Chapter V

Provisions for Women Agricultural Labourers in Wage Legislation
PROVISIONS FOR WOMEN AGRICULTURAL LABOURERS IN WAGE LEGISLATION

Women have played a crucial role in the socio-economic development of a country. However, in India and its states, women have been subjected to growing inequalities as a result of discriminatory socio-economic practices. The situation was worse in the case of rural women working in agriculture sector. Women labourers in agriculture sector of Uttar Pradesh were not only got pushed into low wage jobs but they were even paid much lower remuneration than their male counterparts. The minimum wage legislations merely existed on paper for women as in real terms they received unequal wages compared to men.

In agriculture sector, women in general take up specific jobs which were not usually accepted or liked by male workers. It showed a tendency of discrimination towards women workers in the system of job segregation amongst agricultural labour force. For instance, the heavy and skilled tasks such as land preparation and ploughing were carried out by men only. While some tasks like weeding, watering and other lighter form of field work were carried out by women (Sen, 1999; Prakash, 2003; National Commission, 1988; Joekes, 1987; Punia, 1992; Saksena, 2004). Such job segregation had several consequences. It created a disparity in wage rates between male and female agricultural workers. The
reservation of high prestige and high wage jobs for men and low prestige and low wage jobs for women labourers in agriculture sector was continuously practiced. Such disparity and gender bias compromised with the bargaining power of women workers and reduced them to the state of marginal, irregular oppressed and unorganized labour class. This unorganized nature of women’s work pattern in agricultural sector also restricted the wage laws to operate effectively and did not provide equal wages to them in this sector. Hence the agricultural women labourers constituted the most exploited segment of labourers and their level of employment and wages remained significantly low as compared to those of men in the agricultural labour market.

5.1 Defining Wages

According to the first report of the United Provinces’ Labour Enquiry Committee (1948), the term “wages” was defined as, “contract income, fixed or settled, as between employers and employees, where the latter sell labour power in lieu of money or goods or both”.

Section 2 (h) of the Minimum Wages Act, 1948 defined ‘wages’ as, “all remuneration, capable of being expressed in terms of money, which would, if the terms of the contract of employment, express or implied, were fulfilled, be payable to a person employed in respect of his employment or of work done in such employment”.
Later the general report of the Labour Bureau (1959), defined ‘wages’ as, “remuneration for labour, and include payment in cash or kind and accordingly to the time-rate or piece-rate, or a combination of both these system of payments”.

Under the Equal Remuneration Act, 1976, ‘remuneration’ was defined as, “the basic wage or salary, and any additional employments whatsoever payable, either in cash or in kind, to a person employed in respect of employment or work done in such employment, express or implied, were fulfilled”.

5.2 Gender Disparity in Wages

Although a marked disparity between the wages of men and women agricultural labourers existed, the official statistics for wages before independence however, did not give separate wages of male and female agricultural labourers. Moreover, the Prices and Wage series of India, 1908 also gave no information about the wages of women agricultural labourers. It was only the Official Gazetteers of the United Provinces that provided some information about the wages paid to women labourers.

Atkinson (1879) has given the rate of money wages paid by time of two annas per day for men and a quarter less for women agricultural labourers for reaping operation. Nevill (1907 b) has stated that women
agricultural labourers were paid two-thirds of a man’s wage. Brockman (1911) also stated that in agriculture women were remunerated at a smaller rate than the men. Sometimes the wages were given in cash along with food for a day. Men used to get money along with food whereas women were not provided with food since it was presumed that they cooked the food for the household.

Even after Independence men and women agricultural labourers continued to receive unequal wages, with men receiving higher wages than women. Although women were more efficient and were largely employed in certain agricultural activities such as cotton picking, rice pounding, weeding, etc., they were paid lower rates of wages than men (GOI, 1951). However, the general report of the Occupational Wage Survey (1958-59) stated that, “Where employment is on piece-rates or where the work done by men and women is demonstrably identical no differentiation should be made between men and women workers regarding the wages payable” (Labour Bureau, 1959).

Still there existed gender based inequality in agricultural wages. In order to recognise the need for sound data base during early years of independence the Government of India conducted the first Agricultural Labour Enquiry (ALE) in 1950-51, followed by the second Enquiry in 1956-57. Thereafter, the scope of the subsequent enquiries was extended
to cover all rural labour households. Hence, the third enquiry in the series known as the first Rural Labour Enquiry (RLE) was conducted in 1963-65 followed by seven successive enquiries in 1974-75, 1977-78, 1983, 1987-88, 1993-94, 1999-2000 and 2004-2005. It was revealed that, with every successive Rural Labour Enquiry the difference between the average daily earnings of men and women had widened. During the First RLE the average daily wages of men were Rs 1.43 and for women they were only 0.95 paise. By 2004-2005 male agricultural labourers received Rs 47.53 while women received Rs 33.4 as their daily wages (Fig. 10).

Figure 10. Average Daily Earnings of Male and Female Agricultural Labourers in India during 1963-65 to 2004-05 (In Rs)

As far as money wages paid to agricultural labourers were concerned, the GOI (1951) found that gender disparity in daily wages remained across all the states. In Uttar Pradesh the wages paid to men for
sowing were 1 rupee, 3 anna and 4 paisa while the women agricultural labourers received only 13 anna and 1 paisa respectively for performing the same agricultural operation. Difference also existed in wages paid for weeding, where males received 1 rupee, 2 anna and 1 paisa while the female labourers received only 11 anna and 11 paisa for the same weeding operations (Table 3). In the major states like Delhi, West Bengal, Bombay, Madras and Uttar Pradesh, the wages of female agricultural labourers were lower than that of male agricultural labourers.

Table 3. Daily wages for Male and Female Agricultural Labourers in major States of India, 1949-50

<table>
<thead>
<tr>
<th>S.No</th>
<th>States</th>
<th>Men</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Sowing</td>
<td>Weeding</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rs. A. P.</td>
<td>Rs. A. P.</td>
</tr>
<tr>
<td>1.</td>
<td>Uttar Pradesh</td>
<td>1 3 4</td>
<td>1 2 1</td>
</tr>
<tr>
<td>2.</td>
<td>Delhi</td>
<td>1 14 8</td>
<td>1 14 0</td>
</tr>
<tr>
<td>3.</td>
<td>West Bengal</td>
<td>1 10 2</td>
<td>1 9 4</td>
</tr>
<tr>
<td>4.</td>
<td>Bombay</td>
<td>1 1 5</td>
<td>0 14 3</td>
</tr>
<tr>
<td>5.</td>
<td>Madras</td>
<td>0 14 8</td>
<td>0 13 8</td>
</tr>
</tbody>
</table>

Source: GOI. (1951). The Indian Labour Year Book 1949-50, Table CXXXVI, p. 333.
Note: Rs- Rupia, A- anna, P- paisa

Wages for ploughing were however not included in this study as only men performed this specific agricultural operation. Ploughing continues to be the highest paid and male centered agricultural activity (Sen, 1999; Prakash, 2003).
Women agricultural labourers not only got unequal wages but also received wages below the minimum level of wages defined by Central & State governments under the minimum wage legislations. They were the worst affected unorganized labourers in the agriculture sector. The wage policy for the unorganized sector secured mainly through the Minimum Wages Act, 1948 was oriented towards providing need based Minimum Wages. The Constitution of India accepted the responsibility of the state with the view to create an economic order in which every citizen received a fair wage by enacting the Minimum Wages Act, 1948 (GOI, 2011).

5.3 The Minimum Wages Act, 1948

The Minimum Wages Act, 1948 was the only statutory legislation which ensured minimum wages to workers in agriculture and worked as a protection law against exploitation by the employers. The concept of Minimum Wages was first given by the Indian Labour Organization in 1928 in order to provide minimum benchmarks of wages in those industries where the level of wages were substantially low and labour was vulnerable to exploitation, and not well organized and thus lacked effective bargaining power.

Passed by the Indian Dominion Legislature, the Minimum Wage Bill came into force on 15\(^{th}\) March, 1948. As per the Act both the State and Central governments were responsible for fixing and revising the
minimum rates of wages for employment covered under the Act. This Act also stated that, the employment in agriculture included any form of farming; it comprised cultivation and tilling of the soil, dairy farming, production cultivation, growing and harvesting of any agricultural or horticultural commodity, raising of live-stock, bees or poultry, and any practice performed by the farmer or on a farm as incidental to or in conjunction with farm operations. The Minimum Wages Act, 1948 was one of the most important wage related laws enacted after Independence. Under the Act both State and Central Governments were appropriate authorities for fixing the minimum rates of wages for the labourers.

"Wages in the organized sector are determined through negotiations and settlements between employer and employees. In unorganized sector, where labour is vulnerable to exploitation, due to illiteracy and lack of effective bargaining power, minimum rates of wages are fixed/ revised both by Central and State Governments in the scheduled employments falling under their respective jurisdictions under the provisions of the Minimum Wages Act, 1948" (ILO, 2006).

In Uttar Pradesh the Minimum Wages Act, 1948 was implemented in 1954. According to the report of the National Commission on Agriculture (1976) in U.P. the minimum wage fixed for unskilled workers in agriculture sector was Rs 1.00 during the year 1954. The Minimum
Wages Act, 1948 gave full powers to the State Governments for fixing minimum rates of wages according to:

i) Different scheduled employment;

ii) Different classes of work in the same scheduled employment;

iii) Adults, adolescents, children and apprentices; and

iv) Different localities.

The Minimum Wages Act, 1948 also stated that wages payable under the Act were to be paid in cash. But in case of agricultural operations, payments could be made partly in cash and partly in kind. It was important to note that the value of the payment in kind should be equal to the value of wages in cash. If the wages of agricultural workers were given in the form of grains then the total value of the non-cash remuneration must, when added to the cash payment, add up to at least the minimum wage (Saksena, 2004).

The Minimum wages were supposed to be revised periodically at an interval of maximum 5 years. The Minimum Wages Act, 1948 specified that reviews/revisions of minimum wages in the scheduled 16 employments were to be undertaken at intervals not exceeding five years. The National Commission on Labour (1969) recommended that this period should be reduced to two years. At the 31st Session of the Labour
Ministers' Conference held in July, 1980, it was concluded that minimum rates of wages must be reviewed and revised if necessary, within a period of not exceeding two years or on rise of 50 points in the Consumer Price Index Number, whichever was earlier. An amendment proposal to provide for revision of minimum wages every two years where the minimum wage was not linked to Consumer Price Index was under consideration of the Government (ibid).

5.4 **Regional Disparity in Wages**

The other most serious and discriminating problem faced by women in India was the wide disparity in agricultural wages not only across different states but also across different districts in the states. In Uttar Pradesh too there was disparity in agricultural wages among female labourers. There was no standard wage rate fixed by the government which would ensure equitable distribution of wages to women across the districts, for performing similar agricultural operations.

According to the Agricultural wages of India (1960-61) money wages were as low as Rs 0.66 (Fig. 11) in Varanasi, which was largely an urban and industrialized district. With majority of working population engaged in secondary and tertiary sectors. While the money wages of women were found to be higher in less industrialized districts where most of the working population was employed in agriculture sector viz.
Faizabad (Rs 1.19), Jhansi (Rs 1.25) and Gorakhpur (Rs 1.00) (Fig. 11). However district Allahabad was an exception as despite a large percentage of labour force being employed in agriculture sector, the wages were even lower than those of Varanasi district i.e., Rs 0.62.

**Figure 11. Daily Money Wages for Female Labourers in Uttar Pradesh for Sowing Operation during 1960-61**

<table>
<thead>
<tr>
<th>Districts</th>
<th>Daily Wages in Rupees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allahabad</td>
<td>0.62</td>
</tr>
<tr>
<td>Faizabad</td>
<td>1.19</td>
</tr>
<tr>
<td>Jhansi</td>
<td>1.25</td>
</tr>
<tr>
<td>Varanasi</td>
<td>0.66</td>
</tr>
<tr>
<td>Gorakhpur</td>
<td>1.00</td>
</tr>
</tbody>
</table>


Note: the values were only available for Allahabad, Jhansi, Varanasi, Faizabad and Gorakhpur districts.

This showed that wages varied not only between highly industrialized and less industrialized districts but also among districts with similar economic structure. It was also found that in all the districts money wages received by women agricultural labourers were below the prescribed minimum wage level, which was Rs 1.50 to 1.80 in 1961 (GOI, 1976).

The Minimum Wages Act, 1948 only provided a mechanism for fixing and revising minimum rates of wages but did not give any
guidelines for fixing the minimum wages (National Commission, 1988). The wages were not fixed according to the specific agricultural operations. And a standard wage rate was fixed for the unskilled agricultural labourers separately, without prescribing rates for different agricultural operations like sowing, weeding, reaping, transplanting, etc.

The payment of wages particularly in respect of agriculture could be made partly in cash and partly in kind in the form of food grains, with specific option of the worker concerned to receive part of the wages in kind. It was observed that women received better and higher wages when paid in kind than when wages were paid in cash (Fig. 12).

In Varanasi the wages when paid in kind for reaping were equivalent to Rs 1.12 while the money wages for sowing were Rs 0.66 (Fig 10). The highest wage for performing reaping operation was Rs 3.75 (in Meerut), which was even above the minimum wage (Fig. 12).

Regional wage differences among female labourers existed not only in money wages but also at the time of payment made in kind for a particular operation. They differed from one district to another when the wages were paid in kind.
The Shramshakti Report (1988) emphasized the need for ensuring correct quantities and right quality of wage distribution in kind. It was further stated that the food grains should be valued at the wholesale prices in the nearest mandi or the subsidized prices at which these are supplied in programmes like ‘Food for Work’. While fixing the minimum wages, the basic minimum needs of the workers and his/her family for sustenance should be kept in view so as to enable him/her at least to cross the poverty line.

However the existing variations in the agricultural wages for carrying out sowing and reaping operations showed that the Planning Commission guidelines were not followed and the employers fixed the rates of women’s wage rates according to their own choice. This
indicated that women faced discriminatory practices where employers treated female agricultural labourers differently (Singh, 1996). Since women were vulnerable and lacked appropriate knowledge about the wages fixed by government, they were exploited by such employers. Hence the Minimum Wages Act, 1948 failed to provide sufficient wages to women agricultural labourers.

**Figure 13. Daily Agricultural Wages of Female Harvesters in Allahabad in March, 1972**

Female wage differences were found, not only in all the districts but also among different centers of a district. For example during 1971-72, the daily wages for women harvesters in the month of March were uneven in all the four different centers in Allahabad district (Fig. 13). The wages of female workers were also not similar across regions. This showed that the Minimum Wages Act, 1948, provided a disproportionate
wage rate among female agricultural labourers from one region to another.

5.5 Gender Division in Wages

The Minimum Wages Act, 1948 failed as a wage protection mechanism as it did not provide equal wages to men and women and also failed to provide a uniform wage rate among women labourers across different regions of U.P. According to Roy (2008) the data for wages paid to agricultural labourers during 1970s revealed that only male agricultural labourers in Western Uttar Pradesh received notified minimum wages. The female agricultural labourers however, did not receive remuneration as per the notified minimum wages. This was because of the fact that women were treated mainly as subordinate helpers or labourers (National Commission, 1988; Kansara, 1995). Moreover, the U.P. government was unfair in fixing the Minimum Wage rates by discriminating against women (GOI, 1974).

Table 4 gives the maximum and minimum wages of men and women for similar agriculture operations in Uttar Pradesh. Apart from the difference in wages for the same jobs, discrimination against women was also demonstrated by the fact that they were frequently engaged in traditionally lower ranking jobs, viz. sowing, weeding, transplanting, winnowing and threshing against ploughing which was done mostly by
men (ibid). Thus men received more wages as their jobs were graded higher in agriculture (Kelkar, 1995).

**Table 4. Agricultural Wages of Male and Female Workers in Uttar Pradesh (1971)**

<table>
<thead>
<tr>
<th></th>
<th>Sowers</th>
<th>Weeders</th>
<th>Reapers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Men</td>
<td>Women</td>
<td>Men</td>
</tr>
<tr>
<td>Maximum</td>
<td>66.56</td>
<td>47.70</td>
<td>60</td>
</tr>
<tr>
<td>Minimum</td>
<td>11.27</td>
<td>9.75</td>
<td>11.23</td>
</tr>
</tbody>
</table>


Note: Values in Rupees.

The disparity among the wages of male and female workers increased from 1970-71 to 1974-75 (Fig 14). This was also because there was no check on the wages paid by employers. Although, the Minimum Wages Act, 1948 imposed penalties under its section 22 but, very little information was available about the penalties given to employers who did not obey the rules. Hence the mechanism for fixation and enforcement of minimum wages was not successful.

The National Commission on labour also criticized the inadequate implementation of the Minimum Wages Act, 1948. According to the Commission the reason for this, was poverty and illiteracy of agricultural labourers, the casual nature of their employment and their ignorance of
the law, all of which applied particularly to women (GOI, 1974). Women agricultural labourers were illiterate and unskilled and therefore had no alternative employment opportunities.

**Figure 14. Trends in Money Wage Rates of Male and Female Agricultural Labourers in Uttar Pradesh from 1970-71 to 1974-75**

![Graph showing wage trends](image)

Source: Data for the figure has been taken from Jose, A. V. (1988) Economic and Political Weekly, Vol. 23, No. 26 (Jun. 25, 1988), Agricultural Wages in India. Table 3B and 4B

These unorganized women worked for longer hours without any guarantee of six days of full employment in a week due to seasonality of agricultural work. They were forced to accept low wages as they had no alternatives and would otherwise starve (Ranadive, 1976). The wages of agricultural labourers were not revised regularly and realistically under the Minimum Wages Act, 1948. Even where the state governments revised them, they were not implemented properly because of the unorganized nature of agricultural work (Pandey, 1977).
5.6 Equal Remuneration Act, 1976

The Indian Labour Organization passed a Convention in 1951, called “Equal Remuneration Convention” (No.100), the full title of which was “Equal Remuneration for Men and Women Workers for Work for Equal Value”. In view of this convention and in order to implement the guidelines of the Directive Principle of equal pay for equal work, Article 39(d) and Article 14 of the Constitution of India, the Equal Remuneration Ordinance was propagated in 1975. The ordinance was subsequently replaced by the Equal remuneration Act, 1976 (Saksena, 2004). The preamble of the Act stated that, the Equal Remuneration Act, 1976 was intended to provide equal payment to men and women workers. It was designed to prevent discrimination on the ground of sex, against women in matter of employment.

This Act imposed a statutory obligation on the employer to prevent discrimination against women in terms of payment of remuneration to them. It also ensured equality in respect of terms and conditions of women’s employment in comparison to their male counterparts. The fundamental principle behind the Equal Remuneration Act was that men and women doing similar work must get equal wages.

According to this Act, “same work or similar work” indicated that work in respect of which the skills, efforts, and responsibility required
were the same, when performed under similar working conditions by a man or a woman and the differences, if any, between the skills, efforts and responsibility required of a man and those required of a woman are not of practical importance in relation to the terms and conditions of employment (Section 2, h). The Equal Remuneration Act, 1976 was applicable in the entire country. The list of classes of employment listed in the schedule under this Act was extensive and included industries from the formal and informal sectors. The provisions of the Equal Remuneration Act, 1976, were also extended to agriculture (Mediratta, 2009).

This Act also laid down that, no employer would pay any worker a remuneration, whether payable in cash or kind, rates less favorable than those at which remuneration was paid by him to the worker of the opposite sex for performing the same work or work of similar nature (Section 2, g). The Equal Remuneration Act, 1976 did not cover self-employed workers like unpaid women workers in farming, households and in the unorganized sectors in large number.

Till 1975, there was no specific legal provision mandating payment of equal wages to women even though discrimination against women in the payment of wages was widespread. Such discrimination was practiced not only by the private employers but also practiced by the state as well,
although the State made various provisions for providing equal wages to males and females for doing similar operations in agriculture.

Thus in practice these laws proved ineffective because even after the commencement of the Equal Remuneration Act, 1976 the female agricultural labourers still faced wage discrimination in Uttar Pradesh. Moreover the National Commission on Labour had found that in agriculture, where women were largely employed some state governments had been fixing differential wage rates. The Agricultural wages in India showed that despite the Wage Laws, gender based wage discrimination kept on increasing in Uttar Pradesh (Fig. 15).

**Figure 15. Trends in Money Wage Rates of Male and Female Agricultural Labourers in Uttar Pradesh from 1976-77 to 1984-85**

Source: Data for the figure has been taken from A.V. Jose, Economic and Political Weekly, Vol.23, No.26 (Jun.25, 1988) Agricultural Wages in India. Table 3B and 4B

Kelkar (1995) conducted a study on the wages of agricultural labourers in district Etawah and found that in the villages the female
labourers generally received wages one third less than male labourers. Although with every passing year the wages of agricultural labourers increased, but they were always unequally distributed among male and female labourers. For example, the Agricultural Wages of India (2001-02) that gave the daily wage rates for agricultural occupations in the agricultural year July 2001 to June 2002 indicated that lower wages were being paid to women labourers as compared to men (Fig. 16).

Wages received by women for sowing and weeding operations were Rs 48.1 and Rs 45.82 respectively and were less than the wages received by males for same activities viz. Rs 57.78 and Rs 56.85 respectively. Also the minimum rates of wages were unequal as women received as less as Rs 42.56 and Rs 43.35 and men received Rs 53.13 and Rs 54.1 for weeding and sowing respectively. In 2002 the statutory minimum wage rate for agricultural labourers was fixed at Rs 58. Figure 16 shows that wages for both male and female labourers were however lower than the minimum wage rate which is fixed to Rs 58. Although, the wages of male labourers were somewhere near the minimum wage rate, but the wages of female agricultural labourers were far below the minimum level and also far less than those of their male counterparts.
According to the Agricultural Wages of India 2001-02 and 2006-07, women in Uttar Pradesh received unequal wages in almost all agricultural operations which were performed by both men and women. The GOI
Report (2008) stated that, “The casual agricultural workers in the rural areas were worse off compared to non-agricultural workers with nearly 87 per cent of the men and 97 per cent of the women receiving wages below the national minimum”.

One of the reasons for unequal distribution of wages to the women labourers was that, the Equal Remuneration Act, 1976, did not impose a duty on the employers to check if the work of men and women were of similar nature or not (Mediratta, 2009). There was no procedure according to which such evaluations could be made operational. Therefore these significant disparities in the wages of men and women employed in agriculture operations resulted in exploitation of women workers.

Gender differentials in wages were an accepted feature of rural Uttar Pradesh. Owing to the absence of uniformity in wages, employers were relatively free to evolve their own ratios within certain broad parameters, the prevailing labour market and availability of labour in the region, pitching the terms of the labour contract usually in favor of the employer.

According to a study by Ray (2005) in eastern Uttar Pradesh while men on an average received Rs 50 for a day’s work, women got little more than Rs 30 for the same kind of work. An accepted rule of the
thumb was that the employer fixed the wages for women at least 20 per cent below that of men. The justification given in support of the differentiation between wages of males and females was that, wage of a male worker should be based on the needs of a family that consisted of self, wife and children. While the average female worker had only herself to support and her needs were fewer than those of the average adult male worker and his dependent family members.

Ray (2005) further indicated that in Banda district of Uttar Pradesh, women were still paid in kind whereas the men got wages in cash. Women received a wage amounting to a grain measure of _panchpaw_ (1½ kg) while the men received anything between Rs 20 to Rs 30, which was below the minimum wage. In parts of Jaunpur district where wages were paid in kind even to men they amounted to 3 kg of wheat or 5 kg of rice for harvesting operations. In many areas of Jaunpur however wages for women were fixed at 2½ _seer_ wheat. In the Eastern Deoria district of Uttar Pradesh, wages for women varied from 2½ kg to 3 kg of grain and 5 kg of grain for men for potato cultivation.

Hence despite the Minimum Wages Act, 1948 and the Equal Remuneration Act, 1976 there existed wide disparities in wages of men and women, both in kind and cash. It also appeared that even in areas where men’s wage agreements included meals; the employers did not
provide the same for women. The arguments behind this were that women brought their own packed lunches; they also observed communal taboos and were unlikely to eat with other caste members and they preferred to go home and cook their meals. There was also a wrong notion that women worked only half a day and that men’s work being much harder, men deserved a meal.

All these arguments were controversial and served to conceal a discriminatory wage policy which received legitimacy from the state’s uncommitted enforcement of the minimum wages. One of the main reasons for the miserable condition of women workers in agriculture was that they lived in scattered villages, worked in an unorganized set up and there were no organizations and labour unions to raise their voices. However, in urban areas, workers had unions and organizations to fight for their rights. Due to these factors, farm workers did not have enough say to plead with the farmers and land owners in order to secure remunerative wages or the minimum wage rate for their labour.

5.7 Conclusion

There was widespread gender discrimination in agricultural wages due to various reasons. Although the Government provided laws to determine wages of agricultural labourers, there was uneven distribution of wages across regions. The Wage Legislation Acts of 1948 and 1976
were designed to provide adequate and equal wages to men and women workers, however they were highly discriminatory. The objective of the Wage Laws to guarantee equal wages to both men and women for equal work was not implemented. As a result women labourers in the agriculture sector remained under paid and sometimes unremunerated.

The poor condition of women employees has been analyzed extensively in the Report of the Committee on the Status of Women in India (1974), also known as ‘Towards Equality’, and highlighted in the National Perspective Plan for Women. The Committee on the Status of Women in India stated that in order to improve the unequal status, there should be increase in the employment opportunities and earning power of women workers in agriculture. This Committee observed that most of the women did not have access to the rights and opportunities guaranteed to them by the Constitution of India.

Women’s unequal status within the households was reinforced by persistent wage disparity between women and men for the same agricultural operations. In Uttar Pradesh, the development process was highly male-centered. The males were recognized as unitary heads and decision-makers, this actually legitimized and reinforced lower wages for women. Against this background, the state’s assertion of equal wages for
males and females, appeared weak and unconvincing and was unlikely to
be operational.

Apart from the differentials in wages for the same job, discrimination against women was strengthened by having lower rates for the jobs traditionally done by women, viz. sowing, weeding, transplanting, winnowing, threshing and harvesting, as against ploughing, which was normally done by men only.

The other factor that contributed to the low wages of women in agriculture was the practice of identifying a work-day as equivalent of 7 to 9 hours. Many women were unable to report for duty on time because of household responsibilities, and did not get the full rates of wages. Moreover, agricultural labourers lost the daily wages whenever they remained absent due to illness (Kumar and Varghese, 2008). This lead to wage differences among the wage rates of male and female agricultural labourers.

Furthermore, the Equal Remuneration Act, 1976, did not impose a duty on the employers to evaluate whether the work of women and men was not of similar nature, nor did it establish any institutional procedure by which such evaluations would be made. It is high time that the advisory committees under the Equal Remuneration Act, 1976, start functioning efficiently to yield the desired results.
The Committee should function as a watchdog panel. It should play an innovative role and should be vested with some authority and powers to question the discrimination and disparity against women employees. It should comprise of dynamic individuals, having knowledge of the issues of women workforce, labour laws and the economy in general. Its is also important that the implementation aspect of the wage laws is constantly monitored from time to time so as to genuinely accomplish the goals for which they have been enacted. Female officers should be appointed for registering the complaints of women workers in order to avoid any form of gender based discrimination.

Indian agriculture no doubt is sustained on the strength of rural women who constantly work on and off farm but they have been poorly rewarded in terms of income, access to resources and decision-making power. Equal pay laws alone will not be able to remove gender wage differentials, since these laws were complexly bound up with occupational segregation. This, in turn, is linked to gender relationship and roles that are fixed by patriarchal norms and values. This attitude needed to be changed in order to provide better employment opportunities to women. It is important now to provide equal wages to female labourers as well as resources such as land, assets, credit and suitable share in the agricultural income to the unpaid women workers in the family farms. Also women needed to be recognized as farmers and must be given their due share.