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HUMAN RIGHTS OF WORKING WOMEN IN UNORGANIZED SECTOR



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Abs tract:-Unorganized sector constitutes major employment in India. As the name indicates it is unorganized and as such, the different aspects such as working hours, wages, nature of work, etc are not fixed in unorganized sector. Women constitute more than half of the workers in unorganized sector. The women working in unorganized sector are exploited, discriminated and even sexually harassed by their employers as they are weaker gender and they fear loss of job. Many of the problems faced by the women working in unorganized sector and they include lower wages, wage discrimination, gender discrimination, exploitation, harassment, long hours of work, etc. As such, it is observed that human rights of working women in unorganized sector are violated. Many international agencies such as United Nations have emphasized equality among all and protection of women and children through human rights. Indian Constitution also stressed for equal human rights. The paper described on human rights and related issues pertaining to women working in unorganized sector.

Keyw ords:Human Rights , Unorganized Sector , emphasized equality , Working Women .

INTRODUCTION

Women's rights, like civil and political rights, are in danger of subordination to the development ideology, whose very absorption of all other rights implies their irrelevance. Proponents of the ideal, rights-protective version of development often do not recognize that, in practice, development is a political, frequently a coercive activity. The international development community of the late twentieth century views development as planned, non-political social change. But human rights standards are necessary precisely because non-political social change is impossible.

The international consensus on human rights is represented by the 1948 Universal Declaration of Human Rights, which outlaws discrimination based on sex. Women have the same human rights as men. Most African states have agreed in principle to this document, and many African constitutions make specific reference to it. In 1979, the United Nations proclaimed the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which specifically addresses the rights of women in development, and in particular the rights of rural women, acknowledging "the significant roles which rural women play in the economic survival of their families".

Women are promised inter alia the right "to have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes". These concerns reflect the detrimental effects of capitalist development on women; in Africa, these include loss of land, discriminatory denial of credit, and discrimination in land resettlement schemes. December 31, 1992, CEDAW had been ratified or signed by thirty-eight African governments, but the establishment of these rights for women has been

predominantly a normative exercise. The United Nations Declarations are not necessarily enforceable in law; nevertheless, they do provide a standard of comparison by which activists who favour rights for women can assess their governments.

Article 2 of the Indian Constitution guarantees rights without discrimination as to sex, but Article 18 stresses the family as the "natural unit and basis of society", and Article 17(3) also mandates that the state should protect "morals and traditional values recognized by the community". Traditional values frequently reflect deeply held ideological beliefs that include an entrenched notion of the moral inferiority of women to men and of the need to subordinate women to men's familial and political authority (Ragi and Sindhe, 2011).

Human rights are the fundamental rights, which are essential for man to lead a dignified life. They are defined as those rights and freedoms which are a must for all human beings. They include all rights that should be enjoyed by every individual irrespective of class, gender, age, caste, religion, language, creed, status, and beliefs. Human rights include rights to life, rights to adequate food, rights to shelter, rights to clothes, rights to pollution free air, rights to noise free surroundings, rights to have safe drinking water, rights to vote, rights to participate in all social, economic and political activities, rights to embrace any religion, rights to speak and the like. The fundamental rights of all human beings are the rights to life. Human rights should be enjoyed by every member of the human family. Hence, they are absolute, universal and inalienable. No power on earth can deprive an individual of his/her rights.

Unorganized Sector:

About 370 million workers constituting 92% of the total workforce in a country were employed in the unorganized sector as per NSS Survey 1999-2000. It plays a vital role in terms of providing employment opportunity to large segment of the working force in the country and contributes to the national product significantly. The contribution of the unorganized sector to the net domestic product and its share in the total NDP at current prices has been over 60%. In the matter of savings the share of household sector in the total gross domestic saving mainly unorganized sector is about three fourth (Das, 2012).

Women represent 50 per cent of the adult population and one third of labour force, they perform nearly two - third of all working hours and receives only one-tenth of the world income. Human Development Report for the year 2000 on the amount of time that women and men spend on market and non-market activities by considering 31 countries reveals that women work longer hours than men in nearly every country. Women carry on average 53 per cent of total burden of work in developing countries and 51 per cent of that in industrial countries. Also, roughly two-third of women's total work time is spent in unpaid non system of national accounts activities (Vimala, 2005).

Women in Unorganized Sector:

Unorganized sector work is most popular among all the women workers/ employees. Generally women working in informal sector are illiterates and under-educated, the wages they have been paid are discriminatory, to a major extent they are being exploited by their owners, their social status is also low, as they are from conventional and illiterate family. Work of few women workers in this sector is seasonal. The women working in unorganized sector are poor and have less economic power and status in the society. The women working in unorganized sector will do work such as construction work, agricultural labourers, domestic and household servants, girls working in shops and commercial establishments, etc.

Women workers doing unorganized work include all those women who work and who do not have any legal or social protection. These would include at least (Gothoskar, 2003):

1. agricultural workers
2. forest workers
3. fish workers
4. rag-pickers
5. construction workers
6. home-based workers
7. domestic workers or helps
8. street vendors or sellers
9. casual or temporary workers
10. contract or dispatch workers
11. workers in very small enterprises
12. part-time workers

The unorganized sector in India comprises roughly of 92 per cent of the population in the working age group. Of the 376 million workers in 2000, only 8 percent were in the

organized sector, and had access to statutory social security benefits. The remaining workforce had been socially excluded and suffered from persistent deprivation associated with general low standards of living and social insecurity. The unorganized sector makes a significant contribution to the national wealth; yet, workers in this sector do not have access to sufficient and reliable social security. Although the unorganized workers have some access to risk-management mechanisms such as micro-finance, their access to statutory benefits like health care, old age pension, etc., has been quite poor. Even though work for more time, paid lower wages, exploited and harassed, very few attempts were made to improve their status and standard of living in India. Human rights of such women workers in unorganized sector should be protected.

Human Rights of Women in Unorganized Sector:

Human rights emphasize every human being right to livelihood that includes food, clothing, shelter, work, etc. As such, the Government has passed many legislations to protect the workers working in unorganized sector in general and working women in unorganized sector in particular. They include Minimum Wages Act, Maternity Benefits, Leave Facilities, etc. But in reality, these are not actively executed by the employers for working women in unorganized sector.

A number of countries have legislations on equal pay for equal work. In India this mandate flows out of constitutional provision (directive principles of state policy, part IV of the Constitution of India), India uses the concept of "equal remuneration for the same work or work of a similar nature". Article 39(d) of the Constitution of India mentions the principle of equal pay for equal work and Article 14 guarantees equality for all before the law. India ratified the Equal Remuneration Convention in 1958.

Under the Equal Remuneration Act 1976, employers are obliged to pay equal remuneration to workers of both sexes for the same work or work of a similar nature. The Act extends to the whole of India. The Act of 1976 was amended by the Equal Remuneration (Amendment) 1987. This Amendment extended the scope of the Act to other aspects of personnel administration such as recruitment, promotions, training or transfer.

But in reality, the equal wages are not been provided to the female workers in unorganized sector. Further, there is exploitation of the working women in unorganized sector by their employers by long hours of work, sexual harassment, etc. The women in unorganized sector bear all these problems and challenges in their work place as they fear loss of their work and job. The basic problem is that they are not organized and they are isolated and scattered. Further, depending on the nature of work they are classified as construction workers are staying outskirts of the city, women domestic servants are working in few households of a particular street or extension area in city, lack of necessary skills and fear of lose of job made them to bear the exploitation from the employers. Many of the studies which are already made on the problems faced by women working in unorganized sector, which revealed these problems of the women working in unorganized sector. The human rights

are the solutions to the problems and challenges faced by the women working in unorganized sector.

CONCLUSION:

Unorganized sector work is characterized by low wages that are often insufficient to meet minimum living standards including nutrition, long working hours and hazardous working conditions, lack of basic services such as first aid, drinking water and sanitation at the work places. The lack of these basic facilities results in violence and exploitation of women by their employers. Hence, there is need to protect the human rights of women workers in unorganized sector. For this purpose, the Government has to realize the significance of human rights for working women in unorganized sector and to protect the human rights, the Government should nominate the officers in every district headquarters in India.

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