

# INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS



Open Access, Refereed Journal Multi-Disciplinary  
Peer Reviewed

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# WOMEN'S STATUS IN INDIA'S INFORMAL SECTOR

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## **Abstract**

Women work in practically every field in the unorganised sector, including agriculture, ranching, fishing, and plantation management. Forestry, shopping, building, housework, beedi design, bangle creation, sewing, embroidery and so forth. The majority of the women are employed as temporary workers in brick-making, construction, agriculture, handloom weaving, basket weaving, and fish and vegetable sales. Even with such a high degree of involvement, they are not visible in the documentation. They are taken advantage of in every way possible and treated like "cheap labour." They are compelled to labour endlessly for pitiful wages and are not even provided with the most basic amenities, such as restrooms. They work tirelessly to support their family despite all of this discrimination, only to be met with the men's lewd behaviour as compensation. Men are paid half as much for doing the same amount of work as women because their labour is viewed as "menial" in comparison. They stand up for themselves and lose their jobs as a result of improper execution or a lack of laws and policies protecting them. They have no one to turn to for support.

**Key Words:** Unorganised sector, Improper execution, Women, Laws

## **Introduction**

"Around me I saw women overworked and underpaid, doing men's work at half men's wages, not because their work was inferior but because they were women," wrote Anna Howard Shaw, describing the state of working women in India. The majority of India's unorganised workforce is made up of women, according to the National Council for Applied Economic Research (NCAER). Over 97% of women work in the unorganised sector; however, the conditions there are terrible to work in due to their extremely disproportionate pay, severe discrimination, and

various forms of exploitation. Women's contributions are rarely acknowledged, and they seldom reap the rewards of their labour. It has a disastrous impact on their health rather than providing them with sustenance. They are forced to work in the industry due to precarious financial situations and are paid pitiful wages to perform the contractor's bidding.

Their idea of serving as a supplemental force within the family has left them open to a variety of forms of sexual, physical, financial, and social exploitation at work, as well as discriminatory treatment in the workplace. However, that is not all. Similar to the "wage gap," which exists between men and women, there is also a "leisure gap" because women are expected to take care of their "second shift" at home shortly after their first shift at work. They eventually take on two jobs and become mired in this destructive cycle for the rest of their lives.

Hardly any laws exist that are specifically designed to protect women in situations like these. The regulations that apply to the formal sector are also applicable to the informal sector. If the workers are not registered and recognised, it is challenging for them to receive benefits under them. The most susceptible category is that of domestic workers. The majority of working women were invisible because they were not even acknowledged as workers until the 2008 Domestic Workers (Registration, Social Security, and Welfare Act).

Women's Participation in the Informal Sector by The National Commission's "Report on Conditions of Work and Promotion of Livelihoods in the Unorganised Sector" states the following about businesses operating in the unorganised sector:

- Of the unorganised non-labor force, women who work from home make up approximately 7.4%. labourers in agriculture. Domestic work accounted for 53% of women in rural areas and 65% of women in urban areas in the prime age group of 15 to 59 years old. However, the majority of the men's employment was limited to domestic work, accounting for just 0.4% of the total.
- Women not only perform domestic work but are crucial to the agriculture industry as well. The false belief held by the public is that men make up the bulk of farmers. For a living, over 80% of women in rural areas are employed in the agricultural industry.

Three-quarters of farmers are employed, 20% are engaged in animal husbandry or other occupations, and 47% are agricultural labourers. The graph below illustrates their distribution

across different farming and animal husbandry activities:

### Women in Agriculture

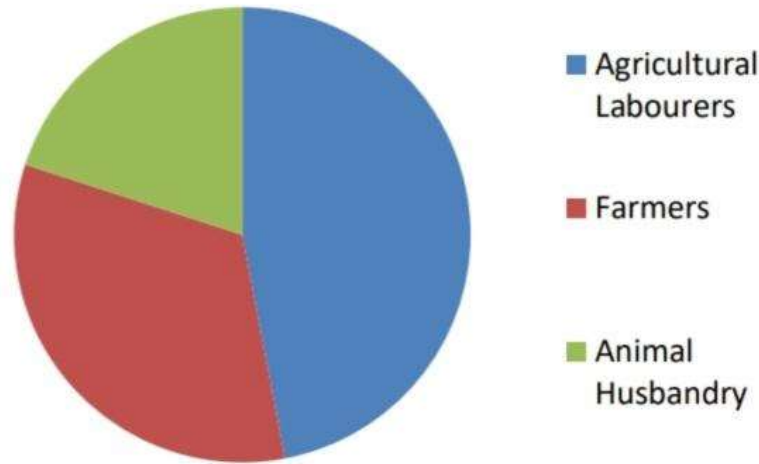


Fig 1: Proportion of women working in the agriculture sector as unorganized laborer.

In addition to the agriculture industry, these women find a lot of work in other sectors. Women typically work in manufacturing, especially in handloom and cottage industries, in non-agricultural sectors. Their percentage does, however, differ by industry. Manufacturing accounts for 48.2% of the unorganised sector's workforce, followed by trade (15.8%), construction (5.6%), industry (5.5%), other industries (23.8%), and transportation and storage (0.9%).

### Women in Unorganised Sector

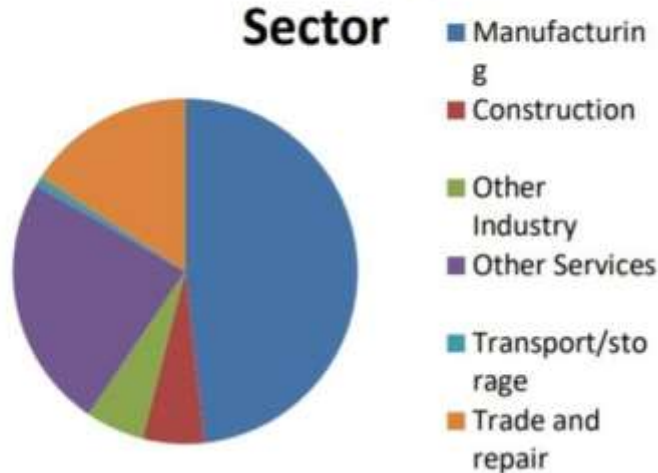


Fig 2: Proportion of women working in the non agricultural unorganized sector.

Although women make up a significant proportion of the workforce in the informal sector, they

are invisible when it comes to receiving pay and benefits.

### Literature Review

Various scholars have worked on the condition of women in the informal sector and have conducted their own studies to come up with a conclusion. A gist of their work is as follows:

1. Jan Breman (1988), reported that women workers are not able to obtain any kind of maternity benefit. They have to work till the last state of their pregnancy and resume immediately after the child birth, in turn exposing both themselves and the child to considerable danger.
2. Kalpana Devi and UV Kiran (2013), found that women are forced with a double burden of work as they are forced to do the domestic work as well as labor in the sites. It was seen that in 15 minutes, about 55 bundles, each weighing 7-8 kg, passed through the hands of women. Thus, In an 8-hour shift, therefore, an incredible 32,000 kg passes through a woman worker's hands; however, they are paid only a meager wage for their arduous effort. While doing earth work women carried 15 kg. of mud and walked 30 feet to deposit the mud and return. In an 8-hour shift a woman on average would have walked about 13 kms carrying about 21000 kg of mud without taking any breaks.
3. Rao Shanmukha P, Suryanarayana (2013), NVS observed that women participation in the informal sector is enormous. However, it is felt that jobs dominated by females are devalued and degraded. They are the least paid jobs and are considered to be of lower value just because they are done by women. They are placed with a double burden of work as they have to tend to their family and at the same time, help in their subsistence. However, this gender bias has not deterred women from contributing to their family as well as the economy.
4. S Monisha and PL Rani (2016), state that women and children are the most vulnerable as women are exploited by the contactors, both sexually and by paying less wages. Older women are forced to employ their young daughters to please the contractor so as to keep her job and earn an extra commission over her salary.
5. MN Chitra (2016), conducted a study and found that there is a significant relation between the marital status of the respondents, the number of people earning and the overall problem checklist of working women and its dimensions like family problems, occupational problems and personal problems. It opened a new horizon and confirmed some of the general notions of the society. It was found that most of the women in the

sector were from the age group of 18-35 and it was in the early stages that they were sexually exploited by the employers as well.

6. Manju (2017), analyzed that Workers irrespective of sex are exploited in the unorganized sector; however, women suffer more due to their gender. Women form 50% of the population, 30% of the workforce, but account for 60% of the working hours and receive only 10% of the world's income.

She has recognized various reasons why women tend to face such problems such as the insufficient skill and knowledge, insecure job, apathetic attitude of the employer, extreme work pressure, irregular wage payment, seasonal employment and seasonal employment.

7. Dr Laxmidevi Y (2018), conducted a study in which the majority of the respondents worked for monthly wages and were unmarried. They had a family income of less than Rs 6000/month out of which most of it got spent for their subsistence. It was seen that women have to work as they face a lot of financial instability. However, the employer does not pay the women at par with men for the same job done. They are burdened with double responsibilities at home and at work. They are forced to work under pitiable conditions due to lack of laws to protect them. Laws for the Protection of Women in the unorganized sector.

The rights of women employees in the organised sector are safeguarded by a number of laws, but the unorganised sector is unaffected. Certain laws can be expanded to cover the unorganised sector in order to protect women.

### **1. Equal Remuneration Act, 1976**

In the past, women were generally believed to be less serious about their work than men because they prioritised their families over their careers, which led to lower pay for them. Due to this act, employers are now required to pay men and women equally for equivalent labour. Additionally, this act stipulates that if a woman is capable of performing a job, she shall not be denied it. No job shall be limited to men only.

### **2. Maternity Benefit Act, 1961**

This act was created to control how long women could work in specific establishments prior to and following childbirth, as well as to offer maternity benefits and other benefits. This occurred subsequent to the Union of India v. Nargesh Mirza case, in which Air India fired female air hostesses while they were pregnant. All women employed in plantations,

mines, stores, establishments, and factories in the unorganised sector are covered by the Maternity Benefit (Amendment) Act by 2017. Additionally, a crèche facility is supposed to be provided for. But other informal sector occupations, such as domestic work, are still not taken into account.

### **3. Minimum Wages Act, 1948**

Men and women are entitled to the same pay for the scheduled employments that have been set by the relevant governments. The Act prohibits gender discrimination, and female employees are entitled to the same pay as their male counterparts who work in scheduled occupations, as determined by the relevant governments. Additionally, no employee may work longer than nine hours, and if an employee is required to work overtime, they will be compensated at a rate that is 1.5 times higher than their regular pay.

### **4. Plantation and Laborers Act, 1951**

Wherever there are more than 50 women employed, Section 12 of this act provides for crèches and kid-friendly rooms. Women are not allowed to work on plantations between the hours of 7 p.m. and 6 a.m., according to Section 25.

### **5. The Unorganized Workers' Social Security Act 2008**

Every unorganised worker is eligible for registration under this act, provided they meet two requirements: (i) they must be at least fourteen years old; (ii) they must self-declare that they are an unorganised worker.

The District Administration is required to register each unorganised worker.

The state would require the remaining social security programmes, which include life and disability insurance, health and maternity benefits, and old age protection. The Central Government offers these three basic programmes to registered unorganised workers.

### **6. Domestic Workers (registration, Social Security and Welfare) act, 2008**

In order to formally recognise domestic helpers as employees, it is necessary for district boards, state boards, and the central advisory committee to regulate the work that they do and to register them.

By virtue of this act, the district courts have the authority to name one or more of the following as Workers' Facilitation Centres (WFC) in order to assist with worker registration:

- i. Urban local bodies, such as Panchayati Raj Institutions (PRI);
- ii. Associations or societies for resident welfare
- iii. Non-profit groups assisting domestic employees.

They can request any paperwork, investigate any instances of sexual exploitation, free any worker who has been unjustly detained in one of these locations, or save a child who is being used as a domestic worker.

## **Research Methodology**

### **Problem Statement**

In India, the majority of workers in the unorganised sector are temporary residents. It is the females who cover for the males when they migrate to different states.

They must, however, deal with numerous challenges and issues. Because the females never report, the underlying issues never come to light. Their timorous nature may be the cause of their ignorance. If society prefers to believe the contractor over the workers, then one cannot be bold and honest about their problems. This encouraged the researcher to conduct one-on-one interviews with workers and CSOs working on related issues in order to learn about the issues faced by women employed in the unorganised sector.

### **Objectives of the Research**

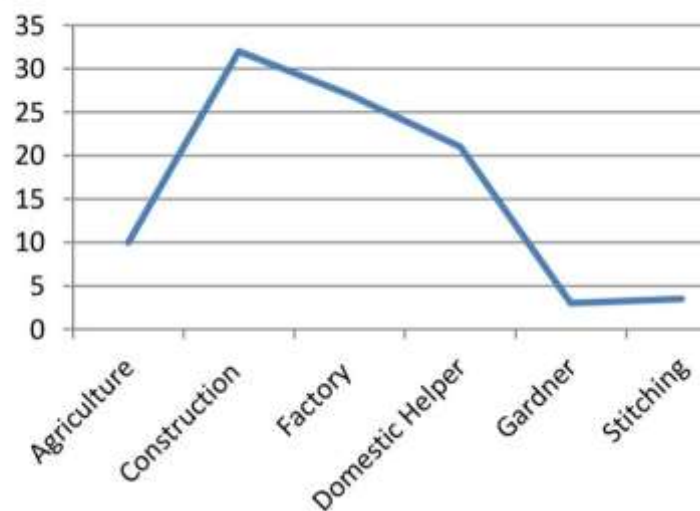
1. To identify the issues that women in the unorganised sector face
2. To make recommendations for actions to improve their situation.

### **Research Design and Methods**

The nature of the study is descriptive. It focuses on the issues that women who work in a variety of unorganised sector fields face. The study's universe comprises women who work in the unorganised sector in Delhi, Rajasthan, and Orissa. For convenience, women have been chosen through non-probability sampling. Among the population, women from rural backgrounds make up the majority.

### **Survey**

200 women in the 20–35 age range who worked in a variety of fields made up the sample, as can be seen below:



**Fig 3: Percentage of women employed in various unorganized sectors.**

They were identified as having the following issues:

#### **Payment-related**

1. Men exclusively dominate our society. The same is taken into consideration at work. Work performed in the unorganised sector is deemed unfit for women to perform. A woman is not given the chance to grow. Opportunity inequality exists.
2. It is understandable that women do menial labour and do not receive pay commensurate with that of men.
3. A woman may occasionally find herself unable to receive her due because she is unaware of the employer. She simply knows the contractor who underpays her.
4. It is said that to achieve the best outcomes, work hard.  
For them, it would be akin to serendipity to have a shrewd contractor who would give them credit where credit is due. In actuality, they don't receive the agreed upon sum from the contractor. They only receive Rs 250 even though they had agreed to receive Rs 300. They are forced to perform tasks for which they are not compensated. They are fired if they attempt to file a complaint.
5. Additionally, it has been observed that contractors frequently take advantage of women as they are regarded as inexpensive labour. This mindset is present in the government as well.

For instance, a woman who works for five to six hours a day in schools preparing lunches is only paid Rs 40.

6. In addition, women must perform twice as much as men in order to support their families due to extremely low pay rates.
7. An excess of labourers is available in the market, and their limited mobility over short periods of time eventually results in a lack of amenities and decent working conditions for the employees; if they refuse the work, someone else will always be willing to replace them in the fierce competition.

#### Basic Facilities and Social Security

8. Workplace restrooms and sanitation are inadequate. Women must endure great discomfort as a result of not having access to these basic necessities. It is akin to denying them their entitlement to a life of quality.
9. There is no specific provision for food, shelter, water, or a shared area where women can take breaks, or no provision at all.
10. The fact that these women also have to care for their young children presents another challenge. Due to their remote locations, Anganwadis find it challenging to balance their jobs and kids. Furthermore, these women's task is made even more difficult by the lack of a crèche for their children.
11. Women are occasionally required to work through the night. Even then, their security and well-being are disregarded since they are not given night shelters.
12. Women do not receive the same pay as men. All they get are justifications for lesser pay, even when they toil diligently through the fields without rests. Because they are perceived as "working harder," men are paid more.
13. Even sick days are not granted to women.  
They are just replaced by someone else if they take breaks or ask for time off to care for themselves or any family members. Job security does not exist.
14. The unorganised sector has a high rate of accidents, which puts workers at risk for injury. Nevertheless, even in major accidents, women are not given any kind of compensation or assistance in the event of their death.
15. Since the contractor doesn't give the employees any safety gear or precautions, their safety is not given priority. They put themselves at great risk when working on building sites without helmets or in factories without the appropriate masks and gloves.
16. The majority of workers in the unorganised sector do not have jobs with any registered businesses. Therefore, in the event that something goes wrong, they are powerless to take legal action against them.

17. Due to the nature of the work, employees may contract additional diseases; this is particularly dangerous for women since they bear a greater burden but receive no compensation for it.
18. There are no maternity benefits for women. In addition, they are compelled to quit their jobs when they become pregnant because they are no longer suitable for them, are less productive, and require more time off.
19. In addition, there are issues with intermediaries. They may occasionally be fraudulent, deceiving the employees in the process. Alternatively, if they are operating without a licence, they can escape accountability to the employee.

### **Domestic Workers and Harassment of women.**

20. The primary issue facing society is that even a significant portion of women are employed, they are hardly noticeable. Thus, when we envision an employee, it appears to be a man in a workplace where over half of the employees are female. This results in the harassment of women in society and patriarchal thinking.
21. Women are taken advantage of both at work and at home. The younger women are kept apart from the older employees at work, and the contractor who they do not speak up against continuously harasses them.
22. The primary cause of this is that, in the first place, they are ignorant of their legal protections and their rights. Furthermore, in this fiercely competitive market, they constantly fear being fired if they do speak up, and finding a new job is extremely challenging.
23. Their complaints are ignored even when they are made. The women are not taken seriously by the police, who have a very callous attitude. Instead of accusing the wrongdoer, they hold the women accountable for her harassment.  
This kind of behaviour from other women is extremely harmful because it erodes a woman's faith in society at large as well as in the government and system.
24. However, domestic workers' circumstances are worse still. The fact that they are not subject to any particular laws makes them even more.
25. They must constantly deal with discrimination from their employers and the community in which they work. They occasionally construct separate entrances, lifts, and cruel treatment for them. One could argue that doing this is unconstitutional.
26. Occasionally, the employers also subject these women to sexual harassment. However, the abuse they endure extends beyond simple sexual harassment—they also experience

psychological harassment. For instance, they must pay exorbitant interest on any loan they accept from anyone. In exchange, special favours are even requested of the women. They also suffer from constant mental anguish as a result.

### **Recommendations**

1. The lack of knowledge about government committees, programmes, and other resources, such as places to file complaints, among activists and employees, was found to be the primary issue.
2. Government representatives need to be made more sensitive to the concerns facing women working in this field.
3. In order to give women workers the best possible visibility, more of them should register. Women will be more likely to participate as a result, and workplace safety will increase.
4. Strict enforcement of the law is necessary to guarantee that workers receive the necessities, such as water, toilets, and childcare facilities, at their place of employment. This also applies to women.
5. Gender laws should be integrated, employer-employee relations should be improved, contracts must be properly registered, and the labour department should be strengthened. Labour union strength and power can also be increased.
6. Workers in dangerous environments should be covered by insurance to make sure they or their heirs receive the proper compensation in the event of their death.
7. In any industry, accurate records of its employees are essential for providing them with relief as well as for monitoring and recording workplace activities.
8. In order for workers to be able to defend themselves, widespread legal awareness campaigns should be launched to make sure they are aware of their fundamental rights.
9. When it comes to hiring contractors, the employer should only designate registered contractors and assume accountability when issues arise. They ought to have a formal contract outlining all terms and obligations related to the work.
10. Women should have set work hours so they can receive enough breaks and holidays during the workday. They should also receive additional compensation if they work overtime.
11. To maintain openness in the subject, all construction sites ought to be registered.

12. It is recommended that maternity benefits be provided to women in every industry. Paid leave ought to be granted to them for a minimum of two months prior to the birth and for a subsequent three months following the delivery.
13. Care should be taken with regard to the tokenistic portrayal of women in society. Involvement of women in decision-making is necessary. As new issues would be easier to bring to light, this will aid in the better formulation of laws.
14. In order to provide women with prompt relief, helpline services ought to be established.
15. In order to provide women with greater relief, give them more power, and help them bring their concerns to the government, female unions should be formed.
16. The interests of domestic workers should be safeguarded by the creation of occupation boards. It is necessary to pass specific legislation to shield them from exploitation.

### **Conclusion**

Research indicates that female employees in the unorganised sector encounter not only a double workload or accountability but also issues related to gender bias, pay disparity, harsh working environments, inadequate education, training, and experience, low pay, job instability, health issues, and more. The government's implementation policy, regulatory framework, and programmes that establish the conditions necessary for them to increase their incomes all play a role in improving the living conditions of women workers, in addition to their own attitudes towards this injustice. By keeping out 50% of the talent in the nation, we are unable to fully utilise its potential. No nation can develop to its full potential if its resources are not fully utilised. However, that does not imply that women should be used for nothing more than sexual gain. The situation won't get better unless women participate fearlessly. More is required to realise this dream than merely enacting laws. We require parity.

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