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WOMEN ENTREPRENEURSHIP: LEGAL PROSPECTS, IMPLICATIONS, CHALLENGES

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Women Entrepreneurship: legal prospects, implications and challenges

Compared to one in five males, one in six women stated they intended to launch a business in the near future. Compared to one in eight males, one in ten women were just beginning a business. Women's aspirations to start their own business were greatest in low-income nations (28.2%) and lowest in high-income nations (11%). Low-income nations (13.3%) and Latin America and the Caribbean (21.2%) had the greatest rates of female entrepreneurs; globally, Guatemala (28.2%) and Colombia (26.1%) led the way. The GEM study emphasizes how crucial a role women entrepreneurs continue to play in promoting social development and economic success in their nations and local communities. But women "also endure inequity in the home, bearing a greater share of the household's tasks.,¹

I. Women Entrepreneurship and its relevance:

"Woman or a group of women who start, organize, and run a business enterprise" is the definition given to women entrepreneurs. The definition of women entrepreneurs provided by the Indian government is based on their involvement in the employment and equity of a business enterprise.

¹ Babson College, Babson Thought & Action, *GEM (Global Entrepreneurship Monitor) Report, 2022/2023 Women's Entrepreneurship Report*, (2023)
<https://entrepreneurship.babson.edu/gem-women-entrepreneurship-2023/>.

Therefore, "an enterprise owned and controlled by a woman having a minimum financial interest of 51% of the capital and giving at least 51% of the employment generated in the enterprise to women" is the definition of a woman-run business. Women entrepreneurs make up 10% of all entrepreneurs in the nation. It has resulted in a huge increase in women's self-employment, with the women who have now established new. The population of women constitute 50% of the population of our country with a lower literacy rate than men as they have been treated as inferior due to people having backward mentality. This statistical fact has indicated and explained the economic growth of the nation, as it is considered that the women should not be encouraged to make their share of economic contribution towards the country.²

Many nations have emphasized and promoted entrepreneurship as a way to help and improve their economies and growth, as it also serves as a crucial component of those economies' expansion, particularly in the wake of financial crises and other economic downturns. From both developed and developing country views, entrepreneurship is seen as the primary engine of the economy. Unfortunately, though, women in the field of entrepreneurship are both underrepresented and disregarded.

Furthermore, because women are less likely than men to succeed in the field of entrepreneurship and are more likely to work in high-value industries with room for expansion, there are fewer enterprises run by women. This distinction is not the treatment of gender biasness. And a reason why there are few women entrepreneurs as there is less space for the women to enjoy as business entrepreneurs.³

Although women are increasingly turning in to entrepreneurship to start their own businesses to support social and economic development of their communities, little is known about the subtleties and interactions between women's entrepreneurship and culture.

In the 59 economies that were looked at in the most recent research (2022/2023). The Global Entrepreneurship Monitor (GEM) reports that 231 million women owned or managed companies. Numerous government agencies and organizations, such as UN Women and the ILO, have long

² R. Lavanya, M. Lareesha and D. Madav, *Women Entrepreneurship in India*, 2, Advances in Economics and Business Management (AEBM), 714, (2015).

³ Radha Sharma and ors., *Women and entrepreneurship*, FRONTIERS, (Sept 24 2021) <https://www.frontiersin.org/research-topics/10947/women-and-entrepreneurship#articles>.

acknowledged the contribution that women make to society, economic prosperity, and individual welfare. Despite the fact that female entrepreneurs are essential for creating new jobs and improving the social and economic development of their nations, little is known about the interactions and nuances of women's entrepreneurship, growth, and culture.⁴

II. The legal framework governing Women Entrepreneurship:

It is more important than ever to take advantage of women's economic contributions to put countries back on the path to recovery. In essence, it is now more crucial than ever to take advantage of women's economic contributions to help countries get back on the path to recovery. It is necessary for a wide range of stakeholders, including governments and financial institutions, to remove long-standing barriers that impede women's economic participation and advancement in business and the workplace in order to support the spirit of invention that is evident in the data and ensure positive progress. In order to achieve this, a more gender-sensitive mindset needs to be implemented at all levels, enabling women to participate more in the workforce and in business. Improving the availability of resources and low-cost financing for female entrepreneurs will contribute to the economic contribution of women and avert future setbacks in the goal of gender parity. Enhancing women entrepreneurs' access to resources and inexpensive financing would help to fortify women's economic contribution worldwide and avert further setbacks in the pursuit of gender parity. One way to support a global economic recovery that is more sustainable and equitable for all is to encourage women to participate fully and equally in the workforce, particularly as entrepreneurs and business owners.⁵

i. Women Entrepreneurship and the law in India; widening disparities:

An increasing number of women are becoming entrepreneurs in contemporary India, particularly in micro, small, and medium-sized businesses. In India, more and more women are expressing a desire to be self-sufficient financially. As a result, Indian women are no longer viewed as stunning centrepieces. They have currently made a name for themselves in a world where men predominate. The Indian woman can now balance the workload at home and her job, meeting deadlines in both places.

⁴ Amanda Bullough, *Women's entrepreneurship and culture: gender role expectations and identities, societal culture, and the entrepreneurial environment*, *Small Business Economics*, 985–996 (2022) <https://link.springer.com/article/10.1007/s11187-020-00429-6>.

⁵Mastercard, *The Mastercard Index of Women Entrepreneurs*, (2022), <https://www.mastercard.com/news/media/phwevxcc/the-mastercard-index-of-women-entrepreneurs.pdf>

Through a variety of planned interventions, the Indian government has taken a number of different actions to guarantee women's social, educational, economic, and political empowerment. In an effort to improve the employability of female workers, the government presently provides training through a network of Women Industrial Training Institutes, National Vocational Training Institutes, and Regional Vocational Training Institutes. The government introduced the Skill India Mission, which aims to achieve women's economic independence through skill development and vocational training. In order to improve economic productivity, the National Skill Development Policy prioritizes inclusive skill development and aims to promote the participation of women. The Pradhan Mantri Kaushal Vikas Kendra places emphasis on building out the infrastructure for women to receive training and apprenticeships; providing flexible mechanisms for training delivery; organizing afternoon training batches tailored to women's needs in the community; and guaranteeing a safe, gender-sensitive training environment, hiring female trainers, compensation parity, and a complaint redressal system. Numerous initiatives have been developed to support women in starting their own businesses, including the Prime Minister's Employment Generation Programme (PMEGP), Stand-Up India, and the Pradhan Mantri Mudra Yojana.

Articles 14–16 of the Indian Constitution provide equal treatment for men and women and prohibit discrimination based on a person's sex. In addition, several significant laws that address particular issues faced by women have been passed, including the Maternity Benefits Act of 1961, the Equal Remuneration Act of 1976, and the Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act of 2013. Nonetheless, there is a glaring legal loophole that presents difficulties for women in the workplace. In India, women earn 19% less on average than men, who make 46.19 rupees more per hour than women. This is a very unfavourable wage disparity. India dropped 4 spots from the previous year to rank 112th in the world in the 2019 Global Gender Gap Ranking. Apart from the disparity in pay between men and women, there is also a significant pay difference in India between the organized and unorganized sectors, rural and urban locations, and employees who receive a fixed salary as opposed to an hourly wage.⁶

Furthermore, the recently enacted Labour Codes have included a number of enabling provisions to promote the employment of women and create welcoming work environments for them. The

⁶ Arushi Sharma, Shivanshi Gupta, *Women Entrepreneurship and Indian Laws*, Law Audience Journal, 47, 60. (2023).

Stand Up India initiative encourages women to start their own businesses. Women are required to hold at least one-third of the positions created under the Mahatma Gandhi National Rural Employment Guarantee Act, 2005 (MGNREGS). Additionally, the government has created favourable regulations to support women's involvement in non-traditional fields including fighter pilots in the Indian Air Force, commandos, Central Police Forces, admissions to Sainik Schools, etc. The government also runs the Working Women Hostels program, which offers safe housing to working women. Furthermore, the Indian government has chosen to launch the Umbrella Scheme for Safety, Security, and Empowerment of Women as an integrated program known as "Mission Shakti" to empower women holistically and establish them as equal partners in the development of the country through convergence at various governmental levels and a participatory approach.⁷

Many female entrepreneurs think that their challenges were more related to entrepreneurship than gender discrimination because of the widespread gender bias. In the landmark case of F.A.I.C. and C.E.S. vs. Association of India,⁸ the Supreme Court of India ruled that government employees holding the same post and carrying out indistinguishable work can be paid differently on the basis of differences in liability, dependability, and secrecy. This ruling is seen as a turning point in the legal history of women's equality. Subsequently, the court stated that equitable compensation is determined by the calibre and type of labour performed, not by the meagre amount of work completed.

Disparity in the Law and legal treatment of women entrepreneurs; Comparative study:

Countries across the world have their own legal systems in place that create a favorable ecosystem to encourage entrepreneurship. This system includes a host of laws including Labor laws, business and commercial laws, marriage, inheritance and property laws and several others. These laws have been set in place over several decades and have seen many changes. Traditionally, these laws only focused on men as their subjects, which later transcended to include women under their ambit. However, it has been observed that there is a disparity in the treatment of men and women which creates several hurdles for women entrepreneurs in their respective countries. It is important to have a closer look at such challenges by conducting a comparative study.

⁷G Satyanarayana, *Women Entrepreneurship in India: A case study on Swarna Jyothi Mahila Samakhya (SHG) in Warangal District of A.P.*, (2016)

https://bspublications.net/downloads/057775fb7488eb_Ch-1_women.pdf

⁸ F.A.I.C. and C.E.S. vs. Association of India, AIR 1988 SC 1291.

a. The uneven pace of developing legal frameworks: OECD study⁹ and MENA region

Countries are working towards making laws gender neutral, at every level, including international and constitutional principles such as equality in them. Despite this, it can be seen that each country has a different pace of carrying out legal reform, with a different motive and reason. It has also been seen that parallel legal frameworks exist within countries that exist along with statutory laws, which may in turn have an adverse impact on the implementation of national laws.

Discriminatory Laws and Regulations is one such obstacle faced by women in the countries in which they intend to start a business. Property and inheritance laws may contain provisions that are unequal, which restrict a woman's ability to start and grow businesses. This is because, fixed assets/ collateral is crucial to obtain commercial loans. In cases where law guarantees equal rights, discriminatory social norms could still prevent women from claiming and enjoying their rights.¹⁰

Some illustrations were used by the speakers in the session conducted by OECD:¹¹

- As part of the EU's Acquis Communautaire, Romania and Croatia in 2003 and 2008, have brought about gender equality laws.
- The Central Asian region has seen most countries establishing a solid legislative base for equality between sexes, from constitutions to various national laws and regulations. Despite this, it has been observed that in practice, countries' adherence to gender equality norms are quite distinct, with Kazakhstan acting as a frontrunner in the region.
- Almost all African countries have ratified the essential international instruments on women's rights. They also have their own Africa-specific instruments guaranteeing basic human rights. In most sub-Saharan African countries,

⁹ OECD, *The Impact of Legal Frameworks on Women's Economic Empowerment around the World: challenges and good practices*, 5-7, (2018), <https://www.oecd.org/mena/competitiveness/2107-March-on-Gender-Legal-Framework-Highlights.pdf>.

¹⁰ Asian Development Bank, *Emerging lessons on Women entrepreneurship in Asia and the Pacific: Case studies from the Asian Development Bank and the Asia Foundation*, 11, (2018), <https://www.adb.org/sites/default/files/publication/459551/women-entrepreneurship-lessons-asia-pacific.pdf>.

¹¹ OECD, *The Impact of Legal Frameworks on Women's Economic Empowerment around the World: challenges and good practices*, 5-7, (2018), <https://www.oecd.org/mena/competitiveness/2107-March-on-Gender-Legal-Framework-Highlights.pdf>.

discriminatory legal provisions and challenges with law enforcement and implementation continue to exist, impacting equality.

- Morocco, Tunisia and Egypt have framed new constitutions in 2011, 2014 and 2015, while Jordan (2011) and Algeria (2016) have amended theirs and the provisional declaration of Libya in 2011 all contain provisions on equality while also prohibiting discrimination, in their own ways. Awareness regarding benefits of gender equality is high, and the Middle Eastern and North African (known as MENA)-region has progressed in terms of discussions regarding gender equality.

Recent research conducted in MENA, concluded that¹² that in all four countries studied, (Jordan, Tunisia, Egypt and Morocco) legislation on establishing and managing a business is gender neutral. The reality is however different, where women entrepreneurs face certain additional challenges in the form of: access to information, land, markets, financial services, and assets such as investment instruments. Further reforms are still needed to encourage women entrepreneurs to increase their influence over how business laws and policies are designed.

In Jordan, women entrepreneurs face discrimination when they engage in business ventures and while resolving disputes. A research study on barriers to women entrepreneurs' access to justice was conducted where it was found that legal provisions related to liberty and right to move freely, labour, and personal status in Jordan are unequal for women. In situations where legislation does not discriminate directly, men and women entrepreneurs report different treatment, effects and outcomes in practice while dealing with laws related to entrepreneurship.¹³

b. ASEAN: Gaps in policy and practice¹⁴

It has been observed in ASEAN countries leaving Singapore, government policies and regulations are considered restraints for entrepreneurs/businessmen. The common problems associated include complicated, expensive and long procedures, where there is dearth of uniformity and coordination between government instrumentalities. In

¹² OECD, *Changing Laws And Breaking Barriers For Women's Economic Empowerment In Egypt, Jordan, Morocco And Tunisia*, 76, (2020), <https://www.oecd-ilibrary.org/docserver/d4635f6d-en.pdf?expires=1700232377&id=id&accname=guest&checksum=3515A8E608165C1515CB60C818D89C87>.

¹³ International Development Law Organization, *Access to justice for women entrepreneurs*, (2019), <https://www.idlo.int/sites/default/files/pdfs/news/summary-weatoj-jordan-final.pdf>.

¹⁴ United nations ESCAP, *Fostering Women's Entrepreneurship in ASEAN*, 53-60, (2017), https://www.unescap.org/sites/default/files/ESCAP-FWE-ASEAN-full_0.pdf.

Myanmar, Cambodia, Lao People's Democratic Republic and Brunei Darussalam, insufficient policies, lack of government support and ineffective bureaucracy were seen as the number one hurdles to do business as per the World Economic Forum.

To assist women entrepreneurs, governments must stick to their commitments, mentioned in instruments such as the Beijing Declaration, Sustainable Development Goals, and the Addis Ababa Action Agenda. The necessary decisions in terms of policy, programme, and budget, must be backed by sex-specific data. There are several examples of steps taken by countries, which are seen as ones in the right direction. The Indonesian government passed a Presidential Decree in 2000, where gender mainstreaming was considered “a fundamental part of the function of all government institutions” and it directed government agencies to establish their own designs to implement the same. Malaysian National 5-Year Development Plans and National Budgets also consider gender priorities as central. The Magna Carta of Women is the fundamental legislation in the Philippines, promoting gender equality. Therefore, promotion of women entrepreneurship involves a host of policy and legislative changes and is not restricted to a set of laws or sectors of the economy.

III. Implementation Issues

To facilitate women's economic empowerment, every country must effectively implement domestic laws and international pledges it has made. The World Bank and OECD studies¹⁵ have shown that marriage, and divorce laws, inheritance law, land laws and Labor laws can establish whether women can make decisions for themselves, own or inherit property/assets, freely travel to the work place and other decisions. Legal systems must contain laws that are well-reasoned. This is still a challenge. Some illustrations were cited by the speakers- In the MENA region, family related legal framework is not in accordance with principles enshrined in the constitution such as equality and non-discrimination. Inheritance is still discriminatory against women, with women usually inheriting only half of their male counterparts'. This restricts the collateral that women can offer for a loan, that in turn negatively affects entrepreneurship.

¹⁵ OECD, *The Impact of Legal Frameworks on Women's Economic Empowerment around the World: challenges and good practices*, 7-9, (2018), <https://www.oecd.org/mena/competitiveness/2107-March-on-Gender-Legal-Framework-Highlights.pdf>.

Labour codes across the globe, still contain discriminatory provisions. In the Latin American Countries (LAC) region, countries like Dominican Republic and Mexico have removed all legal restrictions on women's work, despite the discriminatory laws that hinder equal treatment and opportunities for women. By 2015, Africa saw only 15 countries with legislative provisions to ensure equal hiring opportunities. While addressing inconsistencies in the laws is important, it is much more crucial to ensure that legal reforms are fully implemented to be able to generate equal employment opportunities for women.

Gender mainstreaming is a relatively new concept “that involves ensuring that gender perspectives are integrated into the preparation, design, implementation, monitoring and evaluation of policies, regulatory measures and spending programmes, as a means to achieve gender equality.” It has been seen that though women face the exact same legal requirements for registering a business, they face specific obstacles in practice that emanate from their lack of work experience, network access and difficulty in identification and physical access of in using safe transportation.¹⁶ The need of the hour is an effective and accessible justice system along with awareness of rights, which can facilitate implementation of the law.

IV. Women, Business and the Law 2023 findings

An annual report released by the World Bank, called the “Women, Business and the Law” analyzes laws and regulations impacting women's economic opportunities and challenges in 190 nations across the globe. The report data is available for the period from 1971 to 2023. It has eight indicators and the indicator relevant to this paper is that of Entrepreneurship.

This indicator examines barriers to a woman's ability to establish and run a business. Female entrepreneurs who plan to set up a business face unequal legal treatment that act as obstacles. Women are discouraged to become entrepreneurs due to these obstacles they face. (68 women for every 100 men entrepreneurs globally as per GEM 2022). The gender gap is seen to be at its peak in lower-income economies as per the study. The COVID-19 pandemic has only worsened the existing disparity, as women-led businesses were hit disproportionately and less likely to receive public support. Government Policies that promote women's access to finance, are

¹⁶ OECD, *The Impact of Legal Frameworks on Women's Economic Empowerment around the World: challenges and good practices*, 7-9, (2018), <https://www.oecd.org/mena/competitiveness/2107-March-on-Gender-Legal-Framework-Highlights.pdf>.

considered important instruments that to enhance productivity and make women-owned firms resilient to change. Despite high scores on the Entrepreneurship indicator, many economies continue to see women face legal constraints in accessing finance. 101 economies are still lacking laws that directly prohibit gender-related discrimination in accessing credit.¹⁷

Countries like Benin, Côte d'Ivoire, and Iraq have taken steps to eliminate discrimination in access to financial services since October 2021. Over the last three years, the report observed similar legislative reforms in the MENA region. The capacity to sign a contract, set up a bank account, and register a business freely are also crucial to empower women to be entrepreneurs.

V. Challenges women face when entering the world of entrepreneurship¹⁸:

According to the Times of India, India has the third largest startup ecosystem and is expecting roughly 150 unicorns by 2025. There has been no growth in the number of female entrepreneurs. According to the 'Highlights of the Sixth Economic Consensus' survey done in 2014, just about 14% of Indian women own or run enterprises. More than 90% of women-owned businesses are microenterprises, and around 79% are self-financed. The question here is what is still impeding women's advancement in a century of complete female involvement and feminist ideas dominating everywhere. Inferences taken from over 20 articles, and over 10 journals, some of the present obstacles that continue to be a barrier between potential female entrepreneurs and their success are still found to exist, include:

- Stigmas such as gender discrimination and poor treatment everywhere;
- Society stereotypes of good and bad women, as well as cultural constraints that create negative self-perception;
- Socio-personal issues such as economic backwardness, society attitude, and low risk bearing;
- Women's lack of awareness of existing legal and interim constitutions and rights;
- Unavailability of collateral, finance issues, and a lack of money;

¹⁷ World Bank Group, *Women Business and the Law 2023*, 32, (2023), <https://openknowledge.worldbank.org/server/api/core/bitstreams/b60c615b-09e7-46e4-84c1-bd5f4ab88903/content>.

¹⁸ Satish Kumar & Kanika Thakur, *Women Entrepreneurs in India – What Chains Their success?* (pg. 532), *Asian Journal of Organic & Medicinal Chemistry*, Vol. 7, No. 2 (2023)

- Absence or a low rate of educational provision in distant locations;
- Government help being processed slowly;
- High crime rates and low mobility create safety concerns at work and in public settings.

Other than the most general challenges that affect the participation of women in the business world, child care difficulties, balancing between home and family where only women are expected to perform household responsibilities alone, without family help are also some inherent gendered reasons. If not emotional, financial obstacles such as poor parental income, basic occupation and basic salary, and thus minimal prospects of starting a business arise.

Production and marketing challenges for small business owners, such as a lack of market expertise, fierce rivalry, exploitation by middlemen, corruption in material, labour, and trading; a lack of export market support, due collection issues, and so on.

i. Limitations in the field of IPR¹⁹:

All women have unique experiences, and it is impossible to simplify such experiences into a single point of view shared by all women. There is mounting evidence that women are routinely misled in the sphere of intellectual property laws, relegating them to a subordinate place in the legal system. Unfortunately, IP law has failed to develop a huge number of female innovators, making it an exclusive province of the male gender in society. History demonstrates that numerous formal jobs in the legal genre may be associated with women. Even if not exclusively male, men controlled many creative occupations such as art forms, writing, engineering, science, and music. This is a case of blatant societal inequality.

On the one hand, our Constitution, envisions the Right to Equality under Articles 14 to 18, specifically Articles 14, 15 and 16 of the Constitution; on the other hand, society traps women in a narrow web by restricting, and strapping her to the walls of the household. Intellectual property law evolved in response to such social prohibitions. Female company owners and executives drive innovation and advancement. When used properly, IPRs can help women entrepreneurs flourish by allowing them to receive funding, promote their discoveries, and gain insight of IPRs owned by others.

¹⁹ Chatterjee, S. (2022) *Women and intellectual property law*, Law Corner. Available at: <https://lawcorner.in/women-intellectual-property-law/>. (Accessed: 18 May 2023).

The contributions of feminists to native and centuries-old traditions should be valued and safeguarded through intellectual property regimes. Without legal protection for inventors, innovation comes to a halt. This is why it is critical to have solid and efficient intellectual property laws. There is significantly less economic incentive for intellectual property owners to produce revenue. It is true that infringement on original works would occur if it were easy to copy and sell those works without the author's agreement or remuneration.

ii. Limitations within the maternity law:

Despite reports that women are equally as committed to their careers, if not more so, after having children, they are often treated less favourably in the workplace than men. This discrimination is reflected in the tasks assigned to them at work. Before women in the job can break through the notorious "glass ceiling," legal and social scientists have long warned of a "maternal wall" in their path. As a result, present maternity regulations should include provisions for post-delivery provisions for at least the next three years so that women can engage in office and work from home facility or visit office thrice a week to encourage participation.

iii. Limitations with regards to remuneration²⁰:

There have been a number of significant legislations enacted, including the Maternity Benefits Act of 1961, the Equal Remuneration Act of 1976, and the Sexual Harassment at Workplace (Prevention, Prohibition, and Redressal) Act of 2013, all of which address specific issues that women face. However, there is a glaring void in the legislation that can give voice to the whole range of professional issues that women experience. In India, the wage disparity between men and women is significant, with women working and earning 19% less than males, who earn 46.19 rupees per hour more than women.

India is now rated 112th in the Global Gender Gap Ranking, down four positions from the previous year. Aside from the wage disparity between men and women, India has a significant pay disparity between organised and unorganised sectors, rural and urban locations, and employees getting a fixed wage versus hourly salaries. Even though India's per capita income

²⁰ R. G. Garg. (2021, November 8). All you need to know about equal remuneration enforcement. <https://blog.ipleaders.in/all-you-need-to-know-about-equal-remuneration-enforcement/>.

has climbed dramatically, it appears to have had little impact on the gender wage gap. In the current economic situation, the growth in discriminatory rates has resulted in a widening of the wage difference. As instances of discrepancy between workers and labourers executing the same activity in the same position in the same workplace have been noticed, this has become a major source of concern.

iv. Limitations due to sexual harassment²¹:

In contrast to the optimistic notion that the market is a more open and dynamic place for female business owners and workers, we must analyse a slew of evidence of ongoing disadvantage encountered by women in both acquiring access to resources and, more specifically, access to quality employment. There is little evidence of change in the gender division of labour per se (Women's Unit 2000), but there is more evidence of the use of substitutes for domestic labour--in the form of goods and services--and of reductions in the quantity of domestic labour required as a result of falling birth rates (but offset by rising elderly dependency ratios). Gender discrimination persists, but it may return in new shapes and guises, such as sexual harassment, financial inequality based on gender, ethnicity, and other criteria, stereotype bias, masculine dominance, and so on.

For society as a whole, sexual harassment impedes the accomplishment of gender equality by condoning sex discrimination and sexual violence, and has negative consequences for the country's overall growth and people's well-being. As a result, preventing and responding to sexual harassment is in the best interests of society. Women are afraid of being victims twice over if they speak out about sexual harassment, first by complaining and then by being victimised for complaining.

Employers must recognise that sexual harassment in the workplace violates a worker's right to live and work with dignity, and they must ensure that a mechanism is in place to provide clear instructions about who to approach when sexual harassment occurs, the procedures that will be followed, and the length of time for investigation. Sexual harassment underreporting, as well as fraudulent and vexatious complaints, are significant barriers to the application of sexual harassment regulations in India.

²¹ Prof. Renu Jogdand & Ms. Mruthula Iyer, Entrepreneurship in women, gender discrimination and sexual harassment, International Conference on Women Entrepreneurship and Employability in Global Era (2019)

This provides us with information about the current and developing challenges impacting women's employment. It is evident that both access to employment and job quality must be considered. It is vital to achieve decent work if the workplace is free of discrimination and violence. Non-discrimination and equality are widely regarded as essential components of any human rights protection system, and are inscribed in the constitutions and treaties of the majority of countries. Non-discrimination, equal opportunity, and treatment are considered basic human and labour rights in the workplace, and are necessary for social fairness and long-term development.

VI. Recommendations & Conclusions:

An effective and practical women-centric Industrial strategy is needed to accelerate women entrepreneurial growth. Some of the constructive and possible strategies that can be implemented are educating women in both urban and rural regions about their rights, which would give them the ability to make better judgments and boost their self-confidence, in turn boosting economic growth. One way of doing this is by implementing government policies and schemes like the ones highlighted in this paper. Intellectual Property Laws, Family Laws, Property Laws, etc. are a few areas that need to be redrafted in a way that helps combat gender bias and bring women on an equal footing with men.

When men and women are said to start on uneven grounds, with women facing several obstacles in their course, the society needs to shift itself from the traditional perspective it still prides itself on upkeeping and move to a modern, unbiased perspective where the ground is levelled equally for both genders to plan, start and establish themselves. This paper has highlighted several challenges and suggestions to address the obstacles that women face when they start dreaming of participating in this world of entrepreneurship. And although countries across the world run at their respective paces when it comes to legal reforms, the ones at the forefront of this race are still lacking when it comes to proper implementation that helps reduce the gap we can still see when it comes to innovation and business. To achieve and realize the broader goals of access to justice for women, identifying the different legal, economic, practical and social obstacles across multiple dimensions would be the most significant step mankind could take.

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