

## **Minutes of the Meeting-Core Group on Women**

A virtual meeting of the Core Group on Women was held on **17<sup>th</sup> November 2020** from 11:00 a.m. to 2:00 p.m. to discuss issues related to **decline in participation of women in labour force and problems of work-life balance faced by women**. The meeting was chaired by **Smt. Jyotika Kalra, Hon'ble Member, NHRC**. List of Participants is attached as **Annexure-I**.

**Smt. Anita Sinha, Joint Secretary (Planning & Training), NHRC**, welcomed all the Core Group members, special invitees and the representatives from the concerned Ministries. This was followed by the welcome address and opening remarks by **Shri Bimbadhar Pradhan, Secretary General, NHRC** where he began by explaining that the objective of the Core Group is to take up contemporary issues and suggest pragmatic recommendations for the government to implement. He stated that since the establishment of NHRC in 1993, it has acted as a watchdog for securing human rights in India. He further went on to emphasise the importance of the Constitution of India, the Beijing Conference of 1995 and the National Commission for Women in the development of women's rights in India. He highlighted that The Protection of Women from Domestic Violence Act, 2005, The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and The Muslim Women (Protection of Rights on Marriage) Act, 2019 are three milestone women centric legislations. He also highlighted the gender-gap in India by giving relevant statistics including the fact that in 2019 only 25% Members of Parliament were women. In his welcome address, the Secretary General also spoke about the disproportionate effect of the COVID-19 pandemic on women and how women leaders across the world rose to the occasion by quoting examples of Taiwan and New Zealand. He concluded by stating that gender equality is a transformative agenda for peace, security, development, and promotion of human rights and that development of a country depends on the economic participation of its entire population.

**Smt. Jyotika Kalra, Hon'ble Member, NHRC** delivered the inaugural address. She began by highlighting that for every 100 men, 85 women are enrolled in higher education. Despite this, there is a wide gender gap in the labour force participation. The gap between education and employability needs to be bridged. She spoke about the financial independence and the decision-making rights that a woman gets when they participate in an economic activity. She also emphasised on work-life balance and stated that if a woman is contributing to the

workforce, benefits should also be provided to her by her employer, especially if she is pregnant, lactating or has a young child to take care of. The workplace should evolve to meet the biological needs of women and not using women's needs as an excuse to deny them employment opportunities. She also highlighted the need for sensitisation of men in the society to help and take responsibility of household chores. She then opened the meeting for further discussions on how to ensure more participation of women in the labour force. The discussion were moderated by **Dr. MDS Tyagi, Joint Director (Research), NHRC.**

While the discussions focused on reasons for the decline of female labour force participation, suggestions on how to improve it, and problems of work-life balance faced by women, the minutes are focussed on actionable recommendations only so as to keep them brief.

### **Major Recommendations Emanated from the Discussions**

#### **1. Maternity benefit and Child care leave (Ministry of Women & Child Development and DoPT)**

- a. Paid maternity leave of 26 weeks is a matter of right of employee in both public and private sector as provided by the Maternity Benefit (Amendment) Act, 2017 and the same should be strictly implemented.
- b. Paid Child Care Leave (CCL) with outer limit of two years, mother as well father should be entitled to claim CCL. Entitling only mother to claim this leave, puts the woman at disadvantageous position qua her professional achievements.

#### **2. Education (Ministry of Women & Child Development and Ministry of Education)**

- a. Gender stereotyping of roles should be stopped through education, especially role of woman inside the house and role of man outside the house.
- b. Conduct workshops for men to understand that household chores are not just women's responsibility.
- c. Maternity leave should be provided to the female students in higher education.
- d. National Education Policy, 2020 provides for the credits system in higher education to help women continue their education even after a break and to increase their employability. It is suggested that after 1 year of study at higher education level, a person would be eligible for a certificate, after 2 years, the person dropping out would receive a

diploma and at the end of three years, a degree would be given. This should be implemented urgently.

- e. Access to basic legal knowledge is essential for girls and women so that they are aware of their legal rights and the redressal mechanisms available on case of violation of rights. Nitty-gritties of laws often become barriers in access to justice.

### **3. Recommendations Pertaining to Rural Areas (Ministry of Women & Child Development and Ministry of Agriculture)**

- a. Besides allied agriculture activities like livestock rearing and poultry farming, quality and skilled work beyond agricultural work should be generated as educated women do not want to do low-paying menial work.
- b. Support should be provided to rural women by Central and State governments to help them understand the changes and mechanisation in agricultural sector like how to take small loans or use certain machinery, etc.
- c. Enact the MS Swaminathan initiated Women Farmers' Entitlements Bill 2011 pending for several years. Address issues raised in NCW's Draft National Policy on Women in Agriculture, 2008.
- d. The remuneration of ASHA, Anganwadi and Sanitation workers should comply with minimum wages standards set by the Government of India and the State governments. Extra hours should be regulated and remunerated and all arrears and overtime work compensated.

### **4. Recommendation Pertaining to Urban Areas (Ministry of Women & Child Development and Ministry of Urban Development)**

Urban Employment Guarantee Scheme with reservations for women on the lines of the MGNREGA be introduced.

### **5. Skill Development (Ministry of Women & Child Development and Ministry of Skill Development & Entrepreneurship)**

- a. Enhancement of skills of women is required especially in Information and Technology.

- b. Skill development in non-traditional and unconventional livelihood areas like driving, plumber, carpenter, electrician etc. should be encouraged.
- c. Opportunities available to skilled women in urban areas are often gendered (like working in beauty parlours or as tailors) despite women being qualified to do various other jobs. Gender stereotyping in job opportunities needs to end.

#### **6. Working Women Hostels (Ministry of Women & Child Development)**

- a. Higher number of Working Women's Hostels with better facilities is required all over the country so that women working and staying away from families have a safe place to reside in.
- b. Free or low-rent open shelters are also required for working women as rent has to be paid for residing in Working Women's Hostels and many women working in the unorganised sector may not be able to afford that.
- c. The information about these hostels & crèches should be put on the website of Ministry.

#### **7. Safety and Security of women (Ministry of Women & Child Development and Ministry of Home Affairs)**

- a. Workplace safety from violence and harassment need to be ensured. This includes ensuring accessibility for women with disability.
- b. Safe and better coverage of public transportation so that more women can join workforce, even if their workplace is not very close by.
- c. The implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH) be monitored more strictly to also ensure functional Local Complaints Committees and monitoring of the same.
- d. As mandated under POSH Act, regular gender sensitisation workshops should be conducted at workplaces
- e. The newly enacted Labour Codes do not make any mention of the POSH Act therefore, it needs to be ensured that implementation of the POSH Act is not overlooked.

#### **8. Care Economy (Ministry of Women & Child Development and Ministry of Labour & Employment)**

- a. Investment is required in the care economy. Onus to provide benefits including paid maternity leave cannot only be put on employers as there are multiple small organisations which are unable to bear the responsibility solely. State needs to provide childcare facilities and care facilities for the elderly, this will help retain more women in the workforce. Leave on the lines of CCL should be available to women to take care of elderly and persons with disability in the family. COVID-19 pandemic has brought to light how vulnerable this faction of the population is.
- b. Community-based approach as used in some countries like Nepal to take care of children and elderly was suggested. Few women can come together and take shifts while the mothers/daughters/daughter-in-laws are at work.
- c. S. 11A of Maternity Benefit (Amendment) Act, 2017 provides that any establishment which has 50 or more employees shall have the facility of crèche. A stock taking should be undertaken as to whether such establishments (including government establishment) have crèche facilities. Defaulters need to be identified and penalised
- d. Paternity leave should be given to allow men to share responsibilities of raising a child and managing a household.
- e. Avenues should be provided to women to reach the top decision-making levels of organisations and the country through various schemes and policies so that change can be brought into the society.

**9. Women with Disability (Ministry of Women & Child Development and Ministry of Social Justice & Empowerment)**

- a. Disabled women should have access to public places and to information so that they can avail the opportunities meant for them. For example, brail and sign language versions should be available on the websites so that information is accessible.
- b. Disaggregated data which provides statistics based on disability and marginalised community is necessary so as to ensure visibility of all communities.

**10. Welfare Schemes (Ministry of Women & Child Development; Ministry of Labour & Employment; Ministry of Statistics & Programme Implementation; Ministry of Social Justice & Empowerment; Ministry of Minority Affairs; and Ministry of Finance)**

- a. Census data and National Sample Survey Office (NSSO) data should define work and use better survey tools so that women's work, especially in the unorganised sector is better identified and counted. Home-based workers are rarely counted in any economic survey. Unpaid work should also be surveyed so that their contribution is recognised.
- b. Address gaps in the Code on Social Security, 2020 like contributory workers/helpers, who are mostly women should be included in the definition of worker and S. 6 of the Code provides for "adequate representation shall be given to persons belonging to the Scheduled Castes, the Scheduled Tribes, the minorities and women" in the National Social Security Board and State Unorganised Workers' Board, however a fixed number should be provided.
- c. RBI reviewed the Priority Sector Lending (PSL) Guidelines in September, 2020 to align it with emerging national priorities and bring sharper focus on inclusive development. In the eligible categories created for priority lending, self-help groups (SHGs) were put in the last category. This should be revised to provide small loans more easily to SHGs, which play a significant role in financial independence and labour force participation of women.
- d. Welfare Boards like the Building and Other Construction Workers' Welfare Board and Domestic Workers' Welfare Boards are established under laws in various states. However, most workers are not registered with them and hence, fall out of the purview of any welfare schemes implemented through the boards. Awareness about these boards needs to be spread so that more workers get registered. A law or scheme to ensure registration may need to be formulated and uniformly implemented. Social audits of these boards should be regularly conducted to determine whether they are fulfilling their purpose.
- e. Grant and logistical support should be provided by the government, especially Ministry of Women and Child Development to civil society organisations and SHGs working for rights of women workers at the grass-root level.
- f. Ensure that there is no gender based wage-gap. Discrimination and inequality are rampant and well-drafted laws are required ensuring that such practices are eradicated from the labour market.
- g. A national share load campaign to encourage support for unpaid domestic duties of women.

These were some of the main recommendations that emanated from the meeting. The written submission sent by Ministry of Women and Child Development is annexed as **Annexure-II**. Senior officials of NHRC including **Shri Surajit Dey, Registrar (Law), Smt. Manzil Saini, Deputy Inspector General of Police, and Dr. Seemi Azam, Research Officer** gave their inputs and shed light on their personal experiences emphasising on certain recommendations given by the Core Group members and special. The meeting of the Core Group on Women concluded by **Shri Bimbadhar Pradhan** summing up some of the main points of the meeting and suggesting that we revisit discussion with respect to domestic workers in-depth in the future and **Smt. Jyotika Kalra** emphasising that maternity leave should not be discretion of Government and Child Care leave should be available to both the parents. A Vote of Thanks was given by **Smt. Anita Sinha** to thank everyone who had attended the meeting and the research team and NIC team of NHRC for organising the meeting.

LIST OF PARTICIPANTS

**Core Group Members**

1. Dr. Charu WaliKhanna, President, Social Action Form for Manav Adhikar (SAFMA)
2. Dr. Indu Agnihotri, Special Monitor on Women, NHRC
3. Dr. Manjula Batra, Professor, School of Law, NorthCap University, Gurgaon
4. Dr. Yuthika Mishra, Executive Member, All India Women's Conference
5. Smt. Viney Kapoor Mehra, Vice-Chancellor, Dr. B.R. Ambedkar National Law University, Sonapat
6. Smt. Rukmini Sen, Professor, Ambedkar University, Delhi
7. Ms. Ritu Gupta, Professor, National Law University, Delhi
8. Shri Kush Kalra, Professor, Delhi Metropolitan Education
9. Dr. Jyoti Chauthaiwale, Bharatiya Stree Shakti
10. Dr. Vijay Raghavan, Professor, Centre for Criminology and Justice, School of Social Work, TISS

**Special Invitees**

1. Prof. Ashwini Deshpande, Professor of Economics, Ashoka University
2. Ms. Smita Khanijow, National Thematic Lead- Informal Work and Women Workers, ActionAid!
3. Ms. Aya Matsuura, Gender Specialist, ILO DWT for South Asia and ILO Country Office for India
4. Ms. Nidhi Goyal, Founder and Executive Director, Rising Flame, Mumbai
5. Advocate Alana Golmei, General Secretary, Northeast Support Centre & Helpline
6. Ms. Mythili Sundar, Faculty, Asian College of Journalism

**Representatives from Union Ministries/ Government Bodies**

1. Shri Ashish Srivastava, Additional Secretary, Ministry of Women and Child Development
2. Ms. Pallavi Agarwal, Joint Secretary, Ministry of Women and Child Development
3. Shri Shakil Alam, Economic Adviser, Ministry of Skill Development and Entrepreneurship



## **NHRC**

1. Smt. Jyotika Kalra, Hon'ble Member, NHRC
2. Shri Bimbadhar Pradhan, Secretary General, NHRC
3. Shri Surajit Dey, Registrar (Law), NHRC
4. Smt. Anita Sinha, Joint Secretary (Planning and Training), NHRC
5. Smt. Manzil Saini, Deputy Inspector General of Police, NHRC
6. Dr. MDS Tyagi, Joint Director (Research), NHRC
7. Dr. Seemi Azam, Research Officer, NHRC
8. Ms. Atishya Kumar, Junior Research Consultant, NHRC
9. Ms. Chandrali Sarkar, Junior Research Consultant, NHRC
10. Ms. Diana Thomas, Junior Research Consultant, NHRC

## **Brief on Women's Empowerment**

India is rapidly moving from “*women development to women-led development*”. Women who represent almost half of the population in the country have the capability to further drive the economy if their increased participation in workforce is ensured. Women workforce participation rate has improved to over 26% in 2018 from only 12.11% in 1971. Economic empowerment of women opens up avenues for them to gain personal identity and social status (National Policy for Empowerment of Women, 2001).

2. Investing in women’s leadership requires a lifecycle approach to strengthening and supporting all-round development of women and girls to enable them to shoulder leadership roles. The Government and the private sector while supporting greater recruitment and advancement of women in leadership positions are also taking cognizance of challenges faced by women at workplace.

3. Women’s economic empowerment requires bold and sustained action to advance women’s opportunities and rights and to ensure that women can participate and be heard. There is ample evidence that education coupled with skilling can play an important role in provided viable income, decent work and encourage women to play a major role so that they can contribute equally to the economic growth of the country.

4. The emergence of women entrepreneurs and their contribution to the national economy is quite visible in India. Some indicative trends reveal concentration of women enterprises in the areas of traditional choices such as textile and garment sector, food products etc. However, large number of women are now increasingly participating in non- traditional enterprise as well as in innovative and high technology areas like software, chemicals, plastics, rubber, mechanical & metal ware, wood products etc.

5. With the goal of promoting women in leadership roles, Government of India is providing support to women entrepreneurs through its various schemes and programmes. The programmes implemented span across different areas of operations of enterprises, covering credit, marketing, technology, skill development, infrastructure development, fiscal matters and legal/regulatory framework. The programmes are implemented through various organizations under the Ministries, commercial banks, Small Industries Development Bank of India (SIDBI) and the State /UT Government etc.

6. To bridge existing gaps, Government in 2014 has created a dedicated Ministry for Skill Development & Entrepreneurship (MSD&E) and a new National Policy on Skill Development and Entrepreneurship, 2015, to create and promote an ecosystem for entrepreneurship. The policy framework outlines eleven major paradigms and enablers to

achieve the objectives of skilling India and “Promotion of skilling among women” is one among them. Ministry also has training institutes to support entrepreneurship.

7. Recognizing that skill development is the key to raising the potential of our workforce, the Government has launched the following schemes/ programmes:

- Under the **Pradhan Mantri Kaushal Vikas Yojana (PMKVY)** skilling will be imparted to 10 million (one crore) people in the period of 2016-2020.
- State of the Art **Pradhan Mantri Kaushal Kendras** are being established in all districts of the country which will help enhance participation of women in the economy.
- The Government has also launched the ‘**Deen Dayal Upadhyay Grameen Kaushalya Yojana**’ (DDU-GKY) – a placement linked skill development scheme, primarily targeting skilling of the unemployed in rural areas.

8 The government is committed to ensure financial inclusion of women by enabling banking services for the unbanked. Recognising this, the world’s largest financial inclusion programme **Pradhan Mantri Jan Dhan Yojana** was launched under which over 391 million (39.19 crores) accounts have been opened in the last five years. Out of this, approx 53% of the Jan Dhan account holders are women and approx 59% accounts are in rural and semi-urban areas<sup>[i]</sup>.

9 Recognising further that availability of credit facility plays an important role in promoting entrepreneurship, the **Pradhan Mantri MUDRA Yojna (PMMY)**, was launched to provide credit to small entrepreneurs without the need for collateral or a guarantor. More than 24.09 crore loans have been sanctioned under the scheme. Over 67% of beneficiaries are women<sup>[ii]</sup>.

10 Recognising also that handholding is important to promote entrepreneurship amongst the new generation, the **Stand Up India** scheme has been launched. Under the scheme credit and handholding support is provided in the form of loans in the range of \$ 15000 to \$150000 (Rs. 10 Lakhs to Rs. 100 Lakhs) for setting up green field enterprises by entrepreneurs, particularly women, SCs and STs.

11 Recognising the important role that the Elected Women Representatives (EWRs) can play at grassroots level in the implementation of various schemes as well as in raising public awareness about various laws for protection of vulnerable women and girl children, through the 73rd and 74th Constitutional Amendment Acts passed in 1992 by Parliament, one-third of the total seats for women in Panchayati Raj Institutions (PRIs) and urban local bodies have been earmarked for women. These constitutional amendments brought more than 1.4 million women into positions of leadership and Governance at the grassroots.

12 In collaboration with the National Institute of Rural Development & Panchayati Raj, the National Commission for Women (NCW) had initiated a pilot programme for capacity building of Elected Women Representatives (EWRs) of PRIs. The project prepares a pool of master trainers for providing onsite training to EWRs and their handholding. The Programme envisages imparting knowledge to the EWRs about the role of PRIs at different levels including linkages between PRIs at village, block and district levels, details about developmental schemes and programmes, availability of resources, participatory planning and asset creation and public works. It also imparts Information Communication Technology and leadership skills to the EWRs.

13 Apart from the above various measures have been taken by the Government to promote employment of women. This includes **Maternity Benefit Act, 1961** that has been amended in March 2017 to extend the period of maternity leave from 12 to 26 weeks. The **Code on wages, 2019** (in which the earlier The Equal Remuneration Act, of 1976 has been subsumed) provides for equal remuneration to men and women for equal work of same or similar nature without any discrimination. The **Sexual Harassment of Women at Work Place Act 2013** and amendments to the Indian criminal law in 2013 and 2018 provide an enabling environment for women. **Working Women's Hostels** have been/ are being established to provide safe and affordable accommodation to working women. The **National Creche Scheme** provides that every establishment having more than 50 employees (whether male or female) is required to offer crèche facility. The scheme ensures that women stay in the workforce and an enabling and supportive environment is provided to women.

14. Women empowerment through entrepreneurship is a must for a modern developed economy. Closing the gender gap in entrepreneurship must be a central part of any strategy to create more sustainable and inclusive economies and societies. Involvement of women in entrepreneurial activities would ensure effective utilization of labour, generation of income and hence improvement in quality of life for families. India is committed to promoting women's entrepreneurship which will build robust economy and well-being of the family and communities' thereby reducing poverty and leading to holistic empowerment of women. This will not only contribute to inclusive growth but also international commitments such as Sustainable Development Goals (SDGs).

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<sup>[i]</sup> <https://transformingindia.mygov.in/performance-dashboard/>

<sup>[ii]</sup> <https://transformingindia.mygov.in/performance-dashboard/>