

# KnowLaw Journal

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## Women as Marginalized Group – Status and Challenges

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### Abstract

Immediately after the First World War, the protection of women and the principle of equal remuneration for work of equal value were highlighted as areas calling for immediate action. Over past half-century economic development and changing social attitudes have brought steady narrowing of differences between economic and social indicators of the lives of women and men in most part of the world. In India also many attempts have been made to increase women's socio-economic status. However, women's relation with work is complex and mediated by many factors. Globally the female work participation rate due to many factors but experience of our country is opposite to this. While legal instruments for promoting gender equality and protecting women workers' rights are steadily expanding in number and being improved at both national and international levels, there is still a gap between the rights set out in national and international standards and their implementation in real situations. In this graded system of inequality women workforce face triple discrimination. An examination of the issues surrounding women, gender and work must be holistic. This means considering the role of productive work in life as a whole and the distribution of unpaid work as well as the myriad questions relating to employment. This paper examines the paradoxical situation which is existent in our country. And gives account of various social legislations. Further analysis the impact which digitization and Industry 4.0 will have on women workforce.

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## Introduction

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Men, their rights, and nothing more; women, their rights, and nothing less.  
- Susan B. Anthony

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Individuals or groups who are driven to their boundary or edge of society, who are not able to participate in the mainstream of society are being termed as '*marginalized*'.<sup>2</sup> Be it developed or developing society, no society is free from marginalized groups and weaker sections and the core bases of marginalization differ from society to society.<sup>3</sup> This marginalization exists in society due to certain class conditions which come from certain social or sociological factors (such as gender, race, caste, sex). Deprivation of rights is both a cause and an effect of marginalization and this is further compounded by lack of access to justice.

Women as a category are perceived as marginalized because of existing patriarchal and paternalistic notions of denial and subjugate on.<sup>4</sup> Women face disabilities at every stage and institution within the family, at the workplace, or in matters of public space such as physical security or access to employment.<sup>5</sup> They have always been a part of society that bears an additional burden because of the vulnerability born from harmful practices against them. These harmful practices occur all around us and are, unfortunately, not just ignored but are not even noticed.

India is a male-dominated society in which the economic, political, religious, social, and cultural institutions are largely controlled by men.<sup>6</sup> There exist a dualistic approach that has entrenched the mindset further deteriorating the status of women and subjecting them to

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<sup>2</sup> GoI and UNDP, 'Removing Barriers Through the Bench: A Training Manual for Judges on Laws and Issues Related to Marginalized Communities' [2012] Vol. II

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> Supra note 1.

<sup>6</sup> High Level Committee on the Status on Women, 'Executive Summary Report on the Status of Women in India' [2015]

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indignity.<sup>7</sup> Women have been deprived of social and economic freedoms from time immemorial.<sup>8</sup>

*“Self-sacrifice and self-denial are their nobility and fortitude and yet they have been subjected to all inequities, indignities, inequality, and discrimination.”<sup>9</sup>*

Industrialization, globalization, urbanization, and modernization have led to some irreversible changes for women and some are progressive in nature while some are regressive.<sup>10</sup> On one hand, this liberalized economy has opened new doors by offering better education, jobs, decision-making powers, and opportunities for women.<sup>11</sup> On the other, women have been targets of a strong backlash with increased violence in and outside the home, acute wage differentials and discrimination, and continuing commodification in society.<sup>12</sup> They face problems at the workplace just by virtue of their being women.<sup>13</sup> Migration, skewed sex ratio, absence are ambiguous legislation and environmental degradation have added to the vulnerability.<sup>14</sup>

## Gender Analysis regarding Work and Employment

Women’s relation with work is complex and mediated by many factors.<sup>15</sup> At the global level, the female work participation rate has been increasing due to economic development which is accompanied by various other processes, rising education, increasing age of marriage, and declining fertility.<sup>16</sup> This has been a global experience, but the experience in India has been a

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<sup>7</sup> *Indian Young Lawyers Association v. State of Kerala* (2018) SCC Online Ker 5802, Pg. 2

<sup>8</sup> J. Starli, M.L., ‘Critical Analysis of Disparity in Property Rights of Women in India a Glimpse’

<sup>9</sup> *Madhu Kishwar v. State of Bihar*, (1996) 5 SCC 125, ¶ 28

<sup>10</sup> Supra note 5

<sup>11</sup> Supra note 5

<sup>12</sup> Supra note 5

<sup>13</sup> Azadeh Barati, Rooh Ollah Arab and Seyed Saadat Masoumi, ‘Challenges and Problems Faced by Women Workers in India’ Chronicle of the Neville Wadia Institute of Management Studies & Research, 76 ISSN: 2230-9667

<sup>14</sup> Supra note 5

<sup>15</sup> Supra note 12

<sup>16</sup> Supra note 12

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paradoxical one even the economic growth has failed to boost women's work participation.<sup>17</sup> This paradoxical situation of decline in female workforce participation in India is alarming.<sup>18</sup> A report from the International Labor Organization indicates that women's workforce participation dropped to 27 percent in 2015-2016, from 31 percent in 2013-2014.<sup>19</sup> According to data the female labor force participation (FLFP) rate is less than half that for men in both rural and urban areas. Secondly, while men's LFP rates are the same in rural and urban areas, there is wide disparity by location in FLFP (24.8% rural and 14.7% urban).<sup>20</sup> The FLFP rate among SC/ST women was higher compared to other women.<sup>21</sup>

Women from lower socioeconomic groups work largely in the unorganized sectors such as agriculture, manufacturing and the textile industry have a large proportion of women workers in rural India.<sup>22</sup> Domestic work is one of the larger employers of women from lower economic groups in urban areas.<sup>23</sup> A combination of family, caste, community, and religion are factors that determine the kind of work women can access.<sup>24</sup> These factors and gender are inextricably intertwined in the division of labor.<sup>25</sup> Females belonging from lower strata have long been relegated to roles of midwives and child caregivers or to the leather tanning industry, where women must work in the most hazardous processes with little to no protection.<sup>26</sup> The situation of women agricultural workers is particularly more disadvantageous as they are in a powerless

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<sup>17</sup> Supra note 12

<sup>18</sup> Zothan Mawii, 'Feminist Perspectives on the Future of Work in India, Friedrich Ebert Stiftung' [2019] Available at: <https://www.fes-asia.org/news/feminist-perspectives-on-the-future-of-work-in-india/> (Accessed on 30<sup>th</sup> September, 2020)

<sup>19</sup> Sher Verick, 'The Paradox of Low Female Labor Force Participation' [2017] ILO Available at: [https://www.ilo.org/newdelhi/info/public/fs/WCMS\\_546764/lang--en/index.htm](https://www.ilo.org/newdelhi/info/public/fs/WCMS_546764/lang--en/index.htm) (Accessed on 29<sup>th</sup> September, 2020)

<sup>20</sup> Nisha Shrivastava 'Dynamics of Gender Inequality and Women's Work in India: Key Issues for Discussion and Further Research' [June 2017] ESRC Global Challenges Research Fund, London Conference

<sup>21</sup> Ibid.

<sup>22</sup> Supra note 17

<sup>23</sup> Supra note 17

<sup>24</sup> Supra note 17

<sup>25</sup> Meena Gopal, 'Ruptures and Reproduction in Caste/Gender/Labour, Economic and Political Weekly' 48 [2013] no. 18: 91-97 Available at: <http://www.jstor.org/stable/23527313> (Accessed on 28<sup>th</sup> September, 2020)

<sup>26</sup> Ibid.

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position since they cannot own or inherit the land and thus cannot participate in benefits for which land ownership is a prerequisite, such as membership of cooperatives, credit unions, or agricultural extension programs.<sup>27</sup>

## Discrimination and Wage Party

*“Any distinction, exclusion or preference based on race, color, sex, religion, political opinion, national extraction or social origin which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.”<sup>28</sup>*

Discrimination has been internalized in our society. It may be *de jure*, meaning that discrimination existing in law, or *de facto*, meaning that it exists in reality or in practice.<sup>29</sup> While cases of direct and *de jure* sex discrimination have declined over time, but *de facto* discrimination continues to exist. In order to identify this indirect discrimination, we have to look not only at an intent or purpose reflected in rules or action but also at the norms, culture, circumstances, and the actual effect generated by them.<sup>30</sup> Indirect gender discrimination happens when rules and practices which appear gender-neutral lead to disadvantages being suffered primarily by persons of one sex.<sup>31</sup> Stereotypical ideas about the distribution of “male” and “female” responsibilities and capabilities lead to indirect discrimination against women in access to employment and vocational training, especially in technical sectors and career advancement.<sup>32</sup>

A gender bias creates an obstacle from the recruitment stage. The findings also indicate that personal biases of employers with regard to marital status, age, gender, and family background

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<sup>27</sup> ILO, ‘ABC Of Women Workers’ Rights and Gender Equality’ [2007] 2<sup>nd</sup> Ed., ISBN 978-92-2-119622-8

<sup>28</sup> Discrimination (Employment and Occupation) Convention, 1958, Convention No. 111 Art. 1 (1a)

<sup>29</sup> Supra note 26

<sup>30</sup> Supra note 26

<sup>31</sup> Supra note 26

<sup>32</sup> Supra note 26

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are barriers to women finding decent jobs.<sup>33</sup> Coming to remuneration, though the law proclaims equality, it is not always practiced.<sup>34</sup> The inbuilt conviction that women are incapable of handling arduous jobs and are less efficient than men influence the payment of unequal salaries and wages for the same job.<sup>35</sup>

Gender wage discrimination is both cause and effect of lower bargaining power of women, different career opportunities, and the exclusion of women from the better-remunerated jobs in both rural and urban areas.<sup>36</sup> Various studies have concluded that the concentration of women workers into low-paying jobs is the main reason behind the persistent gender wage gap and the Indian experience evidently supports this.<sup>37</sup>

The picture of the organized sector is not so encouraging, even in these sectors, women are relegated to low-end, low-skill, manual jobs for which the pay is usually low.<sup>38</sup>

## Labor Law Legislations

Law is characterized as emancipatory in nature and this is due to the principle of social justice. Labor legislation in our country is based on the principle of social justice. The essence of social justice is to attain a substantial degree of social, economic, and political equality which is quite a legitimate expectation under constitutional as well as moral terms.<sup>39</sup>

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<sup>33</sup> Teri Chapman et al., 'The Future of Work in India: Inclusion, Growth and Transformation' (New Delhi: Observer Research Foundation, 2018). Available at: <https://www.orfonline.org/wp-content/uploads/2018/10/FoW-Digital.pdf> (Accessed on 25th September, 2020)

<sup>34</sup> Supra note 12

<sup>35</sup> Supra note 12

<sup>36</sup> CSE Working Paper, 'Women Workers in India' [March 2018]

[https://cse.azimpremjiuniversity.edu.in/wpcontent/uploads/2018/03/Mondal\\_et\\_al\\_Women\\_Workers.pdf](https://cse.azimpremjiuniversity.edu.in/wpcontent/uploads/2018/03/Mondal_et_al_Women_Workers.pdf)

(Accessed on 27th September, 2020)

<sup>37</sup> Ibid.

<sup>38</sup> Ibid.

<sup>39</sup> Dr. Panday Mayuri, 'Social Justice: A Dream or Reality' AIR May 2009 Journal 79

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Many policies and schemes have been formulated in favor of the marginalized workforce. But so far as the functioning and outcome of these schemes are concerned there are views and counter views.<sup>40</sup> If we have success stories, we have also many more challenges.<sup>41</sup>

But the major drawback is that the actual coverage of the labor regulations in India is very small. Thus, the laws themselves apply only to a small proportion of the workforce and they are actually implemented in the case of even smaller segments.<sup>42</sup>

The Equal Remuneration Act, 1976, was enacted to implement Article 39(d) of the Constitution of India, and the Equal Remuneration Convention, 1951 (I.L.O. Convention 100) was designed for the prevention of discrimination based on sex against women in employment.<sup>43</sup>

Code on Wages of 2019 is enacted to overcome the infirmities and repeal the aforesaid act, Minimum Wages Act, Payment of Bonus, and Payment of Wages act. The application of the act is extended to all industries and sectors.

Sexual harassment is a form of gender discrimination that jeopardizes women's individuality, dignity, and liberty. Article 11.1 of CEDAW requires ratifying States to “*take all appropriate measures to eliminate discrimination against women in the field of employment*”. The Supreme Court in the case of Vishaka v. the State of Rajasthan<sup>44</sup> held that sexual harassment at the workplace is a form of discrimination against women and is violative of fundamental rights under Article 14, 15, 19(1) (g) and 21. The court laid down a set of guidelines to deal with sexual harassment at the workplace till the legislature enacted suitable legislation.<sup>45</sup> After this landmark judgment, the Sexual Harassment of Women at Workplace (Prevention,

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<sup>40</sup> *Ibid* 19

<sup>41</sup> *Ibid* 19

<sup>42</sup> National Commission for Enterprises in the Unorganized Sector, ‘The Challenge of Employment in India: An Informal Economy Perspective’ [2009] Vol. I, Main Report

<sup>43</sup> National Resource Centre for Women, National Mission for Empowerment of Women and MoWCD, ‘Critical Assessment of Labor Laws: Policies and Practices through a Gender Lens’ [2014]

<sup>44</sup> AIR 1997 SC 3011

<sup>45</sup> *Ibid*

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Prohibition and Redressal) Act was enacted in the year 2013. Sexual harassment has been defined as unwelcome acts or behaviour (whether directly or by implication) namely:<sup>46</sup>

- a. physical contact and advances or,
- b. a demand or request for sexual favours or,
- c. making sexually coloured remarks or,
- d. showing pornography or,
- e. any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Women workers in both the unorganized and organized sectors can seek remedies under the provisions of this Act.<sup>47</sup>

Earlier the Factories Act prohibited night work for women due to problems they could face based on their sex. But the Madras High Court in the case of *Vasanth R. v. Union of India*<sup>48</sup>, struck down Section 66(1)(b) of the Factories act on the grounds that it was violative of Articles 14, 15, and 16 of the Constitution of India and also laid down guidelines for safety and welfare of women at night shift. Thus, to meet the longstanding demand for gender parity in the workforce, the Central Government approved an amendment in the Factories Act to allow women employees to work night shifts.<sup>49</sup>

The amendment, allows women to work between 10 pm and 6 am, this act will benefit those working in Special Economic Zones (SEZs), textiles, garments, handicrafts, leather, and the IT sector.<sup>50</sup> But the condition is that night shift for women shall be allowed only if the employer ensures safety, adequate safeguards in the factory as regards occupational safety and health, equal opportunity for women workers, adequate protection of their dignity, honour, and transportation from the factory premises to the nearest point of their residence.<sup>51</sup>

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<sup>46</sup> Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act Section 2(n)

<sup>47</sup> Supra note 42

<sup>48</sup> [2001] II LLJ 843 Mad.

<sup>49</sup> ASSOCHAM, 'Night Shift for Women: Growth & Opportunities'

<sup>50</sup> Ibid

<sup>51</sup> Supra note 48



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## Reproductive and Sexual Health

Motherhood is the most natural phenomenon in the life of a woman<sup>52</sup> and during this period a woman's body goes through various transitions. "*Motherhood and childhood are entitled to special care and assistance.*"<sup>53</sup> The enactment of The Maternity Benefits Amendment Act<sup>54</sup> which is a great improvement over the existing Maternity Benefits Act, 1961 is termed a bold and revolutionary step.<sup>55</sup>

Application of the act extends to all women workers who are employed in both the organized and unorganized sector.<sup>56</sup> The Amendment Act has also been pivotal in shaping up a whole new policy for providing crèche facilities<sup>57</sup> to the children of working women. The Act also extends an exclusive opportunity to the working women to work from home, but the terms have to be settled between the working women and the employer.<sup>58</sup> The number of paid leave increased to 26 weeks, now India stands among the top sixteen nations providing the longest maternity leave and the third single largest after Norway and Canada. But the major lacuna in the act is that India doesn't provide for public disbursement of benefit under such social benefits Acts.<sup>59</sup> Hence the employer has to bear the cost of providing benefits which could seriously hamper the future employment opportunities for working women.<sup>60</sup>

Further, the act also fails to balance the interest as it does not discuss the issues arising during the pre-employment period and post-pregnancy period.<sup>61</sup> Therefore, the public disbursement

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<sup>52</sup> Manvendra Singh Jadon and Ankit Bhandari, 'Analysis of the Maternity Benefits Amendment Act, 2017 and Its Implications on the Modern Industrial Discourse' [2019] CULJ Vol. 8, No.2, 63-84 ISSN 2278-4332X Available at: <https://doi.org/10.12728/culj.15.4> (Accessed at 27th September, 2020)

<sup>53</sup> Universal Declaration of Human Rights Art 25

<sup>54</sup> Maternity Benefits Amendment Act, 2017 (No. 6 of 2017)

<sup>55</sup> Supra note 51

<sup>56</sup> Maternity Benefits Amendment Act, 2017 Section 2

<sup>57</sup> Supra note 51

<sup>58</sup> Khaitan & Co., 'Maternity Benefit (Amendment) Act, 2017 Is Effective from 1 April 2017' ERGO, Newsflash (Accessed on 1<sup>st</sup> October, 2020)

<sup>59</sup> Ajay Raghavan, 'Maternity Benefit Amendments: Closer to Reality' Trilegal <http://www.employmentlawalliance.com/firms/trilegal/articles/maternity-benefit-amendments-closer-to-reality> (Accessed on 1st October, 2020)

<sup>60</sup> Ibid

<sup>61</sup> Labour Law Offices, 'Legal Rights of Pregnant Women at Work' (Accessed on 2<sup>nd</sup> October, 2020)

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of maternity benefits becomes imminent so that the employers are not overburdened with the social securities guaranteed under the Act.<sup>62</sup>

Nevertheless, women belonging to lower socioeconomic groups do not have proper access to health care services specifically related to reproductive and sexual health and they rely heavily on public healthcare services. For women and girls who rely on the public healthcare system and have limited access to post-abortion care, the risk of serious complications or even death is higher when clandestine abortion services are the only available option.<sup>63</sup> And denial of healthcare services is a violation of the fundamental right to life and liberty under Article 21 of the Constitution.<sup>64</sup> However, these barriers to access reproductive and health services are further magnified based on caste and socioeconomic status, which is further asymmetric between rural and urban India<sup>65</sup>, and caste-based discrimination is embedded in public health services. Thus, women face 'triple discrimination' due to their caste and socioeconomic status.<sup>66</sup>

In our country, women are deemed as natural child-bearers and caretakers. However, this perceived notion is changing as in *Navtej Johar v. Union of India*<sup>67</sup> Chandrachud J. in his concurring opinion, questioned the correctness of this decision. He criticized the Court's approach of placing the entire burden of family planning and upbringing of children on women as a violation of their constitutional guarantee against non-discrimination on grounds of sex under Article 15 since it reinforces stereotypical gender norms.<sup>68</sup>

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<sup>62</sup> Supra note 51

<sup>63</sup> Dipika Jain, 'Time to Rethink Criminalization of Abortion? Towards Agender Justice Approach' [2019] 12 NUJS L. Rev 1 14

<sup>64</sup> *Parmanand Katara v. Union of India and Ors*, 1989 SCR (3) 997.

<sup>65</sup> Debasis Barik & Amit Thorat, Issues of Unequal Access to Public Health in India, *Frontiers in Public Health* (2015).

<sup>66</sup> Supra note 62

<sup>67</sup> (2018) 10 SCC 1

<sup>68</sup> Chapter 12, 'Pregnancy, Maternity and Child Care Leave, And Employment, Securing Reproductive Justice In India: A Casebook'

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An approach that is non-discriminatory and equal in essence is needed. So that essential health services are not denied on the basis of certain parameters. Empowerment of women lies in their growth at all levels including education, health, employment, and power positions.<sup>69</sup>

## **Description of the various waves of Feminism**

As stated earlier, feminist history can be divided into three waves, first wave starting from the 19<sup>th</sup> and roughly going on till the start of 20<sup>th</sup> century. It mainly concentrated on the demand of women's right to vote and select their representative. The second wave mostly occurred between 1960s and 1970s and it jumped to the next step asking for women's equal legal rights and respective social status. The third wave as we know was basically the backlash of the second wave and a call for fulfilment of their demands which never happened in the second phase.

## **The Future of Work**

The era of Industry 4.0 has begun and countries are preparing for this. Industry 4.0 is defined as the deployment of cyber-physical systems<sup>70</sup> across economic sectors, with one of the consequences being the automation of tasks previously being performed using human labor. The distinction between Industry 4.0 from previous 'revolutions' is the impact it portends to have on cognitive tasks.<sup>71</sup> Automation will have an effect on two types of areas: the "*structure of employment*", which includes occupational categorizations and nature of tasks, and "*forms of work*", including interpersonal relationships and organization of work. When our country is in a paradoxical situation regarding female workforce participation the effect of automation needs to be analysed.

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<sup>69</sup> XII Five Year Plan Report of the Working Group on Women's Agency and Empowerment, Ministry of Women and Child Development Government of India [2011]

<sup>70</sup> World Economic Forum, 'The Next Economic Growth Engine: Scaling Fourth Industrial Revolution Technologies in Production' [2018]  
[http://www3.weforum.org/docs/WEF\\_Technology\\_and\\_Innovation\\_The\\_Next\\_Economic\\_Growth\\_Engine.pdf](http://www3.weforum.org/docs/WEF_Technology_and_Innovation_The_Next_Economic_Growth_Engine.pdf)  
(Accessed on 2<sup>nd</sup> October, 2020)

<sup>71</sup> Ibid

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However, the fact could not be denied that freelancing and flexible online work have opened avenues for women to find employment because they can balance work with personal life and family.<sup>72</sup> Nevertheless, the other side of the coin does not depict a good picture. The introduction of new technologies and new opportunities cannot automatically solve the existing problems, like low levels of education; social norms that hinder women's mobility and domestic responsibilities that have traditionally fallen on women; and the disparity in opportunities available to men and women.<sup>73</sup> If the present situation of the pandemic is analyzed, the work from home is an innovative step but it burdens women more than their counterparts.

And from present times it is evident that the digital revolution will be a precursor to the Fourth Industrial Revolution this emergent technology will further exacerbate inequalities.<sup>74</sup> This is due to the absence of infrastructure for the internet and electricity the high cost of mobile devices and data.<sup>75</sup> According to a World Economic Forum report, of the 4 billion people without access to the Internet, most are from developing countries in the Global South.<sup>76</sup>

In our country, a skewed population woman has access to the internet due to above-mentioned reasons (infrastructure and high cost) and other barriers such as socio-cultural norms and patriarchal conditioning that dictate that women be safeguarded from "immoral" influences.<sup>77</sup> Women's low levels of access to the Internet and digital tools impact their ability to access the

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<sup>72</sup> Supra note 17

<sup>73</sup> Ajit Ranade, 'Reversing Women's Decline in the Indian Labour Force' Livemint, June 27, 2018.

<https://www.livemint.com/Opinion/v80I9EwDz6oyklST8ebqMM/Reversing-womens-decline-in-the-Indian-labour-force.htm> (Accessed on 3rd October, 2020)

<sup>74</sup> Supra note 17

<sup>75</sup> Supra note 17

<sup>76</sup> Supra note 10

<sup>77</sup> The Centre for Internet and Society, 'A Gendered Future of Work Perspectives from the Indian Labour Force' [19 December, 2018]

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digital economy.<sup>78</sup> Privacy, data misuse, surveillance, cyberbullying, and online harassment further aggravates the situation.<sup>79</sup>

The disruption to the labor market as a result of emerging technologies will impact women disproportionately because the kind of jobs women occupy, characterized by little skill and manual, repetitive tasks will be the first to be automated.<sup>80</sup>

New models for social protection, delinked from formal employment, will need to be imagined to protect women workers and afford them better opportunities.<sup>81</sup> The existing market-driven solutions related to women's participation in the workforce or in the online world should be examined on the basis of what social implications, specifically on the role of women in the value chain and how they might be impacted by digitalization and the future of work.<sup>82</sup>

## Conclusion

There exists a complex relationship between idealism and realism, between the things ought to be and the way things are. And income generation alone is not sufficient as it is only one factor in women's empowerment.<sup>83</sup>

Over the decades, there have been many women-centric schemes with good intentions and with the objectives of transforming women's lives for the better.<sup>84</sup> However, the absence of proper infrastructure and loopholes implementation-related matters (lacking in-built equity and sustainability, resource allocations, delivery mechanisms and institutions, proper outreach, and monitoring and evaluation) plague these schemes and their potential impact.<sup>85</sup>

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<sup>78</sup> S. Kini, 'She is Offline: India's Digital Gender Divide' Livemint, 2018.

<https://www.livemint.com/Opinion/sD6mVqLAEa7cvfJtmdXXuO/She-is-offlineIndias-digital-gender-divide.html> (Accessed on 3<sup>rd</sup> October, 2020)

<sup>79</sup> Supra note 51

<sup>80</sup> Ibid

<sup>81</sup> Supra note 17

<sup>82</sup> Ibid

<sup>83</sup> Meena Razvi and Gene L. Roth, 'Socio-economic Development and Gender Inequality in India' [2204] the Academy of Human Resource Development International Conference (AHRD) Austin, TX, Mar 3-7 Pg. 168-175

<sup>84</sup> Supra note 5

<sup>85</sup> Ibid

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To seek equality at work without seeking equality in the larger society — and at home — is illusory. Thus, an examination of the issues surrounding women, gender, and work must be holistic.<sup>86</sup> Careful policy steering rooted in rigorous research, with the aim of equitable distribution of opportunities and meaningful participation of women, will be required to ensure the equitable distribution of technological gains and opportunity.<sup>87</sup>

A multi-pronged approach is emphasized to address issues concerning women workers, such as the provision of basic entitlements and strengthening of institutional mechanisms.<sup>88</sup> Our country being a complex social context would require many integrated approaches of private and public systems to serve the pressing needs of women in poor sectors of India.<sup>89</sup>

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<sup>86</sup> ILO, 'Introduction: Women, Gender and Work (Part II)' [1999] International Labour Review, Vol. 138 No. 4

<sup>87</sup> Supra note 17

<sup>88</sup> Supra note 14

<sup>89</sup> Supra note 80