CHAPTER -1

INTRODUCTION

Spinning mills were the precursors of India’s transformation from an agrarian economy to industrial advancement. They laid the foundation for the development of a number of allied industries and services. There are two types of cotton mills. One is the spinning mill which spins the yarn used to make cloth; the other is the composite mill which does both spinning and weaving. In the southern states the textile industry, especially spinning mills, have developed considerably along with other industries. There are more spinning mills in Tamil Nadu than in the other southern states. This may be accounted for by the development of handloom and power-loom industries in the state. A number of new mills have been started all over the state in recent times. The development of cotton spinning and weaving mills in the state can be attributed to commercial and geographical factors. In Dindigul District raw material and transportation facility are easily accessible. Also the district’s humid climate is ideal for establishing spinning mills.

Violence is one of the social mechanisms by which women in India are forced into a subordinate position. It is a manifestation of unequal power relations despite the legal safeguards provided. Violence against women continues unabated in both the private and the public sphere. It manifests itself as rape, molestation, stripping, eve-teasing, kidnapping, abduction, domestic violence, including wife beating, dowry harassment, dowry death, female foeticide, female infanticide etc.
The Farther of the Nation, the Mahatma, said, “To call women the weaker sex is a sin; it is man’s injustice to women. If by strength is meant brute strength, then indeed woman is less brute than man; if by strength is meant power, then woman is immediately man’s superior”.

In the developing countries the argument that women are burdened with dual responsibility leading to farther insecurity is much more pronounced among poor workers. The gender division of work has not changed among poor households and women continue to take the bulk of the responsibility for unpaid work in the family, especially childcare and domestic work. The fact that women in reality shoulder the responsibility for family subsistence irrespective of what the males may contribute has resulted in women constituting a specially disadvantaged group among the poor.

Uma Rani and Jeemol Unni (2004) mention that most of the flexible modes of employment, however, lie beyond the reach of labour legislation and social protection and are characterized by low incomes and high levels of insecurity. Further they point out that the workers in the informal economy, especially women, are vulnerable, bound by loose contracts and poor remuneration. Among the poor households in the informal economy, women often enter the labour market as secondary earners to help the household cope with its basic needs.

There is considerable diversity in the developing and the developed countries in the institutional response to the productive and the reproductive roles of women. However, even within the developing countries, there exist differences in women’s dual responsibility due to
women’s economic and social position, which is an expression of social class. There exist differences in the way the upper and the middle class women handle dual responsibility compared to poor women.\textsuperscript{1}

Sushma Yadav (2003) says that a large number of gender issues continue to determine the nature and shape of Indian society, where women are treated unequally and do not enjoy an average quality of life equal to that of men in terms of life expectancy, health, mortality, access to education, access to employment, access to lawful freedoms and the meaningful exercise of civil and political rights. Although this is true of women globally, their task in transitional/developing societies like India’s is doubly difficult. They have to break loose from the bonds imposed upon them by their traditional societies and, at the same time, avoid the trap presented by the development and modernizing process, in which new forms of exploitation and new problems are embedded.\textsuperscript{2}

Anne M. Hill and Elizabeth M. King (2000) state that there is no doubt that enrolment rates at all school levels have been rising in the developing world for both sexes, but the expected attainment levels remain low, especially for females. It is argued that the gender differentials in education persist because those who bear the costs of investing in schooling for girls and women fail to receive the full benefits of their investment. The parents’ expectations of receiving greater returns from educating sons than daughters might determine the level to which they educate their children. So the perception of parents may be the key factor in determining the level to which sons and daughters are educated. Such social and cultural factors affect girls’ education. In general, the male child is more likely to be educated to higher levels compared to the girl child.\textsuperscript{3}
Rajneesh Sharma and Renu Sharma (2005) state that the term "violence against women" refers to many types of harmful behaviour directed at women and girls because of their sex. In 1995, the UN offered the first official definition of violence against women as part of the Declaration on Elimination of Violence against Women. According to Article 1 of the Declaration, violence against women includes "any act of gender based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or private life".4

1.1 Women Take up Employment:

According to the Labour Bureau’s Report, four basic factors which have been responsible for women’s employment, particularly the employment of mothers, are: (i) permanent and growing inadequacy of the income of the principal bread winner; (ii) temporary fall in the family’s income due to exceptional or accidental circumstances such as the sickness and premature incapacity of the principal earning member; (iii) the death of the bread winner; (iv) a woman’s desire for economic independence or for securing a higher standard of living for the family.

Housewives taking up employment may be explained in terms of individual talents, training, or interest in a particular job. Some wives work outside the home to use their free time or education or both. Still others work for personal satisfaction and individual development and for some work gives social importance and a feeling of usefulness to the society at large. The stage of the family life cycle, the presence or absence of children,
the age and the sex of the children might affect the employment of married women. Besides these, rapid social and cultural development also promotes an increase in the labour force participation by married women.

The reason most frequently approved for married women to take employment seems to be essentially economic in nature. Taking employment for financial support is approved of more often than for any other reason. Some of the other reasons are to escape household routine, to enjoy outside contacts, to command respect from family members, to occupy time, to have freedom, to make use of education etc. (Girija Khanna and Mariamma A. Varghese, 1978).\footnote{Girija Khanna and Mariamma A. Varghese, 1978}

1.2 Women in the labour force:

It is reported by Uma Rani and Jeemol Unni (2004) that, in the developing countries, among the poor households, the movement of women into the work force has been occasioned by many factors; the necessity of supporting a family as a single head of household, the need to supplement a husband’s income, increasing levels of education among women and new opportunities of employment in the industrial sector. The international trend has been increasing female participation in the labour force. Women are increasingly pushed into the labour force, often on highly disadvantaged terms, due to the lowering of household incomes as real wages fall and unemployment increases as a result of the ongoing process of globalization.

Unemployment in India is relatively low, while the greater problem faced by the majority of the women workers is that of under-employment, or employment at low levels of income. This is because most of the
population is too poor to remain unemployed and is forced to undertake some economic activity to survive. That is, they often remain ‘disguisedly’ unemployed. 

Industrial women labourers in India are much more organized than their compatriots in the agronomic sector, but their productivity is more or less equally low compared with their counterparts in advanced countries. Their skills and wages are also poor compared to the norms in advanced countries. Official statistics compute industrial women labour as workers of establishments covered by the Factories Act. Unfortunately, our basic industrial character remains manual; the bulk of our factory women workers are still non-skilled and semi-skilled. Ignorant of the needs and complexities of today’s industry, much unenlightened labour pulls down efficiency.

The problem of finding occupation for the work force is very poignant for a developing country under increasing pressures of population and an unsatisfactory base of employment. In India, it is the most crucial economic issue and must receive precedence in attention in any policy. The aim of women labour policy should be to promote co-operation between workers and employers in order to improve production and working conditions and to promote the interests of the community at large.

Today, a woman worker is not viewed as a mere wage earner playing a passive and backseat role in the industrial set up. The worker in modern times has grown to be, within his own rights, a vigilant, active and co-operative partner fully prepared to share the gains by contributing his efforts in the domain of ever increasing industrialization with all its problems and complexities.
The study of the status of women and women labourers' problems is of recent origin in India and deserves special attention because, in the broader sense, women labour taken as the total labour force is the most abundant resource available in the economy and therefore its sustained and stable growth depends in a very large measure upon the proper utilization of this resource (manpower) and, in the restricted sense, women labour constitutes the poorer and often exploited section of the society and the broader objective of economic development is to raise their standard of life.

Problems of industrial women workers deserve special study because this section of the women labour force is directly faced with the problems and consequences of the development of the country’s economy and the rate of growth and the nature of industrial civilization in the country depends on the extent to which their problems are solved successfully.

In modern terminology by industry is meant mechanized and technology oriented production. Its basis is naturally mass and large scale production. The term “Industrial Revolution” refers to the beginning in England of the invention and the use of machines to simplify and multiply production of things that conventionally exploited natural resources and the human hands. It was a revolution because it shifted the basis of production from men to machines. The change in the mode of production and consequently in the organization of production and distribution changed the face of all commercial undertakings. This led to changes in social and political structures as well. The struggle for capturing markets in the world involved England in a race with other European powers. It was in this effort that England consolidated her hold over India and made India one of her colonies. In course of time, the cottage industries of India readily succumbed to better organized British industry.
Industrialization in the early days encouraged private entrepreneurial enterprise. The laissez-faire policy of England encouraged private enterprise. Unchecked freedom for entrepreneurs led to various problems like wages at subsistence levels, growth and perpetuation of slums, corruption of the natural landscape, and many other human problems. These gave rise to serious thinking on the basis of social organisation, the making and passing on of wealth from generation to generation, and the protection of society’s interests from the onslaught of personal gains and selfishness. This thinking in due course led to the abandonment of laissez-faire and unfair treatment of industrial women labourers, in other words, introduction of governmental control over the means of production. This in recent times has developed into social control over industries.

The world over, industry has two main modes of organization one the open acknowledgement of the capitalist entrepreneur and the other the social or communal possession of the means of production. In India, as elsewhere, the early days of industry were the heyday of private enterprise. But socialistic thought has penetrated modern Indian thought deeply and so modern Indian industry is greatly influenced by government policies and ownership. The joint sector, a combination of private and public ownership, is quite in evidence in the business map of India.

Since independence, India has been making a determined effort to industrialize power in the world community and industrial processes are closely connected in modern times. This is one reason why India is committed to rapid industrialization. India’s modern industrial thrust has other aims also. Industries provide great employment opportunities for millions of people. They lead them to better standards of life and prosperity.
Thus, India’s present industrial polity is an integration of commercial realities and social responsibility. And it may be stated that this is a universal modern trend.

The first large scale industry in India was the cotton textile industry. It was started in Calcutta in 1818. However, the real beginning of this type of industry was made in Bombay in 1854 with predominantly Indian capital and enterprise. In course of time, various types of large scale industries jute, metallurgical, engineering, food, chemical, paper, glass and the like were established in different places of India. However, in the initial period of industrialization, progress was exceedingly slow and irregular.

In the later part of the nineteenth century, the development of coal mining inspired the growth of various manufacturing industries in India. Towards the end of the nineteenth century, a number of paper mills were started. In the early part of the twentieth century, the swadeshi movement influenced industrial development to a great extent. However, a new opened era in the industrial history of India with the establishment of the Tata Iron and Steel company Limited at Sakchi (now Jamshedpur) in 1970.

Whatever may be the rate of industrial production, India has been experiencing rapid industrialization. Every year new industries are coming up and not only getting expanded but also modernized due to innovation. The textile industry has always held its own among India’s traditional occupations. It languished with the entry of the British textile industry into India. But the gradual spread of knowledge and expertise in modern industrial techniques and indigenous effort in the field got a new dimension. The Indian Cotton Mills Federation Report sums up the progress of this industry thus:
“The cotton textile industry (of the modern type) is the forerunner of India's transformation from an agrarian economy to industrial advancement. It laid the foundation for the development of a number of allied industries and services. The Indian entrepreneurship had its training ground in textile manufacture and the subsequent proliferation into manifold avenues of industrial progress and economic activity has been made possible by the pioneering of the textile industry.”

Though the industry is spread all over India, its concentration is in Bombay. Commercial and geographical factors are responsible for this. The city’s dominance in the business world attracts rich and enterprising entrepreneurs to it. Raw material and good transportation facility are easily accessible. Also the city’s humid climate is ideal for this industry.

There are two types of cotton mills. One is the spinning mill which spins the yarn used to make cloth. The other is the composite mill which does both spinning and weaving. The former is predominant in the south and the latter in the north. In the southern states, the textile industry, especially spinning, has developed considerably along with other industries. In Tamil Nadu, there are more spinning mills than in other southern states. This may be accounted for by the development of handloom and power loom industries in the state. Though a number of new mills have been started all over the state in recent times, the development of the cotton spinning and weaving mills in the state is primarily the result of British initiative.
Thus Tamil Nadu and other states of India are getting industrialized in varying degrees. Industrialization has made the transition from a traditional way of life to a modern way a momentous experience. Life in an industrialized society is greatly different from life in a traditional society. Theorists of industrial society like Inkeles and Kerr confirm that the logic of industrialism transcends cultural barriers. As a result, industrialized societies move rapidly away from traditions.

1.3 Women and Children in Mines and Factories:

At the third annual session of the AIWC Conference in Patna (1929), the first resolution adopted on social welfare concerned the mental and moral well-being of women industrial workers. It appealed to the government “to appoint a Committee including women to enquire into the sanitary, hygienic and economic conditions under which women work”. It emphasized the absolute prohibition of women worker in underground mines and the need to educate them in order to make women labourers aware of their rights, to wipe out ignorance and thereby alleviate misery.

The Conference decided to cooperate with the Whitley Commission to highlight women’s conditions in industries. However, as the 1929-30 annual report admits, the effort proved futile and the Malabar Constituent branch attempted to make a study. The Conference subsequently made it a special item in its programme of work. It was felt that an adequate number of factory lady inspectors be appointed to look into the welfare of women and children employed in industries. The Standing Committee was asked to enquire into the conditions of woman and child labour in the organized sector in order to tackle the issue. Committees were set-up in industrial
centers to visit mills. In 1931, a whole session of the Conference was
earmarked, for discussions on labour Issues. Therefore, a Labour Sub-
Committee was established, headed by Miss. J.E. Copeland and, in 1931 and
1932, it made a strong plea for urgent reforms in labour conditions,
especially for women (Aparna Basu and Bharati Ray, 2003).

Anjana Matra Sinna (2000) maintains that the problems and difficulties
of working women are multidimensional and may be broadly classified into
three types, namely environmental, social and psychological. Women, being
the “weaker” sex both literally and metaphorically, have always been
subjected to various crimes committed against them. Crimes against women
may be classified into three broad categories such as

a. Sexual offences,

b. Offences for gain, and,

c. Customary laws and customs.

Offences of a sexual character may be divided further into those having a
predatory element and those which are non-predatory. By predatory element
is meant the element of violence. While rape and molestation fall in the first
category, prostitution falls in the second category.

The following offences under the Indian Penal Code (IPC) and special
laws are considered broadly to be crimes or offences against women:

1.3.1 Offences affecting the human body:

i. Abetting the Commission of Suicide (Sec. 306, IPC)

ii. Molestation (Sec. 354, IPC)
iii. Kidnapping/ abducting of inducing a woman to compel her to marriage etc. (Sec. 363/366, IPC)

iv. Procuration of a minor girl (Sec. 366-A, IPC)

v. Importation of girls (Sec. 366-B, IPC)

vi. Selling minor girls for purposes of prostitution (Sec. 312, IPC)

vii. Buying minor girls for purposes of prostitution (Sec. 373, IPC)

x iii. Rape (Sec. 376, IPC)

ix. Unnatural offences involving women (Sec. 377, IPC)

1.3.2 Offences against property:

Chain snatching (Sec. 356 and Sec. 393, IPC)

1.3.3 Offences relating to marriage:

i. Marrying again during the life-time of wife (Sec. 494, IPC)

ii. Adultery (Sec. 373),

iii. Enticing or taking away or detaining a married woman with criminal intent (Sec. 498, IPC)

1.3.4 Offences relating to criminal intimidation, insult and annoyance:

Uttering any word, making any gesture or act intended to insult the modesty of women (Sec. 509, IPC)

1.3.5 S.I.T. of Women and Girls Act:

i. Punishment for keeping a brothel or allowing premises to be used as a brothel (Sec. 3 of Suppression of Immoral Traffic in Women and Girls Act-SITA)
ii. Procuring, including taking a woman or a girl, for the sake of prostitution (Sec. 5 of SIT Act),

iii. Seducing or soliciting a girl for purposes of prostitution (Sec. 8 of SIT Act)

iv. Seduction of a woman or girl in custody (Sec. 9 of SIT Act)

1.3.6 Dowry Act:

Demanding dowry (Sec. 4 of "Dowry Prohibition Act 1961")

1.4 Crimes against women may be enumerated as hereunder:

1.4.1 Physical cruelty:

i) After tests under the guise of detecting congenital abnormality, the female foetus is aborted after sex determination. If it is found that it is a female child, the pregnancy is terminated. It has become quite popular and several open advertisements to the effect can be seen in newspapers and magazines. As a result the birth rate of women is decreasing.

ii) Neglect, starvation, lack of immunization, absence of medical service and malnutrition of female child. A son is given the choicest food and milk, while the female child is not provided with these.

iii) Infanticide in spite of laws is still prevailing

iv) Eve-teasing

v) Molestation

vi) Abduction and kidnapping

vii) Wife beating, wrongful confinement

viii) Fraudulent marriage
ix) Adultery, enticement of married women

x) Cruelties on married women

xi) Rape

xii) Outraging the modesty of women

xiii) Defaming young girls

xiv) Prostitution

xv) Indecent representation of women

1.4.2 Mental cruelty:

i) Discrimination between male and female child

ii) Married women debarred from employment in several organizations

iii) A female generally having no say in her marriage

iv) No equal remuneration

v) Wife having no title to her husband’s or in-laws’ property or home

vi) Dowry menace

vii) Discrimination under law:

a) In Christian law, ground for divorce for a man is adultery while, for a woman, she has to prove “incestuous” adultery or adultery coupled with another matrimonial offence

b) Woman not a natural guardian of her children

c) No community of property

d) Hindu woman is not entitled by birth to a share in the coparceny property, nor can she ask for partition of ancestral property.
e) Any application cannot be filed under the Hindu Marriages Act where the wife Eves

f) Muslim Inheritance Law of giving half a share to a daughter and the Parsi Law of giving double the share to a male

g) Custody of children

h) Discrimination in employment (Aparna Basu and Bharati Ray, 2003)

A few Acts, passed in favour of women, deserve the attention of all, particularly women and women’s rights champions, in view of their serious implications, as also the facilities assured by them to women, who constitute about half of the population of the country.

1.5 Harassment at work place:

Despite the fact that a vast number of women are involved in the work place in all the vital sectors of the country’s economy, whether out of choice or out of compulsion, they mostly fall in the unorganized sector, where they are ill-paid but the need for survival drives them to “rape situations”. Harassment at the work place is real and pervasive: jokes with sexual undertones, obscene behaviour with sexual overtures, direct sexual harassment, all of them discriminatory to women. It also seriously affects women’s psychological and physical well-being. Even when women have come forward to report such incidents, lack of action against the guilty persons has had an adverse effect on those women who have the courage to report, for it has brought them further harassment, trauma and re-victimization (Anjuli Rana, 2004).
More and more women are joining the work force, which is a positive indicator of development, as pointed out by *Indian Management* (1999). It is essential that they be provided with a work environment that is free from discrimination, promotes gender equality, provides respect and dignity and gives full freedom to women to develop their fullest potential. But, unfortunately, sexual harassment at the work place is a major problem that is the common yet pervasive experience of working women world over, which takes a serious toll on women, hampering their creativity, intellect and psychosocial well-being. Sexual harassment as part of work place violence is no more an extraordinary phenomenon but a matter of daily incidence.\(^\text{11}\)

Rajneesh Sharma and Renu Sharma (2005) state that the working women in India face sexual harassment to a greater extent because of the socio-cultural factors that do not allow women to speak against men, lack of awareness, non-existence of clear-cut laws and fear of criticism and ostracism. Moreover, working women in India constitute only 17.8 percent of the organized sector (both public and private) as per the 2001 census, which puts them in a weaker position as compared to men.

Sexual harassment is defined as unwanted conduct of a sexual nature or other behaviour based on sex that affects the dignity of men and women at work. This includes uninvited and unwelcome physical, verbal or non-verbal conduct. To be more specific, it may include touching, remarks, looks, attitudes, jokes or the use of sexually explicit language, references to a person’s private life, sexual orientation, innuendoes with a sexual connotation, comments on dress or figure, persistent leering at persons or at part of his/ her body.
1.6 Sexual harassment and the Law in India:

There are several provisions in the Indian Penal Code that refer to women's chastity and modesty. These provisions include Section 354 (assault or criminal force against a woman with intent to outrage her modesty) and Section 509 (words, gestures or acts intended to insult the modesty) of a woman.\textsuperscript{52}

1.7 Crimes against Women:

Social reformers like Raja Ram Mohan Roy, Swami Dayanand and Swami Vivekanand took up the cause of women and several laws were enacted to improve the position of women. The participation of women in the Independence Movement resulted in the legal struggle for women's rights. The Constitution of India granted the women equality before law and equal protection of law.

1.8 Five Year Plans and Women:

Realizing the fact that the Constitutional rights are not enough to safeguard women's interests and provide them enough opportunities to the planners are trying their best to translate these rights into the form of formal policies, legislations and affirmative action plans. The steps taken in different Five Year Plans are as hereunder. The First Five Year Plan emphasized Community Development and welfare measures whereas the Second Five Year Plan protected women workers against unsafe working conditions, assured equal pay for equal work, crèche facilities for children of working mothers, maternity benefits and training to improve their skill. The Third and the Fourth Five Year Plans emphasized women's education. The Fifth Five Year Plan further emphasized the need to expand and diversify
education and training opportunities for women. It was during the Plan period that a Women’s Welfare and Development Bureau under the Ministry of Social Welfare was established to coordinate programmes of other ministries relating to women. The Sixth Five Year Plan took a developmental approach towards women. It made an attempt to provide more developmental resources to raise the economic standard of women. Programmes like Training of Rural Youth for Self-Employment (TRYSEM) and (Development of Women and Children in Rural Areas) DWCRA were implemented to help women to generate income. The Seventh Five Year Plan created awareness among women to get access to critical resources such as land, capital, training etc. Women’s Development Corporations were set up. Training and Employment programmes were started to promote self-employment and wage-employment. The Eighth Five Year Plan further highlighted the role of women on par with men in the national development process (S. Murty and K. D. Gaur, 2002).13

Attention was paid to the plight of women mine workers in 1933 itself. The Liaison Officer of the AIWC presented a memorandum to the International Labour Conference in Geneva and recommended maternity benefits, raising the minimum age of child labourers, provision of crèche facilities, setting a limit on loads carried by women, regulating the employment of children in new industrial occupations. The Conference also appointed a Committee comprising Mrs. A. Chatterjee, Iris Wingate and Renuka Ray which visited the Jharia and Asansol coal mines, with a special view to suggesting measures for the abolition of female labour in mines as suggested by the Royal Commission on Labour (Aparna Basu and Bharati Ray, 2003).14
1.9 Women Development in Five Year Plans:

1.9.1 The First Five Year Plan (1952-56) was not specific about the share of women in the development policy. The chapter on social welfare states that the social welfare of the community depends a great deal on the status, functions and responsibilities of women and asserts that social conditions should give women opportunities for creative self-expression so that they can make their contribution to the economic and social growth of the community. The stress of the Plan was on promoting the education of women through enrolling a large number of girls in schools.

1.9.2 The Second Five Year Plan (1956-61) stressed the need for promoting girls’ education through educating parents and making education more relevant to girls’ needs. For the first time the need to take into consideration the physical and biological disabilities of women while allotting types of work was mentioned.

1.9.3 In the Third Five Year Plan (1961-66) there was no mention of any special schemes for women in agriculture. The only mention of women in industry was the reference that the introduction of ‘Amber Charkhas’ for khadi spinning had created employment opportunities for women. Of course, this was symptomatic of looking at women’s economic issues.

1.9.4 In the Fourth Five Year Plan (1969-74) the work of the Social Welfare Board and granting assistance to Voluntary Organizations dealing with the welfare of women were the only points relating to women. However the Status of Women Report was out in 1974 and preparations were made for the first Women’s Conference, which was held at Nairobi in 1975.
1.9.5 In the Fifth Five Year Plan (1974-79) there were neither any new initiatives nor any policy statements.

1.9.6 The Sixth Five Year Plan (1980-86) was a milestone in women’s development. For the first time a separate chapter on women and development was included in the Plan document. The document pointed out the declining sex ratio and the lower life expectancy of women as basic indicators of their low status.

1.9.7 The Seventh Five Year Plan (1985-90) stressed greater integration between health and family welfare and primary health care for women. The Plan document took note of the gaps in the enrolment of girls in primary education.

1.9.8 The Eighth Five Year Plan (1992-97) was built on the solid foundation created by the Sixth and the Seventh Plans. It stressed that women’s employment should make them capable of functioning as equal partners and participants in the process of development.

1.9.9 The Ninth Five Year Plan (1997-2002) set goals for the overall development of Indian women so as to make them capable of entering the 21st century with a lot of self-confidence. It stated, for the first time, categorically, that, for empowering women as catalysts of social change and development, a “National Policy for Empowerment of Women” would be formulated. The Plan discussed, for the first time, the need for reservation of seats for women in Parliament and in State Legislative Assemblies. The Plan also proposed 30 per cent representation for women in the public sector (Devika Paul, 2005).
1.9.10 **The Tenth Five Year Plan** (2002-2007) was formulated to ensure requisite access to women to information, resources and services and to advance gender equality goals (*Women’s Unk*, 2006).\(^{16}\)

1.10 **Welfare Legislations for working women:**

In 1994, the Commission of Enquiry appointed by the Government of India to collect data relating to wages and earnings, employment, housing and social conditions of labour sent a memorandum and general questionnaire to the AIWC. From these questions that would vitally affect women labour were extracted some questions and circulated to the Standing Committee members as it was felt that a statement prepared by the AIWC ought to be placed before the Labour Investigation Committee. The circular dealt with labour legislation and contained a questionnaire regarding Women’s Compensation Act, employment, working conditions, housing welfare activities and social security measures.

1.10.1 **Minimum Wages:** The AIWC recommended that each branch should investigate and set the standard of living for women in its respective area. They urged the Central, Provincial and State Governments to appoint Special Investigation Committees with adequate female representation, including working women, to fix a national minimum wage for all labour.

1.10.2 **Maternity Benefits Scheme:** The AIWC was of the opinion that the maternity benefit scheme would ensure more equality for women if money was obtained by government legislation from employers according to the total number of men and women employed. They appealed to the governments and states where the maternity benefit was not in force to take immediate steps towards legislation in this direction and to compulsorily provide crèche facilities. They also recommended that the Act be applied to women in mines and to other wage earning women.
1.10.3 Social Legislation: The AIWC also felt that until such time as India attained a high level of industrial organization and efficiency, women should be guaranteed adequate safety during night duty and in dangerous occupations.

1.10.4 Women and Children in Unregulated Industries: The AIWC condemned the exploitation of women and children in unregulated industries and recommended that, on the basis of a detailed survey of prevailing conditions, the Factory Act be extended to places where five or more workers were employed and mechanical power may or may not be used. Until this could be effected, all industrial concerns, however small, should be registered and given permission to work only on the receipt of a licence with the provision that it would be withdrawn if conditions safeguarding the workers were not fulfilled. Special inspectresses were to be appointed to supervise unregulated industries and look into complaints. All forms of labour were to be included and brought within the ambit of future legislation. The need for good housing with proper sanitation and drainage was also underlined (Ashine Roy, 2003).

1.11 Delhi Commission for Women to Tackle Sexual Harassment at Work Place:

Being alarmed over the rising causes of sexual harassment of women at work places, the Delhi Commission for Women (DCW) formalized a “compendium” which focuses on making women more secure in Delhi. Aiming at confidence building of the victim and tackling sexual harassment, a long set of guidelines would be available to the various departments of the government.
The set of guidelines was sent to all the government departments including police, industries, education, labour, transport, urban development and health and family welfare. “Every department has a complaint committee but they barely function. Even if any case of sexual harassment is being put before them, no necessary steps are being taken to deal with it”, said a member of the DCW, who was dealing with a case of sexual harassment at the Delhi Development Authority (DDA).

Stressing the various ways of tackling the growing menace, the compendium comprises a set of steps to be taken by the authority after such a case is reported to them. “They have clearly mentioned in the book that it is the duty of the employer or other responsible persons at the work place to prevent or deter the commission of acts of sexual harassment by taking all the steps required”, Dr. Walia said, “we have also focused on the code of conduct at the work place, criminal proceedings, disciplinary action, a complaint mechanism and the guidelines to be followed by the Complaints Committee for conducting and enquiry”.

Besides the constitutional safeguards under Article 14, 15, 15(3), 16, 39 and 42 of the Indecent Representation of Women’s Act, 1986, the rule book also states the legal provisions affecting women under the various sections of the Indian Penal Code (IPC). The DCW has plans to cope with the growing menace in all its earnestness and seriousness in private enterprises and universities too. “Once the programme takes off in government offices, we will send the same directive to private enterprises and the universities too” (Dr. Walia, 2005).18
Discriminatory practices against women continue unabated around the globe. Despite commitments made under the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and “national platforms for action” to implement the 1995 Fourth World Conference on Women, the platform for action adopted in Beijing, many states continue to enforce discriminatory laws and to tolerate discriminatory practices under the customary law.

1.12 Provisions of Law Affecting women:

Provisions of the law affecting women have been reviewed periodically and amendments carried out to keep pace with emerging demands. The special social enactments to safeguard women and their interests specifically are:

1) The Employees State Insurance Act, 1948
2) The Plantation Labour Act, 1951
3) The Family Courts Act, 1954
4) The Special Marriages Act, 1954
5) The Hindu Marriages Act, 1955
6) The Hindu Succession Act, 1956
7) The Immoral Traffic (Prevention) Act, 1956
9) The Dowry Prohibition Act, 1961
10) The Medical Termination of Pregnancy Act, 1971
11) The Contract Labour (Regulation and Abolition) Act 1976
12) The Equal Remuneration Act, 1976
Gender based violence that threatens the well-being, rights and dignity of women has recently emerged as a global issue extending across regional, social, cultural and economic boundaries. According to statistics, about 18% of women are being sexually abused in the U.S. according to the UN Report on violence against women. The condition in other developed countries such as Denmark, Germany, Spain, Switzerland, the United Kingdom etc. is almost similar.

The Universal Declaration of Human Rights and the Convention on Elimination of all Forms of Discrimination against Women (CEDAW) do enforce certain special rights and privileges for women. But it is amazing that only 44 countries have laws against domestic violence. Only 17 countries have made marital rape a criminal offence and only 27 countries have passed laws on sexual harassment (B.R Sharma and Manisha Gupta, 2005).

The European Commission's Code of Practice on measures to combat sexual harassment covers a larger canvas while defining it: it is unacceptable if such conduct is unwanted, unreasonable and offensive to the recipient; a person’s rejection of, or submission to, such conduct on the part of employers or workers (including superiors or colleagues) is used...
explicitly or implicitly as a basis for a decision which, affects that person’s acceptance to vocational training or employment, continued employment, promotion, salary or any other employment decision; and such conduct creates an intimidating, hostile or humiliating working environment for the recipient (Rajneesh Sharma and Renu Sharma, 2005).21

1.13 India Empowered

India made a tryst with destiny in 1947 to usher in a prosperous and peaceful future. We made a solemn pledge to empower India politically, economically, socially and culturally so that we could banish the traditional ills.

Today, India has emerged as the largest and most populous democracy in the world with a democratic parliamentary system. The three pillars of democracy, namely, legislature, executive and judiciary, have been adequately empowered to ensure national security, national integration, social harmony, secular fabric and integrated development to promote people’s welfare.

But, to be empowered, India still has a long way to go. India can be empowered only when its average woman is empowered. Till 75 years ago, she was not allowed to vote; till 50 years ago, she was not allowed to go to school; till 25 years ago she was not allowed to work. Now it is all changing. Today women have started competing with men but still have a long way to go. India will be empowered only when all women are educated and employed (India Empowered, 2005).22
According to 'Or Line Clock-2005', which tracked criminal activities over the last year, the country suffered one molestation every 15 minutes, one crime against women every 3 minutes, one dowry death every 77 minutes, one rape every 29 minutes, one murder every 16 minutes, one riot every 9 minutes, one arson every 60 minutes, one dacoity every 120 minutes and one sexual harassment case every 53 minutes (The Times of India, 4 Sep, 2006).

There are a number of research studies dealing with industrial relations, industrial absenteeism, trade unions, industrial disputes and other related aspects. The present study confines itself to filling the research gap by identifying the socio-economic and demographic status of women workers, the nature of violence against women in the work place, the treatment of women by supervisors, male workers and the management, security, health status, knowledge of women's rights, worker's welfare programmes and level of participation in trade union activities.

In this regard, the necessity for reviewing more number of studies which are directly or indirectly related to the present one is fulfilled in the next chapter.
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