ABSTRACT

The United Nations Declaration on the Elimination of Violence Against Women, General Assembly Resolution, December 1993 defines Violence as “Violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women…. Similarly The United Nations Commission on the Status of Women defines Violence against women as “Any act of gender based violence that results in or is likely to result in physical, sexual or mental harm or suffering to women including threats of such act, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”.

Violence against women is often a cycle of abuse that manifests itself in many forms throughout their lives irrespective of religion, community, culture, class economic or educational status. Even at the very beginning of her life, a girl maybe the target of sex-selective abortion or female infanticide in cultures where son preference is prevalent. During childhood, violence against girls may include enforced malnutrition, lack of access to medical care and education, incest rape, female genital mutilation, early marriage, and forced prostitution or bonded labor. Some go on to suffer throughout their adult lives – battered, raped and even murdered at the hands of intimate partners or otherwise. Women irrespective of their class, caste or educational status are not safe and are victims of exploitation and violence. Perhaps the most crucial consequence of violence against women and girls is the denial of fundamental human rights to women and girls. International human rights instruments such as the Universal Declaration of Human Rights (UDHR), adopted in 1948, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979, and the Convention on the Rights of the Child (CRC), adopted in 1989, affirm the principles of fundamental rights and freedoms of every human being. Both CEDAW and the CRC are guided by a broad concept of human rights that stretches beyond civil and political rights to the core issues of economic survival, health, and education that affect the quality of daily life for most women and children. The above mentioned two Conventions call for the right to protection from gender-based abuse and neglect. The strength of these treaties rests on an international consensus, and the assumption that all practices that harm women and girls, no matter how deeply they are embedded in culture, must be eradicated. Violence against women and girls continues to be a global epidemic that troubles, kills, tortures, and also maims – physically, psychologically, sexually, emotionally and
economically. It is one of the most pervasive of human rights violations, denying women and girls equality, security, dignity, self-worth, and their right to enjoy fundamental freedoms. Even though most societies proscribe violence against women, the reality is that violations against women’s human rights are often sanctioned under the garb of cultural practices and norms, or through misinterpretation of religious tenets. Moreover, when the violation takes place within the home, as is very often the case, the abuse is effectively condoned by the tacit silence and the passivity displayed by the state and the law-enforcing machinery. The link between violence and lack of economic resources and dependence is circular. On the one hand, the threat and fear of violence keeps women from seeking employment, or, at best, compels them to accept low-paid, home-based exploitative labor. And on the other, without economic independence, women have no power to escape from an abusive relationship.

Violence is considered a brilliant and prominent way to put down or control the woman’s self being. Violence cultures are fostered and nourished and often religiously adhered to by norms attitudes and practices that trivialize as well as tolerate and condone to a great extent violence against women.. According to statistics nearly 10 million female fetuses have been aborted in the country over the last two decades and of the 12 million girls born in India, one million do not see their first birthdays. Such heinous crimes need to be stopped. The Incarnation of female being a Laxmi and Durga needs a reality check and should be brought consciously in the society. Female infanticide is another such crime which takes away the right to live of an innocent infant who is killed for no fault of hers or the biggest fault of her being a girl. It does not stop here everywhere the girl faces discrimination and gender disparity in terms of house work, emotional outburst, play or even education. This culminates further into incest or rape or eve teasing, molestation, stalking, forced prostitution or forced marriage, acid attack and the new cycle of violence starts. It ranges from cruelty, dowry, hurt, abduction, forced abortions, spousal violence, forced marital rape and many more. Later in life either due to economic reasons or otherwise the woman is considered a burden to all and again violence is considered to be the best resort to oblige her for all she has done.

In addition to the violence inflicted generally by family and society the most vulnerable amongst them are the women working in the unorganized sector who are forced to work in the most unsanitized environment for long hours. They lack proper skills or education and working is their dire need which is taken advantage of in the form of Sexual harassment at workplace. They are
discriminated in the nature of work as well as the wages are concerned. They lack any social security, maternity benefit, sick leave or disablement benefit or any casual leave. They are forced to work due to poverty and illiteracy. They easily fall prey to their agents or employers or superiors who do not leave a stone untouched to manipulate and exploit them in all ways. These vulnerable lots fear the Society, their families as well as their trust in the police machinery and hence never complain of any situation at home or at workplace. They take it to be a part of life and they try to adjust and compromise to this sad part of life. Inspite of having progressive laws these lots do not avail of any and neither the Government or Society or Law makers are worried of this plight of these most important of the community who are not the bread dividers but the main and sole bread earners, an important constituent part of the developing economy. An untapped, unappreciated, unacknowledged and unguided or unguarded lot who die each day to live for tomorrow.

**STATEMENT OF THE PROBLEM**

a) The existing laws need effective implementation machinery to suit the needs of the day.

b) In most cases the procedural laws are too cumbersome and exhaustive which is the main de-motivating factor for women to come ahead and report the cases of violence.

c) The patriarchal pattern of society is the root cause of this menace which needs a drastic change.

d) The police machinery is not gender sensitized in maximum of the cases.

e) The attitudinal pattern, the mindset and the very feeling, living and thought that women are inferior and so should be treated so to give them a constant reminder leads to further violence at home and in society.

f) Women too have accepted violence to be a part of their lives and in this mental process more harm is done to the very womanhood than good and others take undue advantage of the same be at the family level or at workplace.

g) Lack of education, ignorance as well as non-implementation of Governmental plans and policies for women is another problem which needs deep consideration.

The main aim hence of the Research is to go to the root cause of this socio-legal ailment and find remedy for the same through socio legal measures so as to promote sense of
equality and confidence in law. It intends to focus on the issues and hazels associated with women working in the unorganized sector and find ways or measures at the social level to combat the same. The paper focuses more on the women working in the Unorganized Sector as these are the most vulnerable class.

5.1.2 OBJECTIVES OF THE STUDY

The crucial objectives of the research study are as follows:

1. To assess and study the prevalence of violence among the women working in the unorganized or informal sectors.
2. To find the different types of violence faced by women within the four walls of her secure home.
3. To understand the effect of long working hours and the economic status on violence especially at home and workplace.
4. To understand the relationship of education and knowledge of laws along with governmental stringency in controlling violence among study women.
5. To suggest schemes or methods for progressive laws and role of NGO’s in curbing violence.
6. In the light of the study and findings to make various suggestions and recommendations for practically possible laws, reforms and policies to deal with injustice and violence in India.

A total of 150 women workers working in allied jobs were taken. The universe of the study ranges from rag pickers to aayabais in hospitals. 10 such varied employments in the unorganized sector were targeted from 15 different talukas of Thane District of State Maharashtra. The statistical procedures were followed to simplify the large quantities of numerical data and hence the following statistical techniques were used namely

- Regression Analysis
- Chi-Square Test

As the Research Study is interdisciplinary and exploratory in nature it has tried to examine both legal and social aspects as legality and society are interlinked. There would never be any need of
law or law provisions if the society did not have any malpractices, violence, exploitation, manipulation or crimes.

The **Secondary** sources included the following:
- Reports of various commissions and committees regarding Violence Against Women
- Books and other publications.
- Research papers and review reports published in journals and newspaper

The **Primary** sources comprised of the following:

This study was mainly based on primary data collected from the field interviews. The tools used for primary data collection were structured interviews and on-field observations. Violence experienced by women does take many different forms and it is always advisable and necessary to classify them into sets of indicators so as to create common statistical instruments that should be applied in data collection exercises. In order to get an insight and deeper understanding of the phenomenon a Field Survey was conducted over a period of 8 months in the different areas or regions of Thane District. Women Workers engaged in various occupations such as construction work, household work, vendors etc as mentioned above were interviewed through a structured questionnaire. These workers were interviewed to understand the following aspects of their profession and family life hence the questionnaire covered important characteristics such as their personal profile, socio economic background, entry in work, problems faced, Violence faced, types of Violence faced at home and at workplace, need of work, relationship with their husbands, in laws and immediate bosses or agents or wholesale sellers in the market, hours of work, Sexual harassment problems at home and workplace, types of Sexual Harassment, Reported or Unreported, Action taken at individual level, Attitude of the Police, Help offered by any NGO, Awareness of laws etc.

For Collection of Data and information majority of these workers were contacted at their place of work such as construction workers, Ragpickers, Vegetables and Fruit Vendors, Fisher Women. However in cases of domestic or household workers and Beauticians their dwelling place was contacted. Violence of all types especially Domestic Violence being a sensitive issue the women were assured confidentiality and anonymity. During the interview
the woman preferably was alone. Understanding the complexity of the issue many of the respondents had to be met more than twice to bring confidence and a friendly atmosphere had to be created along with the feeling of oneness so that the women could trust on the Researcher and open out their experiences which many a times were not even being shared by their friends or parents or better- half’s either due to societal fear or domestic violence or battering. A Schedule cum Questionnaire was used which was quite time consuming.

After collection of the data different techniques such as weighted mean, percentages and regression analysis along with Chi-Square test to test the hypothesis. The data was tabulated using Excel and SPSS Software and accordingly interpreted and conclusions were drawn.

It is been observed by the Researcher that women working in the unorganized sector lack education as well as skill. They work for long hours and are devoid of any social security schemes or benefits. The fear of the Society is instilled and most of them believe that violence is a part of life and one cannot avoid or escape from it. The Alcoholic nature of the husband further troubles them. As observed they are battered every day almost by their husband and also face domestic violence and dowry related issues. Eve teasing, stalking and molestation is quite rampant amongst these women. Overall these women are exploited at their place of work as well as at home and nowhere to go as their knowledge of laws is minimal and they are not aware of any redressal machineries and don’t trust on the police for their private matters.

With all these problems in hand each day these women start the same way and end also the very same way. They too deserve to smile and live their lives. But whom do they complain to and what is their solution in life. Hence it is termed as an INESCAPABLE SILENT JOURNEY.