The challenge to inequality is inherent in the very notion of Human Rights. The rights of women along with those of men have been recognised in major human rights instruments since the establishment of the United Nations. Human rights of women have been defined as collective rights for a woman to be seen and accepted as a person with the capacity to decide or act on her own behalf and to have equal access to resources and equitable social, economic and political support to develop the full potential, exercise her right as a full human being and to support the development of others.

The majority of women in the world work but a minority are recognised as ‘workers’ with the corollary rights of safe working environment, equal wages, paid vacation, and sick leave. The majority of working women are not paid for their work because they are not recognised as workers. The vast gap between working women and women workers hinders recognition of the basic rights of women as workers, only a small minority of working women are formally employed.

Just as women face untold miseries and injustices at the hands of their families, they are not any better off at their places of work. It’s usually worse. After a preliminary study it is found that only a minority of women earned enough to enjoy full economic independence because the rise in women’s paid work had been largely concentrated in
part time, low-paid jobs. Over the centuries, although the concept, na­
ture and scope of what constitutes work has under gone sea changes, the gender based divisions of work and the values associated with it have not changed much. The patriarchal structures continue to dominate the division of labour. In India, the size of the work force is 313 million (1994 NSSO figures) of which only 2 million, that is about eight percent are in the organised sector. It is however, in the unorganised sector where women constitute the major portion of the workforce and it is here that laws are too inadequate to offer gender justice.

The present study has been undertaken to examine the existing legal status of working women in both organised and unorganised sec­
tors. Efforts to document the nature and scope of women's work in unorganised sector have not yet brought about the formal recognition of women's work. This is not a question of formalities but of the recognition of basic rights, the right of work is included among funda­
mental human rights. To be recognised as a 'worker' it is not enough to work, the law everywhere insists on a contractual relationship be­
tween the employer and the employee. Most women do not have con­
tracts with their employers; most women producing food have not con­
tracts whatsoever, neither protecting their labour not giving them a title to its product. Thus, in so far as economic statistics and labour legislations are concerned, they do not work. In the worst case, such women are considered a burden on society.
The government does not seem to have a clear-cut policy as to what should be the priority legislations relating to women’s rights at the workplace and how they should be implemented. There are gender imbalances in government bodies and public sector units. There are not many women in policy making or decision making positions. Sexual harassment of women at their work places is acquiring a menacing dimension the working compelling many of its victims to quit jobs or suffer humiliation.

Thus, it is evident that legal systems and laws have not kept pace with the evolving social situation and, therefore, it is necessary to modify them in keeping with the changing social and economic scenario.

**THE MAIN OBJECTIVES OF THIS STUDY ARE:**

- To review the existing conditions and status of working women in the unorganised sector.
- To examine the existing labour legislations and to identify the lacunas and limitations in them.
- To examine the emerging issues relating to women’s right at the workplace where policy and legal interventions are required.
- To review the various social security measures for working women and their effectiveness in the present situation.
- To recommend a legal strategy for empowerment of women at the workplace that will protect and ensure gender justice.
It has been an admitted fact that over the years there has been little structural change in the employment pattern of women. Nearly 90 percent of the women work force is still concentrated in the unorganised sector. Historically the labour market has been a segment to women which leads to two principal discriminatory outcomes (I) wage difference between men and women for the same work and (ii) concentration of women in low-paying sectors. In order to improve the social and economic status of women many laws have been enacted but most of them have remained unimplemented. In view of the above situation – I have undertaken this research work with the hypothesis that exploitation and discrimination of working women can neither be prevented only by new enactments nor by enlarging the law-enforcing agency, because several other contributing factors are also responsible.

Legislation is a necessary pre-condition for an effective equal opportunity policy but it is not a sufficient condition. Hence, inspite of many women oriented enactments, programme and policies, the societal outlook could not be changed in favour of working class of women. An anti-discrimination law is relevant only to the extent that economic and social conditions enable people to develop their individual potential and to compete for opportunities on more or less equal terms. The above hypothesis will be tested with reference to discussions in the conclusion of thesis with its justification.
The main aim of the present study is to make suitable recommendations to amend the law and adopt programme, policy etc., to eradicate various discrimination against working women which is now on the rise. With this end in view, I have adopted a combination of different methods like historical, comparative, empirical, case study, survey method and even used questionnaire method to collect real views of working class women. The data provided by decennial census as well as by the National Sample Survey Organisation was taken as a basis for the study. For secondary sources, articles published in various journals, landmark judgements of the Supreme Court, personal interviews of the government officials and NGOs was done. Finally, an empirical study in the nature of survey through a random sample of female workers working in the unorganised sectors in West Bengal was undertaken to assess their legal status and familial background to which they belong.

The analysis of the present work is presented in seven chapters.

Chapter I is an introduction which deals with human rights of women both in the past and in the present. It tries to analyse the factors responsible for it and the impact of the situation on women and society as a whole.

Chapter II Presents a detail survey of working women in the world and also in India. The Chapter also defines the term 'economic activity' and also deals with the social attitude towards working women.
Chapter III makes a review of various international conventions and laws relating to the working women. It specially highlights the various ILO conventions adopted for the promotion of equality between men and women workers.

Chapter IV examines the various Indian laws and enactments adopted for the protection of human rights of working women in India.

Chapter V depicts in nutshell the problems of women workers in the unorganised sector. In this chapter various forms of exploitations of unorganised labour have been discussed at length.

Chapter VI makes an empirical study of legal status of working women in West Bengal with special reference to working women in the unorganised sector. A case study of women domestic workers of kolkata and women beedi workers of Murshidabad district has been done on the basis of field study.

Finally, in Chapter VII certain conclusions have been drawn on the basis of the entire discussion and a set of recommendations have been proposed.