CHAPTER VIII

WOMEN LABOUR: AN EMPIRICAL SURVEY

An empirical survey of some of the economic activities in both organised and unorganised sectors in which women labourers are generally engaged, has been done. A field study of mines and plantations in Bihar and Assam respectively, where women labour is in high concentration, would have been of great utility and value in understanding the exact implementation of existing labour legislations. But due to various constraints, such as paucity of funds, it has not been possible for the researcher to undertake wider field study. The survey is confined to factories, shops and establishments, construction labour and agricultural labour.

The object of this limited field study has been to have an idea of the working and living conditions of women labour and the extent of welfare amenities actually available to them vis-a-vis the existing statutory provisions concerning them.

Occupational Studies

A. Organised Sector

Although women workers in the organised sector constitute only about 6 per cent of the total women workers in India, a study of their working conditions is very important because of two reasons:
1. To find out the impact of certain labour legislations by which they are covered.

2. For getting guidelines for setting norms of conditions of work in unorganised sector.

In the organised sector, some industrial units by random sampling were selected.¹

**Questionnaires**

Two types of questionnaires, viz., factory level² and worker level³, were utilised for the collection of data. The factory level questionnaire was designed to collect information on items like wage rates, working conditions, welfare facilities, trade unionism, etc., besides obtaining views/observations of the concerned employers in matters of recruitment, promotion, comparative efficiency of men and women and also on the effect of protective legislative provisions on the employment of women. Factory level questionnaire was utilised for textile industrial units. Worker-level questionnaire was canvassed for only a sample of women workers selected in each sampled factory.

---

1. (a) Himson Textile Mills Ltd., Surat, Gujarat.
   (b) Raj Kumar Knitting Mills Pvt. (Ltd.), Surat, Gujarat.
   (c) Garden Silk Mills, Pvt. Ltd., Surat, Gujarat.
   (d) Alok Textile Industries Unit, Garden Silk Mills, Pvt. Ltd., Surat, Gujarat.

2. Annexure - I.

3. Annexure - II.
Data on items like age, marital status, educational qualifications, native place and other personal particulars of women workers, their working and living conditions and welfare facilities available to them, trade unionism and the difficulties, if any, being faced by them in these fields were collected in the questionnaire.

**Employment**

Total Number of workers employed in Knitting and Silk (Cloth) Unit, of Himson Mills Ltd. is 40 and total number of women workers employed is 24. Women workers are engaged in packing, knitting, designing and stitching. 3 women workers deal with accounts also.

Total number of workers employed in Raj Kumar Knitting Mills Pvt. Ltd. is 400. Total number of women workers employed is 40. Women are employed in jobs like cutting and telephone operators.

Total number of workers employed in Art Silk Processing Unit of Garden Silk Mills Pvt. Ltd. is 388. Total number of women workers employed is 10. Nature of job performed by them is tracing.

Total number of workers employed in Alok Textile Industries unit of Garden Silk Mills is 2300. Total number of women workers employed is 16. Nature of job performed by them is tracing.
Age Group

Age group of women workers in different type of jobs is between 18—42 years, 18-24 years, 18-45 years and above 20 years in Himson Mills Ltd, Raj Kumar Knitting Mills, Alok Textile Garden Silk Mills and Art Silk Processing Unit of Garden Silk Mills respectively.

Working Hours

The working hours for both men and women are same under the Factories Act, 1948. Maximum work hours both for adult men and women have been fixed at 48 per week and 9 hours per day. Further, the periods of work are to be so fixed that no male or female worker works for more than 5 hours before he or she has been given a rest interval of at least half an hour. The maximum spreadover of work including rest intervals does not exceed 10½ hours on any day or 12 hours with the written permission of the concerned Chief Inspector of Factories. The factories Act also prohibits employment of women between 7 P.M. and 6 A.M. All these sampled factories are found to be implementing legal provisions in this respect. In all the sampled factories women work for 8 hours a day. In Himson Mills Ltd, work is done in two shifts.

Wages

Women's wages in olden times were lower than that of men's. Actually, they were ready to work in the industries
at whatever wage rates they could get for supplementing the meagre income of their family. The Equal Remuneration Act, 1976 makes it obligatory on the employer to pay equal remuneration to men and women workers for performing the same work or work of a similar nature. The payment of wages Act, 1936 makes it obligatory on the part of the employers to fix wage period for their employees which in no case should exceed one month.

In Art Silk Processing Unit of Garden Silk Mills Pvt. Ltd., women are paid on monthly basis at the rate of Rs. 500 per month. In all other sample factories women are paid wages on 'daily wage' basis. Daily wage is between Rs. 24-32, and Rs. 24 and Rs. 17.45 per day in Raj Kumar Knitting Mills, Himson Mills Ltd., and Alok Textile Industries Unit, Garden Silk Mills Pvt. Ltd., respectively.

Equal Remuneration Act, 1976 provides for equal pay for equal work. Out of all the sample factories, it is only Himson Mills Ltd., where men and women were found to be working on the same kind of jobs. Provisions of Equal Remunerations Act, 1976 are implemented and both men and women are getting equal wages for same kind of work done.

In all other sample factories it became difficult to know whether provision of Equal Remuneration Act, 1976 is being implemented or not for the reason that men and women do not work on same kind of jobs in these factories. In
Raj Kumar Knitting Mills, women work on jobs like cutting, tracing and telephone operators while men work on machines.

In Art Silk Processing Unit of Garden Silk Mills, women work on jobs like tracing and no man is working on that kind of job. In Alok Textile Industries unit of Garden Silk Mills, men and women are getting equal wages for same kind of work.

Maternity Benefits

The maternity benefit to women workers employed in factories is generally provided under the Employee's State Insurance Act, 1948. However, women workers employed in some seasonal or other factories not covered under this Act get the benefit under the Maternity Benefit Act, 1961. The E.S.I. Act provides for periodical payments, in the case of confinement or miscarriage and sickness arising out of pregnancy, confinement, premature birth of a child or miscarriage, to an insured woman worker who is qualified for such benefit under the Act. An insured worker is eligible to claim benefit under the Act for confinement, etc., in a benefit period if during the corresponding contribution period, weekly contributions in respect of her were payable for not less than thirteen weeks. The benefit is payable for all days on which the women worker does not work for remuneration during a period of twelve weeks of which not more
than six are to precede the expected date of confinement. In addition to it, the benefit is admissible in case of sickness arising out of pregnancy, confinement etc., for an additional period not exceeding one month. The daily rate of maternity benefit under E.S.I. Act is twice the standard benefit rate corresponding to the average daily wages of the concerned woman worker during the corresponding contribution period. Similarly, the Maternity Benefit Act, 1961 provides for payment of maternity benefit to woman workers at the rate of average daily wage for the period of actual absence before and after confinement. The qualifying condition to receive these benefits is that the woman worker must have actually worked in an establishment of the employer, for a period of not less than 160 days in the twelve months immediately preceding the date of her expected delivery.

All the sample factories are found to be covered under the E.S.I. Act. Thus maternity benefit is payable to permanent women workers under E.S.I. Act. As most of the women workers in these sample factories are casual, no selected woman worker in these factories has been given maternity benefit under the Maternity benefit Act or E.S.I. Act. The woman workers acting on permanent jobs are getting maternity benefit under E.S.I. Act but the payments are not made in time. They face difficulty in getting maternity benefit payments as delay in making payments is generally there.
In some of the factories under survey, employer is interested in employing women between 18-24 years of age. Sometimes employer is found to prefer unmarried women only.

**Separate Arrangements for Women in Canteen**

The Factories Act, 1948 and the Rules made thereunder lay down that the employer or occupier of every factory wherein more than two hundred and fifty workers are ordinarily employed shall provide and maintain in or near factory an adequate canteen. A portion of the dining hall and the service counter of the canteen are to be partitioned off for women workers. The rules also provide for separate working places for women in canteens which are to be screened to secure privacy.

Out of the total 4 factories studied, all factories are providing canteen facilities to their workers. Whereas, the facility of separate arrangement for women is found to be existed in three factories. Separate washing facilities for women in canteens are totally non-existent.

**Latrine and Urinal Facilities**

Under the Factories Act, 1948 every factory has to make sufficient arrangements to provide latrines and urinals of the prescribed type for men and women workers separately. Every latrine is required to be under cover and so partitioned off as to secure privacy and have a proper door and
Sweepers are to be employed to keep latrines and urinals clean. As per the Model Rules under the Act, there should be at least one latrine for every 25 women workers or fraction thereof. All the sampled factories have provided separate toilet facilities for women workers. But the facility provided is not adequate and its maintenance is very unsatisfactory. Although sweepers are employed to keep toilets clean, yet the condition of toilet is very poor and unhygienic. They stink a lot.

**Creches**

The Factories Act, 1948 lays down that factories employing ordinarily more than 30 women workers should provide and maintain a suitable room or rooms for the use of children under the age of 6 years of the working women. The Act further lays down that such rooms should be adequately lighted, ventilated and maintained in a clean and sanitary condition. The Factories Act, 1948 further requires that Creches should be under the charge of women trained in the care of children and infants.

None of the sampled factory is providing creche facility as 3 factories have employed less than 30 women workers. In one factory the number of women workers is more than 30 but in that factory, age of women workers is between 18-24 years and no woman is allowed to work after marriage.
Other Welfare Amenities

Disablement Benefit, Dependents Benefit and Sickness Benefit

The Workmen's Compensation Act, 1923 provides that if worker is disabled or dies in an accident arising out of and in the course of employment, employer is liable to pay compensation in the form of disablement benefit and dependents benefit respectively. Under the ESI Act, 1948, it is the responsibility of the Corporation to provide such benefits.

All the sampled factories are covered under the E.S.I. Act. Thus compensation in case of disablement or dependents benefit and payment of sickness benefit is governed under rules of the E.S.I. Act.

Medical Facilities

As all the sampled factories are covered by the Employees State Insurance Scheme, the workers employed in them are getting medical facilities through the E.S.I. Hospitals and Dispensaries.

Trade Union among Women Workers

All the sampled factories have one trade union each. Out of 4 factories, 2 factories have women membership in trade unions and 2 factories do not have any women member in trade union. In these two factories, trade union membership has only men workers. Women workers are not interested
in even becoming members. In other two factories all the women workers are members of trade union. Although, the trade union is male dominated, yet women actively participate in its activities. However, women have shown great interest in trade union activities and have actively participated in it, still no woman worker is holding any permanent and effective post, like the executive of the trade union.

**Training**

In all the sampled factories already experienced hands are employed. They are not given training there. There is no provision for on-the-job training.

**Heavy Machines**

In none of the sampled factories, women are employed on heavy machines. Employers in some of the sampled factories do not prefer to employ women on automatic machines as their view is that machines would get damaged because women do not know the exact technique to operate them.

**Night Shift**

In none of the sampled factories, women are working in night shifts. Their working hours are generally from 8 A.M. to 4 P.M.

**Efficiency of Women Workers and Attitude of Employer Towards Women Workers**

Employees in all the sampled factories are satisfied with women workers and in their views women are equally
efficient. They are proficient as their male counterparts. Some employers prefer to employ less number of women for the reason that nature of work requires the workers to work after 6 P.M. According to statutory requirement women cannot be employed after 6 P.M. Thus, in the industries where working hours are till 8 P.M. male workers are preferred.

Women are generally employed in these sampled factories in packing, designing, stitching and tracing. Due to lack of training, they are not preferred for other type of jobs which require trained and experienced hands. This is another reason for giving women less preference in matters of appointment.

Awareness of beneficial legal provisions

Study reveals that very few women are aware of beneficial legal provisions. There are few women who know about maternity benefit provisions, but they have no knowledge about other beneficial legal provisions.

Work life and leisure time

This study reveals that women workers, specially married and with children, are overburdened and have no time for rest or leisure. Besides their eight hours in factories, they have to attend children and various household jobs. Where the workers are residing far from their places of work, they
Shops and Establishments

For studying women labour in shops and establishments, some establishments by random sampling were selected. In all these sampled shops number of women workers is almost equal to male workers. In some shops number of women workers is found to be more than men workers. Mostly women are employed on sales side. In some establishments they deal with cash and accounts also. Age group of women workers in shops and establishments is between 18-45 years. In all these sampled shops working hours are between 10 to 6.30 P.M. They are given half an hour interval for lunch.

There are found four different types of employment status in these sampled establishment, viz., permanent, temporary, daily wager and employment through contractor. The study reveals that there is no definite criterion for the regularisation of service of these workers. Some workers are permanent and are covered under government rules and regulations. They are getting wages as prescribed by rules. The second category of workers is temporary. Some of the

4. (a) Assam Emporium, New Delhi.
    (b) Haryana Emporium, New Delhi.
    (c) Punjab Emporium, New Delhi.
    (d) Madhya Pradesh Emporium, New Delhi.
    (e) Rajasthan Emporium, New Delhi.
woman are working in the same emporium or establishment since more than one or two years. Their tenure of service has been continuous and not interrupted. They are getting wages at the fixed rate. The average rate of wages in these shops and establishments is Rs. 1000 per month. The women working on basis of daily wage are getting Rs. 25 average daily wage. There is another category of women workers who are not employed by emporiums or establishments but are employed by contractors. These contractors supply materials to these establishments and have separate sales section in these establishments. These girls are getting wages Rs. 500 per month. Besides this they are given some percentage of the total sale made. Some contractors give 1% of the total sale and some give 2% of the total sale. Some of the contractors have given increments also.

In all these sampled establishments Sunday is a off day. Besides this weekly off day in some establishments they are entitled to one leave per month. Most of the women are on temporary basis and they do not get any casual leave. In some cases contractors have given 2 leaves per month besides weekly off days.
Shops and Commercial Establishments Act provides for Maternity Benefit.\(^5\) In all these sampled establishments only permanent workers are getting maternity benefit. Temporary workers who have been in continuous service of more than two years are not getting maternity benefit. They are entitled to leave for that period but the leave is without pay.

**B. Unorganised Sector**

**Contract Labour**

About 94\% of women labour is working in unorganised sector. Mostly women work in construction work, agricultural activities and beedi making. Besides this, women work on contract without knowing for whom they are working like tailoring preparing embroidered goods, knitting and handicrafts. Contractors get this work done from women at very low price without telling the name of employer. A large number of women work as domestic servants and ayahas.

**Construction Work**

A large number of women labour is working in construction work where there is no service regulation, certainty of employment and no welfare amenities are available to them.

---

5. Section 31, Shops and Establishments Act, 1958, Punjab. Section 31 says: "Every woman employed in an establishment who has been continuously employed in that establishment belonging to the employer of that establishment for a period of not less than six months preceding the date of her delivery shall be entitled to receive, and the employer shall be liable to make to her, a payment of maternity benefit for every day during six weeks immediately preceding and including day of delivery and for each days of six week after delivery."
However, Minimum Wages Act, 1936 makes it obligatory for an employer to pay minimum wage to workers. In Asiad's case,\(^6\) Supreme Court held that it is obligatory for an employer to pay minimum wages to workers employed by him. Besides Minimum Wages Act, 1936, there are other legislations like the Contract Labour (Regulation and Abolition) Act, 1970 and the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979. These Acts make provisions for regulation of service and employment conditions on contract labour. These Legislations further provide for welfare amenities also. But in reality picture is very gloomy.

30 women workers in construction work in Patiala District in Punjab State were interviewed. Worker-level questionnaire was prepared for only a sample of women workers. Data on items like age, marital status, native place, other personal particulars of women workers, their working and living conditions, service and employment conditions, welfare facilities available to them, trade unionism and the difficulties, if any, being faced by them in these fields were collected in the questionnaire.

**Employment**

All these women workers are employed through contractors. Their employment status is temporary. However, some of them

have been working for their respective contractors for more than 10-15 years. They keep on moving from one place to another and from one State to another.

**Native Place**

Women interviewed are from different States like Madhya Pradesh, Orissa, Bihar and Uttar Pradesh.

**Age**

They are between 15-45 years of age.

**Marital Status**

Out of the 30 women interviewed, 22 are married and having children, 5 are unmarried and 3 are widows.

**Wages**

All of the women in sample are employed on daily wage basis. The average daily wage which they are getting is Rs. 11. The payments are generally made on 9th or 10th day of the month. Punjab State Government has fixed minimum wage Rs. 15. It is Rs. 16.08 in case of agricultural labour where they are not getting meals and Rs. 13 when they are given meals.

The wage which these sample women are getting is much less than the minimum wage fixed by Government of Punjab.

The Equal Remuneration Act, 1976 lays down the provision for equal payment for equal work. Supreme Court in Delhi
Asiad's case\textsuperscript{7} laid emphasis on the strict observance of this principle. This study reveals that male colleagues of the women workers in sample are getting Rs. 12 per day. There is a difference of Rs. 1 per day for the same work done.

**Working Hours**

They work for 9 hours a day. Their work at construction site starts at 8 A.M. and finishes at 5 P.M.

**Night Shift**

Out of 30 women workers in sample, none is working after 5 P.M.

**Welfare Facilities**

**Maternity Benefit**

Maternity benefit is available to women workers in organised sector under E.S.I. Act or Maternity Benefit Act. In unorganised sector where rate of women labour is 94\% no maternity benefit or compensation is given.

Out of 30 sample women workers none has ever got maternity benefit. They are being paid wages on daily basis and if they cannot work on any day because of illness or some other reason they are not paid for that day. Women are not given maternity leave. When some women is absent on account of her pregnancy, she looses her wages for that period.

\textsuperscript{7} Ibid.
Washing Facilities

Contract Labour Regulation and Abolition Central Rules\(^8\) and Inter-State Migrant Workmen (R.E.C.S.) Central Rules\(^9\) makes provision that contractor shall provide washing facilities to its workmen. If any of the facilities is not provided by the contractor within the specified period the same shall be provided by the principal employer.\(^{10}\)

In all the construction sites where these sample women workers are working, employers have not provided washing facilities. In every construction site, one or two water taps are provided. The open space is used for washing and bathing. No bathroom facility is given. Women have to take bath in open.

Urinal and Toilet Facilities

Women are not provided with any urinal and toilet facilities in the sample construction sites.

Medical facilities

Inter-State Migrant Workmen Act, 1979\(^{11}\) makes provision for medical facilities. The contractor or principal employer shall provide medical facilities and in every such establishments first aid boxes shall be kept. Survey reveals that

---

10. Ibid.
11. Section 37.
workers are not getting medical facilities and where they are available, facilities are not adequate.

**Disablement Benefit, Dependents Benefit and Sickness Benefit**

Employees State Insurance Act, 1948 and Workmen's Compensation Act, 1923 lay down provisions for sickness benefit, disablement benefit and dependents benefit. Construction labour is not governed under E.S.I. Act and Workmen's Compensation Act. There is no such legislation which provides for such benefits to construction labour. Every year many workers are disabled and many die during the course of employment and business. No disablement benefit or dependent's benefit is given in such circumstances.

**Canteens**

The Contract Labour Regulations and Abolition Central Rules, 1971 and Inter-State Migrant Workmen Act 1979 make provisions for canteens. A portion of the dining hall and service counter shall be partitioned off and reserved for women workers in proportion to their number. Washing places for women shall be separate and screened to secure privacy. In none of the construction sites surveyed canteen facilities are found to be available.

**Creche**

Inter-State Migrant Workmen (R.E.C.S.) Central Rules

12. Section 42, 43.
13. Section 41.
make provision for Creche. It provides that in every establishment where 20 or more women are ordinarily employed as migrant workmen and in which employment of migrant workmen is likely to continue for three months or more, the contractor shall provide and maintain two rooms of reasonable dimensions for the use of their children under the age of six years. One such room shall be used as play room for the children and the other as feedroom for the children. The contractor shall provide this facility within fifteen days of the coming into force of the rules. If the contractor fails to provide the creche within the time laid down, the same shall be provided by the principal employer within fifteen days of the expiry of the time allowed to the contractor.

This study reveals that in none of the construction sites in sample contractor or employer has provided this facility of creche to women workers although women workers have been working there for more than one year. Infants and children can be seen lying on ground.

Trade Unionism

Out of 30 sampled women workers, none is the member of any trade union. Many have not even heard of trade unions. They do not want to join or form any trade union because they feel that it is not going to serve any purpose. Whenever, 15. Section 44.
they have tried to ask employers for better conditions of work, it has been of no use. The answer which is always ready with the employer is that either work on these conditions and wages or leave the job. Workers cannot afford to do the later. Thus they have to accept the former i.e. working on same conditions.

**A Few Illustrated Cases**

Kumila is a young woman of 30 years old and belongs to Orissa. She and her husband are working as contract labour. They will be shifting to some other place as soon as the contract of contractor is over. The reason for their moving out of their parent state is economic. Kumila says that in Orissa they do not get more than 5 or 6 rupees per day and here they are getting 11 Rs. per day. Employer has got constructed small huts for them in construction site. The huts are too small and dark that a person of medium height cannot stand inside. There is no provision for bathrooms. They have to take bath in open because there is no covered place where they can take bath. Kumila says that in the beginning even handpump facility was not available. They got it after so many requests to employer. Electricity facility was also not available in the beginning. Workers made several requests and told employer that there are so many snakes in this area. But employer paid no heed. One night they saw two-three snakes moving there and
they succeeded in killing them. Next morning they put the dead snakes before contractor and told him about the risk involved in staying here in dark. It was only after this incident contractor provided the facility of Electricity. Kumila is getting Rs. 11 as daily wage, whereas, her husband is getting Rs. 12 as daily wage for the same work done. Daily working hours are from 8 A.M. to 5 P.M. She gets up at 5 A.M., cooks breakfast and lunch for her family and washes clothes. By the time she finishes with all this, it is time to go for work. At work place she gets half an hour interval rest to take lunch or tea. She comes back home after 5 P.M. and again starts cooking for night. While she is cooking, her husband is busy in chatting, drinking and playing cards. Sometimes when her husband gets drunk, he beats her up also. Her day starts at 5 A.M. and finishes at 10 or 11 P.M.

Kumila has a one year old child. As there is no Creche facility available she has to take the child at work with her. Child keeps on lying on dusty ground while she is carrying bricks on her head. Kumila says that they are never given maternity benefit. The rule which employer follows is "Work and get money. No Work, No Money."

II. Alladin is a young woman of 25 years old and she is working at the same place where Kumila is working. Her native state is Uttar Pradesh and reason for migration is again
economic. She says that in U.P. they cannot get more than Rs. 7-8 per day.

At the time of interview Alladin was sitting outside her dingy and dark hut. She was drinking black tea - tea without milk. She said that they are lowly paid and amount is not sufficient to meet their basic daily needs. She gets Rs. 11 as daily wage. She has to send some money to her parents also. "Chahe Kapda dal lo, Chahe Roti Kha lo, Chahe dhud chaye mein dal lo aur chahe ghar bhej do, 11 Rupe mein kiya kiya kar sakte hein" (Either wear clothes or eat food or buy milk for tea or send money to your home, how many needs can be met out of Rs. 11), this was Alladin's answer.

Alladin has not heard of trade unions. When she was told about the trade unionism she just laughed over it. "Are Bahenji hamara malik bolta hai ki Ase Kaam Karna he to Karo nahin to Jayo apne des ko". (Sister, our employer says that either work on these wages and conditions or go back to your villages). They cannot afford to go back. Thus, she and all her other colleagues are working there without asking for any facility.

III. Savitri is from Bilaspur district in Madhya Pradesh. She is of 35 years old and has three kids. She is getting Rs. 10.80 per day whereas her husband is getting Rs. 12 per day. They are living in small, dark and dingy huts. There
is no bathroom or toilet facility available to them. Daily working hours are from 6 A.M. to 5 P.M. Her day starts at 5 A.M. and is not over till 11 P.M.

Savitri's youngest kid is one and half year old. As there is no Creche facility available, child is taken care of in mother's absence by his sister Phoola, who is of 5 years old. Phoola helps Savitri in cooking also.

Savitri says that she has never been given maternity benefit. If they work they will get money and if they do not work they won't get any money. This leads many women to work till their latest stage of pregnancy. No sickness benefit is available. Medical facilities are not adequate. She tells her sordid tale that once her son was very ill and she went to dispensary for getting him checked up. For three days she could not get her turn to see doctor. On fourth day she was able to see doctor but the treatment which was given was not satisfactory and adequate.

None of Savitri's children goes to school. In the beginning she started sending her son to school but as the fees were very high she dropped him out. Moreover, she says that it is not possible for them to continue the education of child because of the nature of their work. They keep on moving from one place to another. Sometimes construction site is in a very remote area where there is hardly any school.
She sighed and said, "A labourer's child can be a labourer only if this is their future. That is all."

Savitri has heard of trade unions but she has no faith in it. "Sab Baten hain, Koi Kuch Nahin Karta Garibo Ke Liye". (This is all rubbish talk, no body does anything for poors), she says. Many workers have met with accidents which arose out of and in the course of employment but none of them has ever been given any compensation.

Agricultural Labour

There is a large percentage of women workers employed in agricultural sector. In 1981 out of 55.5 million agricultural labour 20.77 million were women labour. In terms of 1981 census women agricultural labourers formed 46.18 per cent of the total female main workers in the country. Women agricultural labourers generally come from families of marginal owners-cultivators, small tenant-farmers and landless classes. As agricultural activity is of seasonal character, employment of women labour is sporadic and intermittent character. During non-agricultural season these women engage themselves in domestic service and other unskilled work. The women agricultural labourers are engaged in wage employment as well as in self employment. Women belonging to landless classes and disadvantaged communities seek employment for wages to supplement family income.

17. Id., at XXXV.
Women Agricultural Labour in Patiala District

For the purpose of this study 25 women from villages, Majri, Kasba and Bahadurgarh in District Patiala in Punjab State were interviewed.

Employment

As agricultural activity itself is of seasonal character, employment of women labour is also of intermittent character. Out of 25 sampled women workers, five were working on daily wage basis and twenty were working on contract basis. In these three villages most of the agricultural labour is on contract basis. Women workers are mostly employed for transplanting, weeding and harvesting.

Native Place

All the women in sample belong to their respective villages.

Age Group

They are between 14-42 years of age.

Wages

Out of 25 sampled women workers, very few are found to be working on basis of daily wage. Thus, there are two different types of mode of payment of wages, one is in form of daily cash payments and another is in form of produce and goods. Women who are working on contract basis get wages in form of kind. Women working on daily wage basis are getting Rs. 10-12 per day. The State Government of Punjab
has fixed minimum wage for State Agricultural Labour at Rs. 13 per day with meals and Rs. 15.80 per day without meals. The daily wage given to sampled women workers is much less than the requirement of Law.

Most of the labour is working on contract basis and they are paid in kind. This study reveals that workers get $\frac{1}{12}$th of the share per acre. Generally, the estimate of produce in case of wheat is 25-30 Quintals per acre. Workers get $2\frac{1}{2}$ quintal for harvesting one acre. It takes five days to harvest one acre and six or seven persons work together to harvest one acre within six days. Thus six persons get $2\frac{1}{2}$ quintals of wheat for their five days work. Each get 40-41 Kg. of wheat for five day's work. Thus 7-8 Kg. of produce is their daily wage in kind. Besides produce, they get 40 Kg. of husk per acre.

In case of rice planting payment is made in cash. Rs. 80 are paid for planting one acre of land. It takes 3 days to plant one acre and it involves labour of six persons. Thus six workers get Rs. 80 for their three days labour. Each gets Rs. 13.33 for 3 days labour and it comes out to be Rs. 4.44 per day.

**Working Hours**

Daily working hours are from 8 A.M. to 5 P.M. in case of women workers working on daily wage basis. These hours are inclusive of half-an hour interval of rest.
In case of workers working on contract basis there is no fixation of daily working hours. This study reveals that workers work day and night, from dawn to dusk so that work of one acre is completed within five days.

In case of women workers working on daily wage basis, work is done under supervision of some person.

**Working Conditions**

Except in Kerala, there is no legislation to regulate the working conditions viz., service conditions, safety condition, holidays, annual leave and welfare facilities etc. of either the agricultural labourers in general or women agricultural labourers in particular.

This study reveals that owner/employer prefers to get work done on contract basis as this is the cheapest way. The workers working on daily wage basis are also not getting the minimum wage fixed by the State Government. There is no job security and no welfare facilities are available to them.

**A Few Illustrated Cases**

I. Mukhtiar Kaur is a woman of 35 years old. She works in fields during the transplanting and harvesting season. As this activity is of seasonal character, she works as domestic servant on other days. She has four children and her husband is a mason. She works on contract basis and her employer gives 2½ quintals of produce for harvesting one acre. As it takes five days to harvest one acre, and it involves six workers for this job, each gets 40-41 kg. of
produce for 5 days work. Thus, she gets 40–41 kg. of produce for her 5 days work. It comes out to be 8 kg. of produce per day. She has to work very hard to get this. There is no fixation of working hours and workers want to harvest more and more acres of land so as to get more payments in kind for their work done, they keep on working day and night. Inspite of all this, whatever produce they get is not sufficient to feed their families for whole of the year. They have to purchase from market also.

On all other days she works as domestic servant and has a fixed income. However, domestic service also has no security of job. She says that one cannot live on agricultural income only. This is not sufficient to meet the basic needs and to keep family away from starvation. Every woman labourer seeks to get some employment in factories, mines etc. in the non-agricultural season.

II. Bimla is an agricultural labourer and works on daily wage basis. She is being paid Rs. 10–12 per day. There is no job security. One reason for this is the nature of agricultural operation. As this activity is of seasonal character, employment is not continuous one. Secondly, she works on daily wage basis, there is no security whether she will be given work another day or not.

She is getting much less than the minimum wage fixed by State Government. It is Rs. 13 with meals and Rs. 16.08
without meals. She is not given meals and only gets Rs. 10-12 per day.

As far as working hours are concerned, they are fixed. She works from 8 A.M. to 5 P.M. She gets half an hour interval for rest and taking her meals. She and all her colleagues work under supervision of some male supervisor.

Simla has one year old child. She takes her with her to work place as there is no one in house to take care of him. There is no Creche facility available. In absence of such facilitity her child and other children of her colleagues keep on lying on the grass or dusty grounds.

**Summing Up**

This study reveals pathetic condition of women workers in both organised and unorganised sectors. Inspite of labour welfare legislations women are deprived of wages equal to men, maternity benefit and other welfare facilities. Survey made in Textile Mills reveals that men and women are not working on same kind of job or work. Equal Remuneration Act, 1976 provides for equal pay for equal work. Interpretation of 'equal work' is generally taken as work of similar kind or identical. Although women workers are doing otherwise equal work which requires same labour and efforts but it is not identical with men's work. Thus different wage rates prevail for women workers and men workers. However, in the limited industries in which this survey is made, women are
getting statutory minimum wage fixed by the Government. Their working hours are according to law and no women is found to be working in night shift. As far as other welfare facilities are concerned, situation is far from satisfactory. All these factories are governed by E.S.I. Act, thus maternity benefit is available to women. Other facilities like separate arrangement in canteens, washing rooms are not adequate and satisfactory. None of the industry under survey is providing Creche facilities. Legal requirement is that if number of women workers is 30 or more, employer shall provide Creche facilities. In all these establishments attempt has been made to keep number of women workers less than 30. Some women workers are members of trade unions but none of them has shown any interest and active participation in it.

Women in shops and establishments are found to be recruited in different ways, and have different employment status viz., permanent, temporary. The last category 'temporary' in some cases is recruited by employer and in some cases by contractor. Although, all these women have same working hours and perform similar work, yet their wage scales are different. Wage rates of permanent workers are as prescribed by rules. Temporary workers, those recruited by employer are found to be getting 900-1100 Rs. per month. Temporary workers, those recruited by contractor are found to be receiving Rs. 500 per month. Maternity benefit and
other welfare facilities are available to permanent workers only.

Women construction workers and agricultural workers are not getting even minimum wage fixed by State Government. Women agricultural workers, where they work on contract, work for unduly long hours. Survey reveals that principle of equal pay for equal work is not implemented. Women are still getting less than their male counterparts. There is no job security as all of them are found to be working on daily basis. It is a day to day affair. There is hardly any amenity or other facility available to them. None of them have heard of trade unions.

All these families, in unorganised sector, are having monthly income much below subsistence level. Their living conditions are very unhygienic.

The above findings of the field survey suggest the following dimensions of the phenomenon of women labour in these occupations.

First of all, term 'equal pay for equal work' is ambiguous. In all these occupations surveyed, it is found to be interpreted as 'identical work'. Employers have circumvented the conditions in order to avoid the implementations of Equal Remuneration Act, 1976, by not employing men and women on same kind of job. Employers have not
provided the other facilities like Creche, canteens, bathroom etc., or if facilities are provided they are inadequate and unsatisfactory. However, labour legislations provide for appointment of inspectors but after making this study it seems that inspectors have never visited the places properly. Some facilities like Creche are not available in these occupations because employers have tried to keep the number of women workers less than the requirement by law for providing this facility. In unorganised sector most of the labour is recruited through contractors or they work on contract, the service and working conditions are very poor and inadequate. There is hardly any welfare facility available to them. The wages which they get are not sufficient and below the subsistence level.