CHAPTER – IV

INTERNATIONAL AND NATIONAL PERSPECTIVES

Present chapter highlights the protection given to women workers at the International and National levels. At International level, efforts have been made to discuss the Conventions, Recommendations and Resolutions which are adopted by the UN and ILO, whereas at National level the Plans, Policies, Schemes and Programmes which are taken by the Government have been discussed.

1. International Perspectives

Increasing attention is being focused at the international level on the problems of women workers. The United Nations Organisation and International Labour Organisation, one of the specialized agencies of United Nations have been devoting attention to subject of interest to women workers. Since its inception in 1945, the UN system has been playing a very important role in the process of bringing awareness about women’s unequal position in society. The UN Charter established gender equality as fundamental human right. The International Labour Organisation has stressed ever since its inception in 1919, that the interests of women as workers are generally indistinguishable from those of men, and it has gone further in emphasising that a women workers should be given special attention as they have special difficulties which drive from her function in the family and from social attitudes and customs. Thus, Various Conventions, Recommendations and Resolutions adopted by the UN and ILO from time to time to provide security to women workers.

A. United Nations Organisation

The steps which have been taken by the UN are given below:

(i) Universal Declaration of Human Rights, 1948

Article 2 of the Declaration sets out the basic principles of equality and non-discrimination in relation to human rights and fundamental freedoms and forbids distinction of any kind such as race, colour, sex, language, religion,
political and other opinion, national or social origin, property, birth and other status”.


The Rio Declaration on Environment and Development States that women have a vital role in environmental management and development. Their full participation is therefore essential to achieve sustainable development.

(iii) The World Conference on Human Rights, Vienna, 1993

The Vienna Declaration and Programme of Action States that the human rights of women and of girls are an inalienable, integral and indivisible part of universal human rights, expresses concern for the various forms of discrimination and violence to which women continue to be exposed all over the world, urges the eradication of all forms of discrimination against women, both hidden and overt.

(iv) The World Summit for Social Development, Denmark, March 1995

In this summit the following objectives were discussed:

- The enhancement of social integration, particularly for disadvantaged and marginalized groups
- The alleviation and reduction of poverty
- The expansion of productive employment

(v) The Fourth World Conference on Women, Beijing, September 1995

It aims to draw up a platform for action to ensure the completion of the unfinished work in implementing the 1985 Nairobi Forward – looking strategies and to address the question of how women can be empowered by effective participation in decision making on all issues which affect society.

(vi) ILO Declaration on Equality of Opportunity and Treatment for Women Workers, 1975

This Declaration prohibited all types of discrimination and declared that all forms of discrimination on the grounds of sex which deny or restrict equality of opportunity and treatment are unacceptable and must be eliminated.
(vii)  ILO Resolution of Equal Opportunities and Equal Treatment for Men and Women in Employment

The Resolution outlines a comprehensive set of measures for national as well ILO action to be undertaken in various areas which include equal access to employment and training, promotion of full implementation of the principle of equal remuneration for work of equal value, improvement of working conditions, efforts to ensure the full participation of women in decision making processes, and improvement of database to reflect more fully the contribution of women.


The main purpose of the Plan of Action is to ensure that issues relating to equality of opportunity and treatment are systematically included at each stage of policy formulation, planning and implementation in all ILO programmes and projects.

(ix)  ILO Resolution Concerning ILO Action for Women Workers, 1991

The Resolution stresses the need for a concerted effort between governments and employers’ and workers’ organisations to implement the principle of equality.

These include:

- Strategies to eliminate continuing barriers to the equal participation of women in employment
- Inclusion of more women in delegations to the International Labour Conference and other major ILO meetings
- New policies for the creation of full, productive and freely chosen employment and to help improve conditions in the informal sector
- Arrangements for the inclusion of part-time workers in collective agreements.3

(x)  Convention on the Elimination of all forms of Discrimination against Women

The Convention on the Elimination of All Forms of Discrimination against Women is essentially an International Bill of Rights for women and a framework
for women’s participation in the development process. The Convention was adopted by the U.N. General Assembly on December 19, 1979, and came into force as a treaty on December 3, 1981. It defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

The Convention provides the basis for realizing equality between women and men through ensuring women’s equal access to, and equal opportunities in, political and public life – including the right to vote and to stand for election - as well as education, health and employment states parties agree to take all appropriate measures, including legislation and temporary social measures, so that women can enjoy all their human rights and fundamental freedoms.  

B. International Labour Organisation

A number of Conventions and Recommendations dealing exclusively with the protection of women workers have been adopted by the ILO. These instruments are of two main types – promotional and protective. The promotional instruments are aimed primarily at overcoming economic and social discrimination against women in matters of work. The protective standards are concerned with providing them the special protection they require because of their biological and social function of maternity. In addition, there are some Conventions and Recommendations which apply generally to all workers but contain special provisions concerning women workers.

(i) Non-Discrimination and Equality

The following Conventions and Recommendations of the ILO related to the promotion of non-discrimination and equality of opportunity and treatment in employment and occupation are:

**Equal Remuneration Convention (No. 100), 1951**

The Equal Remuneration Convention recognizes that the application of the principle of equal pay cannot be applied under general conditions of inequality. Accordingly, the Convention underlines the need to take additional measures to promote equality between women and men in the workplace. It aims to establish the principle of equal remuneration for men and women for work of equal value.
Equal remuneration for work of equal value is defined as remuneration established without discrimination based on sex.

**Recommendation No. 90: Equal Remuneration, 1951**

The Recommendation Supplements Convention No. 100 in helping to achieve equal remuneration for women and men for work of equal value.

The Recommendation says that procedures should be established to enable the principle of equal pay for work of equal value to be put into practice gradually, for example, by reducing the differentials between rates of pay or providing equal increments where applicable.\(^5\)

**Discrimination (Employment and Occupation) Convention, 1958 (No. 111)**

This Convention lays down the principle of non-discrimination in employment and occupation, on the ground among others of sex and calls expressly for the declaration of national policy of non-discrimination.\(^6\)

**Recommendation No. 111: Discrimination (Employment and Occupation), 1958**

This Recommendation Supplements Convention No. 111, it specifies the matters in respect of which all persons should, without discrimination, enjoy equality of opportunity and treatment:

- access to vocational guidance and placement service
- security of tenure of employment
- remuneration of work of equal value

**Convention No. 156: Workers with Family Responsibilities, 1981**

The aim of this Convention is to create equality of opportunity between workers with family responsibilities and other workers and between men and women workers with family responsibilities. The Convention states that family responsibilities alone are not a valid reason for a person to lose his or her job.

**Recommendation No. 165: Workers with Family Responsibilities, 1981**

Recommendation No. 165 calls for:

- National policy to contain measures to prevent direct and indirect discrimination in employment and opportunity on the basis of marital status or family responsibilities;
• Social security benefits, tax relief or other appropriate measures to be made available to workers with family responsibilities.7

2. **General Conditions of Employment: Night Work, Part Time Work and Home Work**

**Employment Policy Convention (No. 122), 1964**

The Convention provides that Governments should pursue, as a major goal, an active policy designed to promote full, productive and freely chosen employment and that there should be the fullest possible opportunity for each worker to qualify for, and to use his or her skills and endowments in a job for which he or she is well suited, irrespective of *inter alia*, sex.

**Recommendation (No. 122) Employment Policy, 1964**

This Recommendation reinforces the principle and lays down detailed provisions on the best ways and means to achieve full employment.8

**Recommendation No. 169: Employment Policy (Supplementary Provisions), 1984**

Recommendation No. 169 supplements that of 1964 and deals with population policy, employment of youth and disadvantaged groups and persons, technology policies, the informal sector, small undertakings, regional development policies, public investment and special public works programmes.

**Convention No. 158: Termination of Employment, 1982**

The aim of this Convention is to protect workers against termination of employment at the initiative of the employer without valid reason The Convention says that the employment of a worker shall not be terminated unless there is valid reason connected with the capacity or conduct of the worker or based on the operational requirements of the undertaking or service.9

**ILO Night Work (Women) Convention, 1919 No. 4 and ILO Night Work Women Convention (Revised), 1934, No. 41**

These Conventions provides that women without distinction of age shall not be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed.
ILO Night Work of Women (Agriculture) Recommendation, 1921 No. 13

The General Conference of the International Labour Organisation recommends that each member of the International Labour Organisation take steps to regulate the employment of women wage-earners in agricultural undertakings during the night in such a way as to ensure to them a period of rest compatible with their physical necessities and consisting of not less than nine hours, which shall, when possible, be consecutive.\textsuperscript{10}

Convention No. 89: Night Work (Women) (Revised), 1948 and Protocol, 1990

This Convention aims to prohibit night work for women in industry. “Night” here means a period of at least eleven consecutive hours, seven of which are between 10 p.m. and 7 a.m. The Convention stipulates that no women of any age shall be employed during the night in any public or private industrial undertaking, except for undertakings in which only members of the same family work.

The Protocol of 1990

This Protocol provides that variations in the duration of the night period and exemptions from the prohibition of night work by women in industry may be introduced by decision of the competent government authority, after consulting the most representative organisations of employers and workers.

Convention No. 171: Night Work, 1990

It aims to the protection of night workers. It calls for specific measures to protect night workers’ health, provide maternity protection, help them meet family and social responsibilities, provide opportunities for occupational advancement, and compensate them appropriately in the form of working time, pay or similar benefits.

Recommendation No. 178: Night Work, 1990:

This Recommendation supplements Convention No. 171 in protecting night workers. It suggests ways to arrange night work schedules and to limit the hours worked and the travelling between workplace and home. It also recommends that workers receive additional compensation for night work, along with other special health, safety and social services.\textsuperscript{11}
Employment (Women with Family Responsibilities) Recommendation, 1965 (No. 123)

This Recommendation urges governments, among other things to encourage, facilities or undertake the development of services to enable women to fulfill their various responsibilities at home and at work simultaneously.\(^{12}\)

The Part Time Work Convention, 1994 (No. 175)

The Part Time Work Convention, 1994 (No. 175), requires, ratifying States to take measures to ensure that part time workers receive the same protection as that accorded to comparable full time workers in respect of freedom of association, occupational safety and health, discrimination in employment. It requires also that a pro-rata approach be taken with respect to part-time workers’ basic wage. It further calls for measures to be taken to ensure that part-time workers receive conditions equivalent to comparable full time workers in the fields of maternity protection, termination of employment, paid annual leave and public holidays, and sick leave.

The Home Work Convention, 1996 (No. 177)

The Home Work Convention requires that ratifying States adopt, implement and periodically review a national policy on home work aimed at improving the situation of home workers. The national policy shall promote, as far as possible, equality of treatment between home workers and other wage earners.\(^{13}\)

(iii) Maternity Protection

Maternity Protection Convention (Revised) No. 103, 1952

It aims to ensure that all women workers are entitled to twelve weeks of maternity leave with entitlement to cash benefits and medical care.

Recommendation No. 95: Maternity Protection, 1952

The Recommendation Supplements Convention No. 103 in helping to ensure that women receive maternity leave with entitlement to cash benefits and medical care. It is recommended that a women employed in work which is defined as harmful to health should be entitled to transfer without loss of wages, as should a woman who presents a medical certificate saying that such a transfer is necessary for her health and that of her child.
Maternity Protection Convention (Revised) No. 183, 2000

It aims to promote equality of all women in the workforce and the health and safety of the mother and child. Taking into account the circumstances of women workers and the need to provide protection for pregnancy, which are the shared responsibility of government and society.

ILO Maternity Protection Recommendation, 2000 (No. 191)

It recommends that members should take measures to ensure assessment of any workplace risks related to the safety and health of the pregnant or nursing woman and her child. The result of the assessment should be made available to the women concerned. It also recommends that on production of a medical certificate or other appropriate certification as determined by national law and practice, the frequency and length of nursing breaks should be adapted to particular needs.\(^\text{14}\)

Maternity Protection (Agriculture) Recommendations, 1921 (No. 12)

The General Conference of International Labour Organisation recommends that each member of the International Labour Organisation take measures to ensure to women wage-earners employed in agricultural undertakings protection before and after childbirth similar to that provided by the Convention adopted by the International Labour Conference at Washington for women employed in industry and commerce, and that such measures should include the right to a period of absence from work before and after childbirth and to a grant of benefit during the said period, provided either out of public funds or by means of a system of insurance.\(^\text{15}\)

The Plantation Convention, 1958 (No. 110)

It provides that no pregnant women shall be required to undertake any type of work harmful to her in the period of her maternity leave, and in addition to the absolute prohibition of dismissal during maternity leave. It also prohibits the dismissal of women solely because she is pregnant or a nursing mother.\(^\text{16}\)

(iv) Wages

The Minimum Wage Fixing Convention, 1970 (No. 131)

This Convention protects workers against excessively low wage rates. It obliges ratifying States to establish a system of minimum wages covering all categories of wage earners whose terms of employment are such that coverage
would be appropriate. The elements which must be taken into consideration when
determining the level of minimum wages include the needs of workers and their
families, as well as economic factors at the national level.

**The Protection of Wages Convention, 1949, No. 95**

The Protection of Wages Convention obliges ratifying States to provide for
secure, full and prompt payment of wages in a manner which affords protection
against abuse. This is based on the rule that wages shall be paid, in legal tender,
regularly and directly to the worker. The Convention also lays down rules about
payment of wages in kind, deductions from wages, attachment and assignment of
wages.\(^7\)

(v) **Social Security**

**ILO Convention No. 102: Social Security (Minimum Standards) Convention
1952**

ILO Convention No. 102 deals with minimum standards for social security
benefits. Its aim to establish with the requisite flexibility, given the wide variety of
conditions prevailing in different countries, minimum standards for benefits in the
main branches of social security. The Convention deals in a single instrument with
the nine main branches of social security, namely medical care, sickness benefit,
unemployment benefit, old age benefit, employment injury benefit, family benefit,
maternity benefit, invalidity benefit and survivors’ benefit.

(vi) **Social Policy**

**Convention No. 117: Social Policy (Basic Aims and Standards) 1962**

The aim of this Convention is that all policies shall be primarily directed to
the well-being and development of the population and to the promotion of its
desire for social progress.

With this aim in view, the Convention deals with improvement of standards
of living, migrant workers, remuneration of workers, nondiscrimination, education
and training.\(^8\)
(vii) **Hours of Work and Weekly Rest**

**The Hours of Work (Industry) Convention, 1919 (No. 1)**

The Convention obliges ratifying States to set the working hours of persons employed in any public or private industrial undertaking with certain possible exceptions, of not more than eight in the day and forty eight in the week.

**The Weekly Rest (Industry) Convention, 1921 (No. 14), and the Weekly Rest (Commerce and Offices), 1957 (No. 106)**

These Conventions require ratifying States to provide for a minimum of twenty-four consecutive hours of rest per week.

**The Hours of Work and Rest Periods (Road Transport) Convention, 1979 No. 153**

This Convention applies to wage earning drivers working on motor vehicles engaged professionally in transport by road of goods or passengers. It obliges the ratifying States to lay down adequate standards concerning driving time and rest periods for these drivers in accordance with the standards set by the Convention.  

**Recommendation No. 116, Reduction of Hours of Work, 1962**

It aims to indicate practical measures for the progressive reductions of hours of work.

(viii) **Paid Leave**

**The Holidays with Pay (Revised) Convention, 1970 (No. 132)**

This Convention obliges ratifying States to ensure paid annual holidays of three weeks or more.

**The Paid Educational Leave Convention, 1974 (No. 140)**

This Convention obliges ratifying States to promote education and training (vocational, general, social and civic, trade union) during working hours, with financial entitlements.

(ix) **Unhealthy Employments**

**Underground Work**

The employment of women on underground work is regulated by the **Underground Work (Women) Convention, 1935 (No. 45)**. The Convention lays
down the principles that no female, whatever her age, shall be employed on underground work at any time.

**Protection against Lead Poisoning**

The employment of women on painting work involving the use of white lead is dealt with in the *White Lead (Painting) Convention, 1921 (No. 13)*: The Convention prohibits the employment of women in any painting work of an industrial character involving the use of white lead or sulphate of lead or other products containing these pigments.\(^{22}\)

**Recommendation No. 4 – Lead Poisoning (Protection of Women and Children), 1919**

It aims to protect women and children against the hazards of poisoning arising from processes involving the use of lead.\(^{23}\)

**Lionising Radiations**

**The Radiation Protection Recommendation, 1960 (No. 114)**

This Recommendation provides that in view of the special medical problems involved in the employment of women of child-bearing age in radiation work every care should be taken to ensure that they are not exposed to high radiation risks.

**Protection against Hazards of Poisoning Arising from Benzene: The Benzene Convention, 1971 (No. 136)**

This Convention provides that women medically certified as pregnant, and nursing mothers, shall not be employed in work processes involving exposure to benzene or products containing benzene. The Convention is supplemented by a Recommendation No. 144 which contains the same provision.

(x) **Maximum Permissible Weight of Load**

**The Maximum Weight Convention, 1967 (No. 127)**

This Convention provides that the assignment of women and young workers to manual transport of loads other than light loads shall be limited and that where women and young workers are engaged in the manual transport of loads, the maximum weight of such loads shall be substantially less than that permitted for adult male workers.
The Convention is supplemented by the Recommendation (No. 128): containing a Section on women workers. It provides that as far as possible adult women workers should not be assigned to regular manual transport of loads. Where adult women workers are assigned to such work, provision should be made as appropriate to reduce the time spent on actual lifting, carrying and putting down of loads by such workers and to prohibit the assignment of such workers to certain specified jobs, comprise in manual transport of loads, which are especially arduous.24

(xi) Welfare and Preventive Health Measures

Welfare Facilities Recommendation, 1956 (No. 102)

This Recommendation provides for special provisions for women for providing sitting arrangements for them while at work and for rest rooms to meet their needs.25

(xii) Labour Inspection

The Labour Inspection Convention, 1947 (No. 81)

This Convention provides that both men and women should be eligible for appointment to the inspection staff where necessary. Special duties may be assigned to men and women inspections. A similar provision is included in the Labour Inspection (Agriculture) Convention, 1969 (No. 129).26

(xiii) International Covenant on Economic, Social and Cultural Rights

The States parties to the present covenant recognize that special protection should be accorded to mothers during a reasonable period before and after childbirth. During such period working mothers should be accorded paid leave or leave with adequate social security benefits.

All these Conventions, Recommendations and Resolutions adopted by the UN and the ILO from time to time make it amply clear that they have been fully conscious of the growing problems of working women. By these Conventions, Recommendations and Resolutions, it has now become possible for working women to lead a normal life without impairing their chances of continued employment. Thus, the Conventions, Recommendations and Resolutions came as a born to the working women by guaranteeing income protection, medical care and maternity relief. But unfortunately, it is painful that these efforts have
remained on the papers. In reality women workers are still made to suffer discrimination in social and economic spheres and continue to be the most exploited lost, in all over the world. In practice it has been seen that the special protective measures for women workers adopted by the ILO, particular the Convention relating to maternity protection and prohibition of night work are providing to be detrimental to the interest of women workers and are leading to their retrenchment in certain cases. Thus, the need of hour is that Conventions of this type should be re-examined with a view to finding out whether they continued to be of real relevance in view of the rapidly changing structures and conditions or work and in line with the current world needs.

2. National Perspectives

In the years following independence, despite the presence of constitutional safeguards and enactment of various law’s, it became apparent that advancement of women’s status would require intervention from the Government. Thus, considerable efforts have been made after independence (and are still being made) to uplift the status of women in general and women labour in particular through various Plans, Policies, Programmes and Schemes.

A. Women in National Plans

Various measures for the welfare and benefit of women and women labour are undertaken during different plan periods starting from 1951.

It is not surprising therefore that the First Five Year Plan (1951-56) saw social welfare programmes and measures, that is, institutional orphanages, home for destitute women and girls, craft centre to teach women skills, and nursery schools, with women (and children) identified as the main recipients (along with other deprived groups). The plan made an important distinction between social welfare and social services. While social welfare was directed essentially at children and women, social services in health, housing and education were seen as an investment in betterment of human resources in general.27

There were no philosophical or conceptual changes in the Second Five Year Plan (1956-61) and the welfare approach to Women’s issues persisted along with detailed discussion on the activities of social welfare boards. The plan recognized special needs of women workers such as maternity benefit and crèche
facilities for their children. It also suggested speedy implementation of the principle of equal pay for equal work and provision for training to women in order to enable them to compete for better paid jobs. In general, however, credit facilities for women, their absorption in industries, science and technology were issues that remained largely unattended in the plan.\(^{28}\)

**The Third Plan (1961-68) focused on** expansion of girls education as a strategy for women’s development. Efforts on providing condensed courses for adult women in health, nutrition and family planning continued.\(^{29}\) In this plan period it was observed that one of the industries, namely, beedi industry was growing fast mostly in the unorganised sector, in which women were employed in large numbers. One of the important developments which took place in this plan period was establishment of National Commission on Labour in 1966 by Government of India. The jurisdiction of the Commission was to review the labour laws, industrial relations and working and living conditions of labour. The Commission submitted its report in 1969 and made necessary recommendations with respect to every aspect of labour including problems and working conditions of women labour.\(^{30}\)

**The Fourth Five Year Plan (1969-74)** continued with its emphasis on women’s education. The basic policy was to promote women’s welfare within the family as the basic unit of operation. The outlay on family planning was stepped up and women were seen as the major agency in the implementation of population control measures.\(^{31}\)

**The Fifth Plan (1974-79)** elaborated upon some of the reasons for fewer employment opportunities for women and pointed out that the labour market as it was operating was far from being neutral regarding gender. It also admitted the existence of certain amount of bias against recruitment of women in various operations which further got accentuated by the existing power structure within the traditional families and the communities which prevented women from seeking adequate education and outside employment. The plan also recognised that a relatively smaller proportion of women were in a position to join the labour market for regular full time employment and that most women needed part time employment. To improve the situation, the plan came out with a comprehensive
policy for women’s employment emphasising the need to expand and diversify education and training opportunities available to women.\textsuperscript{32}

During the \textbf{Sixth Plan Period (1980-85)} a variety of programmes were taken up under different sectors of development to ameliorate the working conditions of women and to raise their economic and social status. A separate chapter on “Women and Development” was incorporated in the plan document. The plan emphasised that the women workers would require new skills and that the existing skills need to be up-graded.

The implicit expression of policy relating to women employment was embodied for the first time in Sixth Five Year Plan. While social services, like health services, education etc., are required by all labour, male or female, the employment of female labour would call for special attention towards provision of basic amenities in working and living conditions, such as housing, water supply, hospital and medical services, sanitation etc., provision of care and education for all the children of the family and provisions of alternative employment Schemes for off-season and unemployment periods.\textsuperscript{33}

The \textbf{Seventh Plan (1985-90)} also provided that the women labour has to be given recognition and be provided with the requisite facilities for bringing them into the mainstream of economic growth. In this regard the major tasks highlighted in the plan to were treat them as specific target groups in all rural development programmes, to properly diversify the vocational training facilities for them to suit their varied needs and skills, to provide crèche facilities and family planning centres, to increase women’s participation in trade unions and in decision making and to improve and enlarge the scope of the existing legislation for women workers.

During this plan period effort were made for proper implementation of the Equal Remuneration Act, 1976 and to ensure that women workers are paid wages and prescribed in the Act. Efforts were also made to see that interest of women are adequately protected under the Factories Act, 1948, the Plantation Labour Act, 1951 and the Mines Act of 1952. Emphasis was also placed on the study and identification of factors that hinder women’s employment.\textsuperscript{34}
The Eighth Plan (1992-97) continues to identify certain thrust areas for women’s development. The plan reiterates that the women must be equal participants at par with men in the national development process. In order to increase the visibility and to acknowledge women’s contribution, the plan states that steps will be initiated for identification and registration of women workers. Obstacles will also be removed to expand women’s access and control over resources, better wages and improved access to social security.

The Ninth Plan (1997-2002): The main objective of the Ninth plan is to improve the living conditions of poor and the various disadvantaged sections of the society including women. Various programme for empowerment of women are being undertaken during the plan period.\(^\text{35}\)

The Tenth Five Year Plan (2002-2007) The 10\(^\text{th}\) Five Year Plan has empowerment of women as a focus and also views development of children as the most desirable societal investment with a rights based approach to their development.\(^\text{36}\)

Eleventh Five Year Plan focus on women empowerment and gender justice. The main aim of the recommendations presented to the Commission is to articulate gender equality and gender justice as the central goal of the Eleventh Five Year Plan. An engendered plan would include a gender dimension in all macro policies – fiscal, track, agriculture, industry, infrastructure, labour and employment. This can be achieved by incorporating the specific needs of women and men in policy design, implementation and impact of these policies on them.

On elimination of all forms of violence against women, the presentation said there was inadequate implementation of the existing laws, policies protecting women from violence, female foeticide, trafficking and communal and state violence. Women sought adequate involvement in the process of drafting of new legislations. The definition of work including that in the proposed legislation for providing social security to informal sector workers should be altered to incorporate all working women, and women contributing to family resources into the category of workers the presentation added.\(^\text{37}\)
B. Programmes, Policies and Schemes for Women’s Development

Many development programmes, policies and schemes for the upliftment of women and women labourers have been launched by the governments. Some of them are as follows:

**Mahila Samriddhi Yojana (MSY, 1993)**

**Purpose:** To enable poor women in rural society to exercise greater control over household resources by redressing the gender biases in production.

**Features**
- It is a central sector plan Scheme.
- Operates through rural post-offices
- Encourage women to open MSY accounts in post offices
- The minimum amount for operating an account is Rs. 300.

**Monitoring of Beneficiary Oriented Schemes for Women (BOS)**

**Purpose**
- To monitor the beneficiary Schemes for women and check the progress of their implementation at regular intervals.

**Operational methods**
- Monitoring through half-yearly reports
- Inter-departmental meetings, and
- Evaluation studies

**Women’s Development Corporation, 1986-87**

**Purpose**
- Women’s Development Corporation aims at promoting the development of women entrepreneurs.

**Operational Strategies**
- Provides technical consultancy service
- Facilitate availability of credits
- Promote marketing of products
- Promote and strengthen women’s co-operatives, and
- Arrange training facilities
Information System on Women

Purpose
To develop system in order to set information about women. Women’s Information Network Systems Operate through:

- National information centre
- NICNET and
- DISNIC Networking

Training Package for Women’s Development, 1992

Purpose
To develop training modules for women’s development.

Elements in Training

- Making women aware of the legal rights and contents of law.
- Coordination of policy and programmes related to research.
- Promotion of information networking and dissemination of information regarding women’s issues.

This programme functions in collaboration with Danish International Agency.

Jawahar Rozgar Yojana (JRY, 1989)

Purpose
JRY aims at generating gainful employment for unemployed and underemployed rural women and men by strengthening the rural economic infrastructure.

Features
Target group consists of people below poverty line, especially those belonging to Scheduled Castes, Scheduled Tribes and free bonded labourers:

- 30 percent ensured for women
- Increased accessibility to wages, thus improving the quality of life
- The central government’s fund share is 80 percent, while states spend 20 percent.
Indira Awaas Yojana (1993, 94)

Purpose
The main objective of IAY is to provide free of cost housing facility to people below poverty line, especially to women. It is specifically extends to SC/ST, and freed bonded labourers.

Features
- IAY extends help to people affected by earthquakes or other natural calamities.
- House allotment is made in the name of the women or, at times, it is in joint ownership of husband and wife.\textsuperscript{39}

Integrated Rural Development Programmes (IRDP, 1980)

IRDP is one of the largest self-employment programme. It has been stipulated that at least 40 percent of the beneficiaries should be women, with priority being given to women headed households.\textsuperscript{40}

The target under IRDP consists of small and marginal farmers, agricultural and non-agricultural and freed bonded labourers. Families whose annual income level is Rs. 11000 or less than this is identified as family below poverty line and gets financial assistance under IRDP. The first attention is given to those families who earn 6000 in a year.

Employment Assurance Scheme (EAS, 1993):

Purpose
To provide gainful employment during the lean agricultural season, in manual work, to all able bodied female and male adults in rural areas, who need work. EAS also caters to the creation of economic infrastructure and community assets for promoting employment and development.

Features
- The EAS target group consists of poor needy rural persons who desire work.
- 100 day of employment is provided
- The target group should be in the age group 18-60.
Development of Women and Children in Rural Areas

Objective

To provide self-employment opportunities to women of poor households according to their skill, aptitude and local conditions so as to enable their organized participation in social development and economic self-reliance. There is an indirect aspect to develop poor children.

Eligibility

All women who are living below poverty line in rural areas.

How to Seek Assistance

Eligible women desiring assistance under DWCRA should form a group and approach DRDA through Gram Sevika for starting income generating activities.\(^41\)


The Shramshakti Report, for the first time, highlighted the contribution of the marginalised poor in both urban and rural areas to the growth of the formal economy.

The Commission’s brief covered women in the informal sector, including self-employed and wage labour, paid and unpaid workers and contractual employees. Thus, all poor women workers come within the ambit of the Commission.

Some of the important recommendations made by the Shramshakti Report were women’s work as home-makers must be recognised as social/economic production and the piece rate be so fixed as to enable women workers to earn for 8 hours’ work, wage equal to the time rated minimum wage.\(^42\)

Towards Equality: Report of the Committee on the Status of Women in India

The Government had appointed the Committee on the Status of Women in India in 1971, to undertake a comprehensive examination of all the questions relating to the rights and status of women in the context of changing social and economic conditions in the country and new problems relating to the advancement of women and to suggest further measures which would enable women to play their full and proper role in the building up of the nation.\(^43\) The Committee
submitted its historic Report entitled *Towards Equality: Report of the Committee on the Status of Women in India 1975* brought forth issues of gendered socialization processes inherent in a hierarchical society as well as asymmetrical resource and asset distribution located in the diverse cultural milieu of the country.\(^44\)


In 1988 the National Perspective Plan for Women, 1988-2000 was unveiled. The plan recognized the need to bring women’s concerns into the mainstream. One of the recommendations made by the plan in the field of employment was the expansion of crèche facilities, Employees State Insurance Scheme and Maternity Benefit Act to the Unorganized Sector.\(^45\)

**Rashtriya Mahila Kosh (RMK)**

The National Credit Fund for Women is an innovative mechanism for reaching credit to poor women. Through access to credit, it aims to raise the capacity of women by enhancing through productivity and economic self-reliance. It encourages formation of Self Help Groups for promotion of thrift and credit leading to income generation activities. Self-Help Groups have emerged as one of the major strategies in group formation and various Schemes of the Government of India have shown that strong women’s group could contribute substantially to the development and convergence of services and activities.\(^46\)

**National Commission for Women 1992**

The National Commission for Women was set up as a statutory body in January 1992. This works as an ombudsman for safeguarding the rights and interests of women in India. The Commission pursues its mandated activities, namely review of laws, interventions into specific individual complaints of atrocities and remedial action to safeguard the interests of women. The Commission has accorded highest priority to securing speedy justice to women.\(^47\)

**Mahila Samakhya (Education for Women’s Equality)**

To create awareness among girls and women, a Scheme called Mahila Samakhya was launched in 1987 as result of 1986 policy. The Scheme seeks to bring about a change in women’s perception about themselves and the society.
The movement works through ‘Mahila Sangha’ and ‘Mahila Smooh’. It tells the girls and their mothers their rights to education and opportunities for development, right to immunization against deadly diseases, about health facilities and their treatment, importance of good nutrition, right to birth registration, right to protection against sexual and economic exploitation neglect, mal-treatment trafficking and other abuses.48

Didi Bank

‘Didi Bank’ is a Scheme in banking where banks are run all by girls and women.49

Jago Bahna

‘Jago Bahna’ has created awakening among women to protect the rights of their girls.50

Rajiv Gandhi National Crèche Scheme for the Children of Working Mothers

The Scheme has come in force from 1st January 2006 in lieu of the Scheme of Assistance to Voluntary Organisations for Creches/Day Centre for the Children of Working / Ailing mothers and the National Creche Fund Scheme (NCF). It envisages setting up of 7000 new crèches during the period from 1st January to 31st March, 2006. The financial norms stand revised from Rs. 18,480/- to Rs. 42,384/- per crèche per annum. The income eligibility limit of family income of the parents has been enhanced from Rs. 1,800 to Rs. 12,000 per month. A component of training and monitoring has also been built into the Scheme. The Scheme will be implemented by the Control Social Welfare Board and two national level voluntary organisations, namely Bhartiya Adim Jafsi Sevak Sangh and Indian Council for Child Welfare. It will benefit additionally 3.68 lakh children during next two years. The crèches already running under NCF would be further funded by CSWB till their completion of 5 years.51

Condensed Courses of Education for Women

The Scheme of condensed courses has been successfully implemented through voluntary organisations owing to its flexible approach and adaptability to local situations. The Schemes for adult education and non-formal education were in infancy when the Scheme of condensed course of education for women reached the remotest and farthest areas of the country like Arunachal Pradesh, Nagaland,
Andaman and Nicobar Islands and Lakshadweep. The Scheme, combined with vocational training and skill-development upgradation, created a cadre of skilled and semi-skilled women workers of the grassroots level over the years. Through initiated in 1958 its need and relevance is felt even today.

Keeping in view the objectives of the National Policy on Education, the Central Social Welfare Board had reviewed and revamped its Scheme of Condensed Course of Education for women with following broad and specific objectives:

**Broad Objectives**

To provide educational qualifications and relevant skills to women in order to become eligible for identifiable remunerative work opportunities.

**Specific Objectives**

The main thrust of the Scheme is to provide educational opportunities to girls and women above the age of 15 years, who had to discontinue school education or who could not join mainstream education system due to their adverse family circumstances or other constraints. Skill up-gradation is an integral part of the Scheme to ensure her participation in income generation activities. The main focus of the Scheme has been to ensure that contents of the courses are need-based modified according to local requirement and simultaneously targeting towards various stages of the educational levels.52

**Short Stay Homes for Women and Girls**

The Scheme for short stay homes for distressed women was initiated by the Government of India in 1969. Short Stay Homes are residential institutions which provide accommodation, shelter and support services to women in distress, women who are victims of social discrimination, domestic violence, exploitation, physical and mental torture, divorced, deserted or in moral danger. The very name indicates that they are places with a home like environment, where women in need can avail accommodation, food counseling, vocational training and other services required for their rehabilitation and re-entry into the family or community after a period of about one to three years.53

**The Swa Shakti Vision**

The Swa Shakti vision focus on
- Increased self-esteem and autonomy
- Ability to articulate needs, make demands and enforce rights both as an individual and in groups
- Increased access to and control over economic and social resources and the political processes
- Improved quality of life
- Participation in planning and decision-making processes at family and community levels.
- Increased capacity of partner organisations and adoption of improved financial and managerial practices by them for dealing with socially meaningful projects.
- An international model in social development.  

**National Maternity Benefit Scheme**

The Government of India started this Scheme on 15th August, 1997 with the objective to improve the nutritional status of the mother. Under this Scheme, the mother is paid Rs. 500/- before the birth of a child to meet her nutritional requirements.

**Ladli Social Security Pension Scheme**

The government has launched an innovative Scheme called “Ladli”, a term of endearment for the child in northern India. Under the Scheme, on the birth of a second girl child on or after August 20, 2005, the mother as well as the new-born girl child would get an incentive of Rs. 5,000 a year for a span of five years.

Under the Ladli Social Security Scheme, parents who are left to fend for themselves, after the marriage of their daughters would receive a monthly pension of Rs. 300 from their 55th year until their 60th birthday. After this, they would benefit under the old age allowance Scheme. This Scheme is applicable to all sections of society but either of the parents should be a Haryanvi.

**Janani Suvidha Yojana**

The government has initiated a maternal benefit Scheme called Janani Suvidha Yojana for pregnant women in urban slums. They would get pre-delivery services through prepaid vouchers. Free delivery services and immunization
services for infants will be provided by doctors or nursing homes who are on the government’s panel. A ‘Sakhi’ will act as a link between the women and the doctors. She will be paid an honorarium for her services and the State Government will bear the expenses of the prepaid vouchers used by the women. A Scheme worth Rs. 239.52 crores has been prepared for the construction of individual and community toilets for women. This is mainly for families below the poverty line.56

**Janani Suraksha Yojana**

Janani Suraksha Yojana has been launched from April 2005. Janani Suraksha Yojana (JSY) is being proposed by way of modifying the existing National Maternity Benefit Scheme (NMBS). While NMBS is linked to provision of better diet for pregnant women from BPL families, JSY integrates the cash assistance with antenatal care during the pregnancy period, institutional care during delivery and immediate post-partum period in a health centre by establishing a system of coordinated care by field level health worker. The JSY would be a 100% centrally sponsored Scheme.57

It aims at reducing maternal and infant mortality by increasing the number of institutional deliveries among women from families living below the poverty line. The Scheme would benefit women over the age of 19. It aims mainly at encouraging institutional childbirth, providing health care to women during and after delivery, providing them transport facility and checking mother – infant mortality rates.

Under this Scheme, rural women below the poverty line would get Rs. 500 at the time of delivery. In case the delivery is conducted a health centre, government or private, an additional financial assistance of Rs. 200 would be given. In case a women undergoes laparoscopy or tubectomy soon after being hospitalised, Rs. 150 would be provided to her under the family planning Scheme.58

**Target Group**

The pregnant woman belonging to the below poverty line households and

- Of the age of 19 year or above
- Up to two live births59
**Apni Beti, Apna Dhan’ Scheme**

The ‘Apni Beti Apna Dhan’ was first started in the State Haryana on 2\textsuperscript{nd} October 1994 with the objective to raise the status of a girl child in the society. It attempts to improve the status of mother in the family who delivers a girls child. Under the Scheme the mother is paid Rs. 500/- to meet out her nutritional requirements and an amount of Rs. 2500/- is invested in IVPs in the name of the new born baby. This amount grows to Rs. 25,000 when the girl is 18. The amount can be used to meet her marriage expenses or higher education expenses. An indirect benefit of investing this amount for 18 years is that the early marriage attitude is checked to a considerable extent.

For improving the status of the girl child in the families living below poverty line in the city, the Chandigarh Administration has chalked out “**Apni Beti Apna Dhan Scheme-2005**” under which Rs. 5000 shall be deposited in the name of the girl child on her birth in the children career plan, which will be payable after the girl completes the age of 18 years. The Scheme shall come into force from April 1.\textsuperscript{60}

**Balika Smariddhi Yojana**

The Government of India started this Scheme on 15\textsuperscript{th} August, 1997 with the objective to raise the status of a girl child in the family and society. It attempts to improve the status of mother in the family who delivers a girl child. Under the Scheme the mother is paid Rs. 500/- on the birth of a girl child to meet out her nutritional requirements as a first installment.

**Beneficiary**

Families living below poverty line provided the new baby is 2\textsuperscript{nd} girl child in the family.\textsuperscript{61}

**National Policy for the Empowerment of Women 2001**

**Goal and Objectives**

The goal of this policy is to bring about the advancement development and empowerment of women. The policy will be widely disseminated so as to encourage active participation of all stakeholders for achieving its goals. Specifically the objective of this policy include:
(i) The *de jure* and *de facto* enjoyment of all human rights and fundamental freedom by women on equal basis with men in all spheres – political, economic, social, cultural and civil.

(ii) Equal access to women to health care, quality education at all level, career and vocational guidance, employment, equal remuneration, occupational health and safety, social security and public office etc.

(iii) Strengthening legal systems aimed at elimination of all forms of discrimination against women.

(iv) Elimination of discrimination and all forms of violence against women and the girl child.62

**Nutrition Programme for Adolescent Girls (NPAG)**

To address the problem of under-nutrition among adolescents girls and pregnant women and lactating mothers, the Planning Commission, in the year 2002-03, launched the Nutrition Programme for Adolescent Girls, on a Pilot Project basis in 51 districts in the country. Under this Scheme, 6 kg of food grains were given to under nourished adolescent girls, pregnant women and locating mothers. Eligibility was determined on the basis of their weight. The pilot project was continued in the year 2003-2004 also. It however, could not be continued in the year 2004-2005. The Government approved the implementation of NPAG, through the Department of Women and Child Development, in 51 backward districts identified by the Planning Commission in the year 2005-06 to provide 6 kg of free foot-grains to under-nourished adolescent girls only (pregnant women and lactating mothers are not covered as these are targeted under ICDS). The Scheme is being continued for the Annual Plan 2006-07 on pilot project basis. The funds are given as 100% grant to states/UTs so that they can provide food grains through the Public Distribution System free of cost to the families of identified undernourished person.

**Target Group:** Adolescent girls (11-19 years) (weight <35 kg).

**Services**

(i) 6 kg of free food grains (wheat/rice/maize based on habitual consumption pattern of the State) / per month per beneficiary.

(ii) Nutrition and health education to the beneficiaries and their families.63
Scheme of Assistance for the Construction/Expansion of Hostel Building for Working Women with a Day Care Centre

The Government of India having appreciated the difficulties faced by working women and have decided to introduce a Scheme for grant-in-aid for construction of new/expansion of existing building for providing hostel facilities to working women in cities, smaller towns and also in rural areas. So for that purpose this Scheme has been proposed.

Objectives

Proposal for construction of hostel should be made for one or more than one of the following objectives:

(i) To provide accommodation for single working women, unmarried, widows, divorced, separated, married when husband is out of town.

(ii) To provide accommodation to women who are being trained for employment provided the training period does not exceed one year. The number of working women falling in this category should not be more than 30% of the total number of women in the hostel.

Income Limit

Working women will be entitled to hostel facilities provided her income does not exceed Rs. 16,000/- consolidated (gross) per month in a class ‘A’ city or Rs. 15,000/- consolidated (gross) per month in any other city/town/place. When the income of working woman exceeds the prescribed limits she will have to leave the hostel within a period of six months of crossing the income ceiling.64

Indira Mahila Yojana

Indira Mahila Yojana, is centrally sponsored Scheme and was launched on 20.08.1995.

Objective

(i) To generate awareness among women by disseminating information and knowledge, so as to bring about an attitudinal change.

(ii) To establish convergence of various services such as literary, health, non-formal education, rural development, water supply, entrepreneurship etc.
The major thrust of the Indira Mahila Yojana is on formation of self help groups of women in villages or at Anganwadi level and to encourage thrift and savings activities.\(^6\)

**Support to Training and Employment Programme for Women (STEP)**

The STEP programme aims to increase the self-reliance and autonomy of women by enhancing their productivity and enabling them to take up income generation activities. It provides training for skill upgradation to poor and assetless woman in the traditional sectors, viz. agriculture, animal husbandry, dairying, fisheries, handlooms, handicrafts, khadi and village industries, sericulture, social forestry and wasteland development.

**Target Group / Beneficiaries**

The target group to be covered under the STEP Programme includes marginalised, assetless, rural women and the urban poor. This includes wage labourers, unpaid daily workers, female headed households, migrant labourers, tribal and others dispossessed groups, with special focus on SC/ST households and families below the poverty line.\(^6\)

**Swadhar – A Scheme for Women in Difficult Circumstances**

‘Swadhar’ Scheme has been designed with a more flexible and innovative approach to cater to the requirement of various types of women in distress in diverse situations under different conditions. The Swadhar Scheme purports to address the specific vulnerability of each of group of women in difficult circumstances through a home-based holistic and integrated approach.

**Objectives**

The following shall be the objectives of the Scheme:

(i) To provide primary need of shelter, food, clothing and care to the marginalized women/girls living in difficult circumstances who are without any social and economic support.

(ii) To provide emotional support and counseling to such women.

(iii) To arrange for specific clinical, legal and other support for women/girls in need of those intervention by linking and networking with other organisations in both Govt. and non Govt. sector on case to case basis.
(iv) To provide such other services as will be required for the support and rehabilitation to such women in distress.

The target group beneficiaries of the Scheme are widows, destitute and deserted women, women ex-prisoners, victims of sexual abuse and crimes, including those trafficked and rescued from brothels, migrant or refugee women who have been rendered homeless due to natural calamities like flood, cyclone, earthquake, mentally challenged women, women victims of terrorist violence etc.67

Swayamsidha (IWEP)

In this Scheme Indira Mahila Yojana recast and Mahila Samriddhi Yojana merged. It is an integrated Scheme for women’s empowerment, based on the formation of women into self-help Groups.

Vision

To develop empowered women who will
- Demand their rights from family, community and government
- Have increased access to, and control over, material, social and political resources
- Have enhanced awareness and improved skills.

Objectives

With the long-term objective being the all-round empowerment of women, especially socially and economically, by ensuring their direct access to, and control over, resources through a sustained process of mobilization and convergence of all the on-going sectoral programmes, the immediate objectives are as below:
- Establishment of self-reliant women’s self-help Groups
- Creation of confidence and awareness among members of SHGs regarding women’s status, health, nutrition, education, sanitation and hygiene, legal rights, economic upliftment and other social, economic and political issues.
- Convergence of different agencies for women’s empowerment and integrated projects accessing delivery of different Schemes from a single window.68
**Stri Shakti Scheme**

The Punjab Government in 2007 launched the ‘Mai Bhago Stri Shakti Scheme’ for uplifting the socio-economic standards of women in the State. Cooperative Minister Capt Kanwaljit Singh inaugurated the Scheme on the occasion of 54th All India Cooperative Week Celebrations held here. He said the State Government was committed to empowerment of women. In this Scheme the village primary cooperative agriculture service society would act as the leader in empowering women by opening training centres, offices and providing work for them.69

**Delhi Ladli Scheme – 2008**

“Delhi Ladli Scheme 2008” introduced for the protection of the girl child, would be applicable from the new academic year. The Scheme is aimed at enhancing the social status of the girl child in society as well as in the family, ensuring proper education to make the girl child self-reliant, ensuring her economic security and protecting her from discrimination and deprivation.70

From the foregoing discussion, it is clear that in order to protect and safeguard the interests of women in general and women workers in particular different measures have been undertaken under Five Year Plans, Development Programmes, Policies and Schemes. But, the performance of the Development Programmes, Policies and Schemes launched by the Government has been poor due to several reasons, one of the main reason is the lack of effective planning and co-ordination not only between the Central and State Governments but also between various ministries and departments of the central government and also with field level implementing agencies. Another reason for the poor performance of these programmes is the lack of awareness amongst targeted groups about the Schemes.

So, there are certain mechanism which could become the stepping stone towards effective implementation of development programmes, plans policies and Schemes. It has been observed that there have been serious gaps in information as far as the rural women are concerned. Rural women are totally unaware about many of the programmes available for them. To combat this problem, one can build channels of information, such as creating information network centre at each
panchayat of district of every State. These centres may include radio, television, pamphlets containing information about various welfare programmes.

Another essential mechanism for improving the efficiency of the welfare programmes is education. It may help women to use their rights. Beside this Rural People’s participation in processes of planning, execution, implementation and evaluation of the development programmes is the most essential requirement.

These may ensure the success of welfare programmes floated by the government to a great extent.
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