Legislature to urgently pass necessary Acts or Laws to cover these Acts of vulgarity and obscenity degrading the modesty and dignity of girls and women that too most often in public places. The severity of the laws should be reflected so that no only punishment but compensation along with public censure should be followed. It is high time that the Offender is ashamed of his act rather than the Victim.

- Effective Security has to be provided especially in the evening and late evening or night hours in the transport vehicles and work places through effective legal provisions making it mandatory for the State Governments to provide for the same. Similarly proper lighting, public amenities and standards for security with respect to women especially in the unorganized sector should be taken. It is found that most of the women in the unorganized sector work for more than 9 hours and hence safety plans not only at workplace but also on streets are important as majority of them face eve teasing and molestation on the streets.

- Most of the women interviewed were not aware of the Sexual Harassment at Workplace Act, 2013 as the implementation as well as promotion or propaganda of the same is
lacking in spite of Supreme Court’s judgement and order for the same. The Court has to strictly look into this matter for the effective implementation of this Act in all sectors.

- Women’s economic independence through equal property and land rights, inheritance rights should be encouraged through legislations. Strict laws for the same should be enacted.

- Redefining Work and bringing all these women working in the Unorganized Sector in the ambit of definition of Worker. Similarly the Minimum Wages Act needs to be relooked into and the major classification of skilled and unskilled workers needs to be changed. The System of “Family Wage” prevalent especially in the Brick-kiln industry needs to be stopped through strict action against the employer and the agent. All people promoting such Family-Wage System should be penalized and all workers should be made aware of the same through the important tool called media through which laws can be effectively implemented.

- Disparity in the wages needs to be stopped urgently not only through effective implementation of laws but proper and regular field inspection which should be imposed on the Central and State Governments by the legislature which may appoint Inspection Officers who should be empowered to surprise checks so as to minimize the disparity. Any officer not doing his duty sincerely should be penalized heavily for others to improve.

- Sensitization of the Police is the need of the day. In the scenario where women are reluctant to go and lodge complaints with the police due to the bad or non-sympathetic behavior of the police, the need of the day is that the Courts should take speedy action against such non-sensitive police officers or ones who indulge in bribes for non-registration of cases or improper use of necessary sections against the perpetrators of crime.

**Socio-Economic Changes recommended are as follows:**

- Respect for women should be inculcated from childhood and schools and colleges need to include it in their syllabi of moral science or at least gender sensitization programmes should be included in the syllabus of schools. The Teachers should first be made sensitive towards women. It is often found that female teachers themselves are very partial towards boys thereby motivating them to trouble the girls more.
Creation of Public Awareness regarding the evil effects of Eve teasing or Stalking and molestation is a must. For this Social Awareness Programmes need to be initiated by the media. Proper propaganda of the laws and effective implementation of the same is vital for any law to be effective.

Most of the women interviewed were not aware of the Sexual Harassment at Workplace Act, 2013 as the implementation as well as promotion or propaganda of the same is lacking. For this task the Government, Media and the NGO’s can come together to bring about a Social Change.

It has been observed that most of the women are aware of Domestic Violence Act, 2005 and Penal Laws either due to literacy or otherwise but despite their awareness they fail to take recourse of the police for getting a solution for the same. Many of the women interviewed also were of the opinion that stringent laws may not be able to reduce violence. This shows the lack of confidence in the State machineries which needs urgent correction and necessary rectifications through necessary social change programs initiated by the State and Media.

In cases of Domestic Violence a Rights-Based Strategy in the prevention of Domestic Violence would help rather than just changing laws. Cases of Domestic Violence must be taken up on an urgent basis and proper Counseling Units must be attached to every Police station as well as Rehabilitation Centers properly managed, directed and controlled by people on rotation basis with the help of Social Organizations or NGO’s unlike few protective homes where eventually flesh trade was carried on.

In order to minimize or avoid and eliminate the occurrence of Domestic Violence appropriate counseling and treatment programs should be started for the offenders as well.

Encouragement of Education to women at all levels by the Government may be like the polio drive which is an important part of Women’s Movement to eradicate domestic violence at least at the first level. Similarly the Government should also promote vocational or skilled training centers free of cost for all women working in the unorganized sector to eventually bring down sexual harassment at workplace.

Skill Based Programs should be made mandatory for all employers small or big and some relief for the same may be given in their income taxes which can be motivating for them too.
Provision for compulsory Pension or Provident Fund or Savings in the form of Compulsory Shared Contribution both by the Employer and Employee should be made compulsory for all categories of workers and regulated by the Governmental bodies with the help of NGO’s. This type of savings will help the saving capacity of all individuals to be fostered and in turn help the economy to grow in all aspects.

All workers employed especially women should be through a registered NGO whereby the registration should be free and non cumbersome or lengthy. It should be free of Agents. Many societies can come together or the Government could give certain exemptions or subsidies to various housing or other societies to come together and register all women working so that their working conditions are regulated. The managing Committee should be changed every year so that there is no concentration of power. In the Committee women representatives should be nominated to help the vulnerable class.

Even for women working as rag pickers or construction workers proper regulatory bodies through governmental plans and policies should be encouraged to check their inflow and outflow in service or employment.

The policy of equal remuneration for equal or same work should be highly promoted through different media channels so as to give economic independence to women to come out of unwanted relationships at home or in the workplace.

National Sample Survey Organization can be imparted with the job of a complete Census showing the exact number of women working in unorganized sector so that it becomes easier to monitor their inflow in the labor market and check gender discrimination prevalent. It can be helped through appointment of more of Women Inspectors in the Labor Administration Machinery to monitor compliance with gender specific provisions of the Labor Law.

There is a need to sensitize the media regarding the repeated relay of incidents related to sex or indecent representation relating to women which has lasting repercussions on the society. Women in and around are considered to be cheap and easily available. This notion is especially carried towards women working or the ones who are more vulnerable. Women in the media themselves should realize the problems created off screen due to such obscene or indecent scenes in the movie or album etc.

The education system must be premeditated to promote positive relationship between girls and boys in schools. Competition in terms of gender appreciation should be avoided in either cases or a healthy environment of learning and respect should be inculcated in
the young minds. Parental role too is significant here. As good habits start at home so do values, respect and friendly relations. Children emulate what they see at home. Hence any type of gender discriminated should be avoided. The Media can play an effective role by producing serials or movies for the same.

- Along with compensation in cases of domestic violence or dowry or even for rape, public censure would work to heal such crimes from the root. The Society views and ostracizes the woman who has not committed any mistake and fosters the growth of such individuals who are a menace to the society. Hence public censure through the media can work wonders. Similarly in cases of molestation or eve teasing public Censure can be the last resort. It is only when the society views and corrects these offenders that the scenario of crimes in India can change. Social Awareness Programmes through media or Street plays, advertisements etc can help.

- The consciousness of the woman themselves need to undergo a drastic change. They should be taught not to ignore any cases of violence even if it is eve teasing as it promotes that the girl or woman is an interested party. They should collectively or even singly protest against such acts be the person known or unknown. But this is only possible when the society, state and police collectively help the women.

- The root cause of many evils Alcohol needs to be looked into with lot of care and hence the Government should ban all centers or shops of alcohol. The Alcoholics should be counseled as well as the shop owners should be provided with alternate employment or subsidiaries. Even though closing down of such shops will cause a great toll the revenue generation of the Government and sound impractical it is the only resort.

- Various societies housing or otherwise having such unorganized workers can have a separate committee in their managing committee consisting of women representatives both of the members as well as the workers so that registration becomes easier and the workers can raise their issues and get it sorted at minor levels. The Government should felicitate such Women working for others or such NGO’s or mahila mandals through various Awards and Bharat Ratna whereby it acts as a motivation for others in future. All people doing or putting in efforts should be felicitated for the society to grow. Many a times just a small token of thanksgiving or certificate or a small newspaper heading can work wonders. The Newspapers both at the state and national level should work towards the promotion of such good Samaritans as headlines rather than just breaking news for the sake of money and publicity.
Most tailors and beauticians who are not self-employed as well as aayabai’s although skilled are exploited and manipulated in terms of comparison or less payment and the root cause of their problem lies to the very fact that they are not united or do not have a collective bargaining power. These women and other women working in the unorganized sector are not represented by any trade union neither are they interested to be a part of the trade union. In such cases the Government should again join hands with some trade unions, NGO’s, Social welfare groups etc and persuade these women to join hands with a registered trade union who can fight for their rights.

Even in cases of Forced Prostitution the so called person accountable or responsible for this sad state of affairs should be publically ostracized so that no other girl or woman comes in their trap. Photographs of these should be printed at all public places so that people are aware and realize the gravity of their offences. It will be a model theory for all families too so that they too don’t follow the crowd.

The society and moreover individual families should learn the problems associated with such violence of forced prostitution. There are still many women who kill the desires of many such small and young girls and work against other women. Such types of forced prostitution should be urgently stopped and people should be made aware of the pros and cons of entering or doing such a business. Such people should be urgently and publically ostracized penalized and punished.

There are many families itself where female infanticide and female feticide is promoted by women themselves either to satisfy their ego or for want of a boy who will take them to heaven. Public Awareness should be created against such women in society as it is the highest of all times that women too realize the agony and pain of other women.

Single Parenting or the need of a man to run the family or having a bad father rather than not having one is the main root cause of submission to domestic violence along with illiteracy and economic independence. Hence it is the duty of the State Government to provide with various subsidies, tax exemptions, priority for work and promotions for such single parents. It is in no way trying to break the very fabric of a society from the institution of marriage and promoting divorces but just another way to tell a woman that she is not alone and that she need not just bear up with all troubles, violence, crimes, manipulations, exploitation just for the sake of maintaining the marriage at the cost of her own safety and dignity.