

“Safe Environment for Working Women: A Critical Analysis”

**Amima Afsheen Khan
B. BA. LLB (H)*

***Ms. Malobika Bose
Assistant Professor
Amity Law School,
Lucknow, Uttar Pradesh*

Abstract

There was a time when women used to fight for their right to employment fortunately in today's world this fact becomes our past unfortunately are current present is not any better either. Today the increasing rate of crime against women in our nation confirms the insecure life of women in our society and nation. Violence against women at workplace happens in every country throughout the world and takes many forms that includes harassment, sexual harassment and bullying etc which affects all the sectors businesses profession where particularly women are working.

If we collectively see the scenario of sexual harassment against women working women then we can easily find that the laws which are already there for protection of women in India cannot work a lot as there is not much fear of law when come to harassment or crime against working women in India.

Therefore, laws are definitely required as the already existing laws have proved to be in efficient and are not able to ensure justice and appropriate punishment to the guilty of sexual harassment against women and a safe environment in working places but at this are there is actual need of revolutionary change in the mind sets and conscience of Indian men so that they stop seeing women as an object or their housekeeper.

This research paper will analyze and explain the challenges faced by working women at their also recommend the ways and measures to improve the laws for the protection of working women in India.

Keywords: Safe environment for women, Crime against Women, Indian society, Violence.

Introduction

The Indian Constitution makes gender equality a cornerstone concept. Women's rights are acknowledged by the Constitution, which also gives the State the authority to rectify previous injustices through affirmative action. Gender equality is protected by a number of articles in the Constitution, including the Directive Principles, Fundamental Rights, and Duties. In addition to guaranteeing women's equality, the Constitution gives the State the right to enact laws that promote discrimination against males in favour of women. These actions, often referred to as reservation policies or affirmative action, are intended to provide women the chance and assistance they need to overcome past obstacles. India has developed laws, development strategies, plans, and programmes to support women's growth in a variety of

fields in accordance with the constitutional framework. From being limited to welfare efforts, the approach to women's concerns has changed to include a broader focus on development. A growing number of people now acknowledge that a major factor in determining women's general standing in society is their level of empowerment. This acknowledgement is indicative of an increasing awareness of the significance of women's economic independence, agency, and engagement in the pursuit of gender equality and inclusive development. All things considered, the Indian Constitution and later laws, policies, and initiatives demonstrate the State's commitment to advancing gender equality and women's empowerment. The goal of these initiatives is “to establish a more just and equal society that respects and protects women's rights and aspirations.” A key component of promoting gender equality is policy making for women's empowerment.

Women's empowerment is a hot topic, especially in emerging and poor countries. They just came to the realisation that until we achieve gender equality by enabling their women, the progress for which they strive cannot be realised. The right of women to control their finances, income, assets, and other things is referred to as economic empowerment, which raises both their social and economic standing. Women's empowerment is giving women the freedoms and rights that were previously denied to females, including equal job, educational, and economic possibilities as well as the ability to socialise. It is a process that gives women the power to understand society and aids them in doing so.

In the 20th century, women's standing and position have increased enormously around the world. Women now have equal civil rights before the law in regards to marriage and employment after a protracted campaign that dates back more than a century. Along with the aforementioned rights, India's purdaha (vile system), female infanticide, child marriage, sati pratha, dowry system, and lifelong widowhood were all abolished or significantly curbed after independence thanks to legal actions. In complement this, the Indian government has introduced a number of welfare programmes for women and children, including the Beti Bachao Beti Padhao Scheme, Ujjawlala, ICDS, Kishori Shakhati Yojana, and others.¹

Various policies can be implemented to promote women's rights, address gender disparities, and empower women to participate fully in all aspects of life. Here are some key areas where policy making can play a significant role:

- 1. Legal Frameworks:** ‘Governments can enact laws and regulations that protect women's rights and ensure gender equality. This includes legislation against gender-based violence, sexual harassment, discrimination, and unequal pay. Strong legal frameworks provide a basis for women to exercise their rights and seek justice when their rights are violated.’

¹ Desai, N. And U. Thakkar (2007): “Women And Political Participation In India”; “Women In Indian Society, New Delhi, National Book Trust”

2. **Education and Skills Development:** Policies should focus on providing equal access to education for girls and women at all levels. Efforts should be made to eliminate gender stereotypes in educational materials and encourage girls to pursue traditionally male-dominated fields like science, technology, engineering, and mathematics (STEM). Policies can also support skills development programs that enhance women's employability and entrepreneurial abilities.
3. **Economic Empowerment:** 'Measures should be taken to promote women's economic participation and financial independence. This can be achieved through policies that support equal pay for equal work, maternity and paternity leave, flexible work arrangements, and affordable childcare facilities. Encouraging women's entrepreneurship, access to credit, and financial literacy can also contribute to their economic empowerment.'
4. **Political Participation:** Policies should aim to increase women's representation and participation in decision-making processes at all levels of governance. This can involve setting targets or quotas for women's political representation, promoting women's leadership development programs, and addressing barriers that hinder women's participation in politics.
5. **Health and Reproductive Rights:** 'Policies should prioritize women's healthcare, including access to quality reproductive healthcare services, family planning, maternal healthcare, and addressing gender-specific health issues. Policies promoting gender-sensitive healthcare provision and education can help ensure women's well-being and empowerment.'
6. **Social and Cultural Norms:** Policies should challenge and transform harmful social and cultural norms that perpetuate gender inequality and discrimination. This can involve awareness campaigns, public education programs, and community engagement to promote gender equality, challenge stereotypes, and foster attitudes of respect and equality.
7. **Data Collection and Monitoring:** 'Governments should establish mechanisms for collecting gender-disaggregated data and conducting gender analysis to inform evidence-based policy making. Regular monitoring and evaluation of policies and programs related to women's empowerment are essential to identify gaps, measure progress, and make necessary adjustments.'²

Policy making in women empowerment requires a multi-faceted approach that involves collaboration between government institutions, civil society organizations, and other stakeholders. It is crucial to ensure that policies are comprehensive, effectively implemented,

² Ford, R.C. And Fottler, M.D. (1995), "Empowerment: A Matter Of Degree", 'Academy Of Management Executive,' Vol.9, No.3, Pp. 21-9.1. 'Human Development Report', 2005

and continuously evaluated to achieve meaningful and sustainable change in women's empowerment.

Historical background

Tracing the historical journey of women in India provides profound insights into the evolution of society, its values, and its treatment of gender roles. From ancient times to the modern era, Indian women have experienced a complex interplay of progress and challenges, reflecting the dynamic nature of societal norms and cultural practices.

In ancient India, women held significant roles in various spheres, as evidenced by the presence of scholar women during the Rig Veda period and the establishment of the Bhikkuni Sangh by the Buddha, which provided women with opportunities for spiritual growth and enlightenment. However, alongside these opportunities, women also faced restrictive social norms and practices such as Sati, which reflected the patriarchal dominance and control over women's lives.

The journey towards modernization and women's empowerment in India has been marked by struggles and achievements. Women have continuously challenged traditional gender roles and societal expectations, advocating for their rights and equal opportunities in various domains, including education, politics, the workforce, and the armed forces.

Despite the progress made, challenges persist, including gender-based violence, discrimination, and unequal access to resources and opportunities. Efforts to address these issues require a multi-faceted approach, including legislative reforms, social awareness campaigns, and economic empowerment initiatives.

The recognition of women's rights and their contributions to society is integral to the overall progress and development of any civilization. By acknowledging and celebrating the achievements of women, while also working towards addressing the remaining disparities and challenges, societies can strive towards greater inclusivity, equality, and justice for all individuals, regardless of gender

Factors of empowerment:

These points given below, encapsulate crucial aspects of women's empowerment and the broader pursuit of social justice and balanced development:

1. **Education:** Education is a fundamental tool for empowerment, providing individuals, including women, with the knowledge, skills, and critical thinking abilities necessary to navigate and contribute meaningfully to society. By ensuring access to quality education for women, societies can empower them to make informed decisions, participate in economic and political life, and challenge prevailing norms and inequalities.

2. **Gender Discrimination:** Gender discrimination undermines the potential of both men and women and perpetuates inequalities in various aspects of life, including education, employment, and decision-making. Achieving true empowerment requires dismantling discriminatory practices and promoting gender equality in all spheres of society. This involves challenging stereotypes, biases, and institutional barriers that limit women's opportunities and experiences.
3. **Discrimination based on race, religion, or other factors:** “Intersectional discrimination compounds the challenges faced by marginalized groups, including women. Addressing discrimination based on race, religion, ethnicity, and other factors is essential for creating inclusive and equitable societies where all individuals can thrive. Policies and initiatives aimed at combating discrimination should take into account the intersecting identities and experiences of women from diverse backgrounds.”
4. **Economic Empowerment of Women:** Economic empowerment is a critical aspect of women's empowerment, particularly in rural areas where women often face additional barriers to accessing resources and opportunities. By providing women with economic opportunities, such as access to credit, training, and entrepreneurship support, societies can enhance their autonomy, decision-making power, and overall well-being. Economic empowerment also contributes to poverty reduction, social stability, and sustainable development.

Efforts to empower women, especially those in rural areas, require comprehensive strategies that address the interconnected factors influencing their status and opportunities. This includes “addressing structural inequalities, promoting inclusive policies, investing in education and skills development, and fostering a supportive environment that values and respects women's rights and contributions.” Ultimately, the empowerment of women benefits not only individuals but also families, communities, and societies as a whole, contributing to progress and prosperity for everyone.³

Women Empowerment policies for working women in India⁴

India has implemented several policies and initiatives to promote women's empowerment and address gender disparities. Here are some key women empowerment policies in India:

1. **The Protection of Women from Domestic Violence Act (2005):** This act provides legal protection to women against domestic violence and enables them to seek various forms of relief, including protection orders, residence orders, and monetary

³ Blumberg, R.L. (2015): “Women Economic Empowerment As The Magic Potion Of Development?” Paper Presented At The 100th “Annual Meeting Of The American Sociological Association”, Philadelphia. Census Of India (2011): Govt. Of India, New Delhi

⁴ Dr. Rashmi Rani Agnihotri, “A study on role of government policies for women empowerment”, available at: <http://www.journalcra.com>

compensation. It aims to prevent and address domestic violence and ensure the safety and well-being of women within their homes.

2. **“Beti Bachao, Beti Padhao (Save the Girl Child, Educate the Girl Child)”**: Launched in 2015, this nationwide campaign aims to address the declining child sex ratio and promote the education and empowerment of girls. It focuses on preventing gender-biased sex-selective practices, improving access to education, and creating an enabling environment for the holistic development of girls.
3. **“Mahila e-Haat”**: Launched in 2016, Mahila e-Haat is an online platform that provides a marketplace for women entrepreneurs to showcase and sell their products and services. It promotes women's economic empowerment by enabling them to access markets, expand their businesses, and become financially independent.
4. **“Pradhan Mantri Matru Vandana Yojana” (PMMVY)**: This maternity benefit program was launched in 2017 to provide financial support to pregnant women and lactating mothers. It aims to ensure proper nutrition and healthcare for pregnant women and reduce maternal and infant mortality rates. Under this scheme, eligible women receive cash incentives for the birth of their first child.
5. **Women Helpline Scheme (181)**: The Women Helpline Scheme was initiated in 1998 and provides a “24-hour toll-free helpline” (181) to women in distress. It offers emergency support, counseling, and referral services for women facing various forms of violence, harassment, or abuse. The helpline connects women with appropriate support systems and facilitates access to justice.
6. **“Support to Training and Employment Programme for Women” (STEP)**: STEP, launched in 1986, aims to enhance the employability and self-reliance of women by providing vocational training and skill development. The program focuses on equipping women with skills relevant to local market needs, encouraging entrepreneurship, and promoting sustainable livelihood options.
7. **Maternity Benefit (Amendment) Act (2017)**: This act extends the duration of paid maternity leave for women working in the organized sector from 12 weeks to 26 weeks. It also mandates employers to provide crèche facilities for organizations employing a specified number of women. The act seeks to support women in balancing work and family responsibilities and promotes their overall well-being.
8. **Reservation for Women in “Panchayati Raj” Institutions**: To enhance women's political participation, the Government of India introduced a constitutional amendment in 1992 that mandates one-third of seats in Panchayati Raj Institutions (local self-

governance bodies) to be reserved for women. This policy has led to increased women's representation and participation in grassroots-level governance.⁵

These are just a few examples of the women empowerment policies and initiatives in India. The passage underscores the importance of creating an environment conducive to women's empowerment and gender equality while acknowledging the significant role women play in driving economic growth and national competitiveness. Here's a closer look at the key points:

1. **Enabling Environment for Women's Empowerment:** The government's efforts to create an enabling environment for women's empowerment signify a commitment to removing barriers that hinder women's participation and advancement in various spheres of life. This includes addressing systemic challenges such as gender discrimination, limited access to education and resources, and cultural norms that restrict women's rights and opportunities.
2. **Maximizing Human Capital:** Recognizing women as a crucial component of the talent pool highlights the importance of leveraging their skills, knowledge, and expertise to propel economic growth and development. By fully tapping into women's potential, nations can enhance productivity, innovation, and competitiveness across industries and sectors.
3. **Representation in Decision-Making:** 'The representation of women in decision-making positions is emphasized as critical for fostering a favorable investment climate and corporate success. Diverse perspectives, including gender diversity, contribute to more robust decision-making processes, better risk management, and improved governance practices. Moreover, gender-balanced leadership promotes inclusive policies and initiatives that benefit society as a whole.'
4. **Gender Equality for National Competitiveness:** Promoting gender equality isn't just a matter of social justice; it's also essential for achieving sustainable economic development and maintaining a competitive edge on the global stage. Countries that prioritize gender equality tend to have higher levels of human development, greater economic resilience, and more inclusive growth trajectories.

By prioritizing women's empowerment, promoting gender equality, and ensuring the inclusion of women in decision-making processes, governments can unlock the full potential of their economies and foster environments where everyone can thrive and contribute to national progress.

⁵ Clutter buck D and C Stuart 1992. "Masters of Management; Men and Women who changed the business world", Roopa Publication, Calcutta

Goals of the policies regarding Women Empowerment

The passage outlines the goals of policies regarding women empowerment, with a particular emphasis on promoting awareness and participation among stakeholders. Here's a breakdown of these goals:

1. **Advancement, Development, and Empowerment of Women:** The overarching goal of women empowerment policies is to promote the advancement, development, and empowerment of women. This involves enhancing women's capabilities, opportunities, and access to resources, enabling them to participate fully in all aspects of society and achieve their full potential.
2. **Generating Support and Understanding:** By increasing awareness among the general public about the objectives and focus areas of the policy, policymakers aim to generate support and understanding for the initiatives and measures proposed in the policy. This support is essential for mobilizing resources, implementing programs, and driving positive change in society.
3. **Multiple Purposes of Dissemination:** The widespread dissemination of the policy serves multiple purposes, including increasing awareness, generating support, fostering understanding, and promoting accountability. By ensuring that information about the policy reaches a wide audience, policymakers can maximize its impact and effectiveness.

Overall, the goals of policies regarding women empowerment are multifaceted, aiming to promote women's advancement, increase awareness and understanding, encourage stakeholder participation, and generate support for initiatives that promote gender equality and women's rights.

Additionally, the dissemination of the policy can contribute to creating a sense of ownership and responsibility among different stakeholders. When people are informed and engaged, they are more likely to actively contribute to the policy's implementation, monitor its progress, and advocate for its effective execution. Overall, by widely disseminating the policy, it aims to foster active participation, generate support, and ensure a collective effort in achieving the advancement, development, and empowerment of women. The involvement of diverse stakeholders is essential to drive meaningful change and create a more inclusive and gender-equal society.

Need for industrial safety measures for women employers

An essential component of the Indian labour force is women. The data from the office of the Registrar General & Census Collector of India states that as of the 2011 Census, there were 121.8 and 28.0 million female workers in rural and urban regions, respectively, out of 149.8 million total female workers in India. 3.9 million of the 149.0 million female workers are employed as cultivators, while the remaining 61.5 million are employed as agricultural

labourers. 43.7 million of the remaining female workers are categorised as other workers, and 8.5 million work in the domestic industry. Regarding the organised sector, women employees made up 20.5% of all employed in the nation's organised sector in March 2017, a 0.1 percent increase over the previous year.

Need for new policies and suggestions in Women empowerment in India

While India has made significant progress in women's empowerment through various policies and initiatives, there is still a need for new policies to address persistent challenges and achieve greater gender equality. Here are some reasons highlighting the need for new women empowerment policies in India:

- 1. Gender-based Violence:** Gender-based violence, including domestic violence, sexual harassment, and assault, remains a significant issue in India. New policies should focus on strengthening legal frameworks, improving support systems for survivors, raising awareness, and implementing preventive measures to address and prevent gender-based violence effectively.
- 2. Economic Empowerment:** Despite efforts to promote women's economic empowerment, women in India still face challenges in accessing equal opportunities, fair wages, and entrepreneurship support. New policies should address these barriers by promoting gender-responsive labor laws, providing financial resources, offering skill development programs, and encouraging women's entrepreneurship.
- 3. Political Participation:** While there have been strides in women's political participation, there is still a significant gender gap in political representation at all levels of governance. Policies should aim to increase women's representation through quotas or affirmative action, encourage political parties to field more women candidates, and promote women's leadership development in politics.
- 4. Education and Skills Development:** Although there has been progress in girls' education, ensuring quality education for all girls and addressing drop-out rates are critical challenges. Policies should focus on improving access to education, reducing gender disparities in enrollment and retention, eliminating gender stereotypes in curricula, and enhancing girls' skills in science, technology, engineering, and mathematics (STEM) fields.
- 5. Health and Well-being:** Women's health and well-being continue to face challenges in India, including maternal mortality, access to reproductive healthcare, and nutrition. New policies should prioritize comprehensive healthcare services for women, including reproductive health, maternal healthcare, mental health support, and addressing specific health issues affecting women.
- 6. Technology and Digital Divide:** Bridging the digital gender divide is crucial in the modern era. Policies should aim to provide equitable access to digital technologies,

enhance digital literacy and skills for women, and address issues of online harassment and cybercrime to ensure that women can fully participate in the digital economy and society.

- 7. Social and Cultural Norms:** Deep-rooted social and cultural norms continue to perpetuate gender inequality and discrimination in Indian society. Policies should focus on challenging and transforming these norms through awareness campaigns, community engagement, and education to foster attitudes of respect, equality, and non-discrimination.

By addressing these issues and implementing comprehensive policies for women's empowerment, India can foster an atmosphere where women feel empowered to assert their rights, engage fully in society, and attain gender equality. To bring about long-lasting change, government, civic society, and other organisations must work together in a multifaceted manner.

Creating a safe environment for working women involves various measures to ensure their physical, emotional, and professional well-being. Here are some key considerations:

- 1. Policies and Procedures:** Implement clear and comprehensive policies against harassment, discrimination, and violence in the workplace. Ensure that these policies are communicated effectively to all employees and provide avenues for reporting any incidents.
- 2. Training and Awareness Programs:** Conduct regular training sessions to educate employees about what constitutes harassment and discrimination, how to recognize it, and what steps to take if they witness or experience it. Include bystander intervention training to empower colleagues to support each other.
- 3. Equal Opportunity:** Ensure that women have equal opportunities for hiring, promotion, and advancement within the organization. Establish fair and transparent processes for performance evaluations, salary reviews, and career development.
- 4. Safe Physical Environment:** Maintain a well-lit, secure workplace with appropriate security measures in place. Consider factors such as parking lot safety, building access, and escort services for employees working late hours.
- 5. Flexibility:** Offer flexible work arrangements, such as remote work options, flexible hours, and parental leave, to accommodate the diverse needs of working women, especially those with caregiving responsibilities.
- 6. Supportive Culture:** Foster a culture of respect, inclusivity, and support where all employees feel valued and empowered to speak up about any concerns without fear of retaliation. Encourage open communication and active listening among team members and management.

7. **Employee Assistance Programs (EAP):** Provide access to counseling services, support groups, and resources for employees facing personal or professional challenges. Ensure confidentiality and non-judgmental support for those seeking help.
8. **Leadership Commitment:** Demonstrate leadership commitment to gender equality and diversity by appointing women to leadership positions, actively promoting their voices in decision-making processes, and holding accountable those who engage in discriminatory behavior.
9. **Community Engagement:** Engage with external organizations, such as women's rights groups and advocacy organizations, to stay informed about best practices and resources for creating a safe and supportive environment for working women.
10. **Regular Evaluation and Improvement:** Continuously assess the effectiveness of existing policies and programs through surveys, focus groups, and feedback mechanisms. Use this feedback to make necessary improvements and adjustments to better meet the needs of working women in the organization.

By implementing these measures, organizations can create a safe, supportive, and inclusive environment where working women can thrive and contribute their fullest potential.