

Strength of Indian legislative measures and their challenges in women's protection: A case study of working women

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Abstract

Indian women have been kept away from the social, political, economic and religious mainstream at long time. Presently, our constitution and legislative committee have provided number of regulations for women's dignity and development. In this situation, number of women were showing their ability to lead public life. But at the same time, sexual harassment are creating big problems to working women in public life. Comparatively Indian government enacted numbers of strength full measures for protecting women. But till women have been suffering by sexual harassment at working place. Therefore present study tries to examine the strength of legislative measures in India and their challenges in protecting women at public place for this purpose, research has following few objectives and research methods for validity results.

Keywords: strength, legislative measures, women's protection, sexual harassment

Introduction

Indian women have kept away from the social, political, economic and religious mainstream at long time. But, at 19th century colonial period, government have had enacted few regulations for women development. Even After the independence, our constitution and legislative committee have provided number of articles and regulations for women's dignity and development. Therefore, today women have been entered into political, economic and educational sector. Even number of women were showing their ability to lead public life. But at the same time, sexual harassment and other sex related violence are creating big problems to working women in public life. For example: in bus, cabs and bus stand, in office premises, in footpath and shopping mall etc. Apart from this, women have been suffering by sexual harassment at working place. Number of assaulted women could not land case in police station, some were tried to land the case against accused person, but result is nil or pending. In this situation, present study tries to examine the strength of legislative measures in India and their challenges in protecting women at public place.

Strength of Legislative measures for women protection in India

Social controlling measures are common in all society, but informal measures were not at able to control the brutal practice at most of society. Therefore, since from modern days democratic government have had various legislative and constitutional measures. Particularly, In India numbers of social reformers have taken up an attention to equal status of women and they put an effort and pressurize on colonial Government to prohibit the sati system, permitted to widow remarriage, prohibit child marriage and provide education for women. After independent various governments an enacted several legislative measures for women and working women welfare and protection. These are mentioned here.

- The Minimum Wages Act, 1948

- The Employees State Insurance Act, 1948
- The Plantation Labour Act, 1951
- The Representation of People Act, 1951
- The Cinematograph Act, 1952
- The Special Marriage Act, 1954
- The Hindu Marriage Act, 1955 (28 of 1955)
- The Hindu Adoption & Maintenance Act, 1956
- The Hindu Minority & Guardianship Act, 1956
- The Hindu Succession Act, 1956
- The Immoral Traffic (Prevention) Act, 1956
- The Dowry Prohibition Act, (26 of 1961)
- The Maternity Benefit Act, 1961 (53 of 1961)
- The Beedi & Cigar Workers (Condition of Employment) Act, 1966
- The Foreign Marriage Act, 1969 (33 of 1969)
- The Indian Divorce Act, 1969 (4 of 1969)
- The Medical Termination of Pregnancy Act, 1971 (34 of 1971)
- The Bonded Labour System (Abolition) Act, 1976
- The Equal Remuneration Act, 1976
- The contract Labour (Regulation & Abolition) Act, 1979
- The Inter-State Migrant Workmen (Regulation of Employment and Condition of Service) Act, 1979
- The Family Courts Acts, 1986
- The Indecent Representation of Women (Prohibition) Act, 1986.
- The Commission of Sati (Prevention) Act, 1987 (3 of 1988).
- The Child Labour (Prohibition & Regulation) Act, 1986
- National Commission for Women Act, 1990 (20 of 1990)
- The Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992
- 73rd / 74th Constitutional Amendment Act 1992
- The Pre-Natal Diagnostic Techniques (Regulation and the Prevention of Misuse) Act, 1994.
- Protection of Women from Domestic Violence Act 2005.

- Protection of Children from sexual offence Act 2012.
- The sexual harassment of women at work place (Prevention, prohibition and Redressal) Act 2013.

Importance of the study

1. Presently, number of legislative measures are existing in India. But till sexual harassment could not reduce by zero %.When women would able to enter into public life. Gradually, sexual harassment has been risen. In this condition, existed legislative measures could not protect women at working place or public place. So that Present study highlights strength and challenges of legislative measures in protecting women at public life at Karnataka in general, Chitradurga district in particular.
2. India has been adopted human rights based legislative measures for protecting vulnerable section like women. Particularly, acid attack, sexual harassment, are enormously occurred against women at work place and public place. It seems our legislative measures are not strong, so for harassment has raising day by day. Present study tries to trace the social-cultural challenges of legislative measures in protecting women at public place.
3. Totally women in India is not safe, because more than 60% of women were assault by sexual harassment at public place. Generally, question has been arisen to government mechanism. Which are the main causes to sexual harassment against women So present study try to prove the real picture of legislative measures in protecting women at working place.

Scope of the study

Chitradurga district is considered as study area. Because, number of public and private banks, hospitals, schools, colleges and government office were working in the district. In this condition, numbers of women employees are working as FDA, SDA, Teachers, ANM, Doctors, lecturers, Manager and Asset Manager and Superintendent, Typist etc., at the district and taluk head quarter. Even number of women employees were suffering by sex related harassment at working place or public place. But till could not take up any study, therefore present study has been chosen for the study area.

Objectives of the study

- To highlight the socio-cultural challenges of legislative measures in protecting women at public place in chitradurga district.
- To try to suggest new remedy for women and working women protection at public place in Karnataka.

Methodology

Present study has been specified to Chitradurga district, 200 respondents were selected through simple random sampling method in all taluks and district headquarters. Secondary and primary data were making use to data analysis. Particularly, questionnaire method has employed to collect the primary data. After that, tabulating the data and general statistical interpretation method has utilized for data analysis. Next part of this article is data analysis and discussion.

Data analysis and discussion

Social challenges of legislative measures in protecting women at public place

Social issues are most important primary elements in human being and these elements are influence to create the Higher and lower status, gradually, people have been practice in all walks of life. According to Karl Marks, at the tribal stage there was no discrimination, inequality, exploitation and marginal practices. When individualism getting predominant people would forwarded to property owning process. In this reason society as divided into two, haves and have-nots. Similarly, ability and physical strength lead strong and weak, men are strong and women are weak. Even women have most important role in reproduction process. But it has been denied by male. Since last centuries every society has practice of the gender stereotypes and they were keep it till today itself. In this situation, male get help from social and religious implication for safe their identity. For example: Stereotypes, constraints, taboos and prohibitions, these are vulnerable factors of women. Thus society has dichotomize through the socio religious and cultural elements.

At 19th century Philosopher and reformers ideas and thoughts influence on women and they get aware by the idea and thought. So they try to establish the human society. But it is not easy, so far women were mobilize and start to movement against traditional society. Particularly Indian women status is very low and they are suffering by discrimination, exploitation, sexual harassment, violence and other problems. Therefore, Central Govt. has been providing for equality and justice by the support of legislative and constitutional measures. Even though number of women and working women were suffer by sexual harassment at public life or working place. In this situation, number of social elements is disturbed to legislative measure to protecting women. Particularly, patriarchal socialization process, sex preference and male dominance, ignorance and tolerance about violence and media are major social challenges to women in public life. Present table intends to social challenges of legislative measures in protecting women public place.

Table 1: Social Challenges of legislative measures in protecting women.

Social Challenges	Respondents	Frequency	Percentage
Socialisation process	Yes	115	57%
	No	85	43%
	Total	200	100%
Sex preference and male dominants	Yes	138	69%
	No	62	41%
	Total	200	100%
Ignorance and Tolerance	Yes	105	53%
	No	95	47%
	Total	200	100%
Mass Media shows	Yes	111	55%
	No	89	45%
	Total	200	100%

Source by: Field work

Table 1 shows that social challenges of legislative measure in protecting women at public place. Majority of women workers are agreeing to social issues are most challenge to legislative measures in protecting women at public place.

Most important social challenges are patriarchal socialization process. It is a major effect on legislative measures and about 57% of women worker says yes. Because, socialization process is most primary practice of human kind and people were getting information at the childhood days and it has deep rooted in the child mind. male. Totally, socialization process lead every mouldings of the people life style. Generally, it also major challenges to legislative measure in protecting women at public place.

Sex preference and male dominants aspects is more effect, about 69% of women workers express their opinion and they highlights male dominant is spread in all over Indian working place. So male officers try to close out the allegation of women. Number of assaulted women could not register the case in police station and some were registered case, but it is in pending accused person till free from custody. This is the weakness of Indian legislative measures.

Mass Media is one of the major challenges to legislative measure. About 55% of women worker were agree to this challenges on legislative measures. Violence against women, rape and murder, teasing and abusing video clips are broadcasting regularly in media channels. These are attracting and profitable matter to media institution. As a result, common people were imitated in their life. Many enquiry committees also traced out these issues. But till, media channels did not broadcasting such shows. In this situation, legislative measures aims are ignore by common people.

Ignorance and tolerance, this aspect is also most problem of women, though harassed women should registered case in police station. But women ignorance and tolerance is most drawback to solve the sexual harassment, hence only 53% of women express their view on this. Assaulted women should registered the case than only legislative measures able to take an action against accused.

Cultural challenges of legislative measure in women at public place

Culture is complex term and it has been defined various view point. Culture and society has been close interlinked with each one. Because, culture without society doesn't exist, even society without culture did not elsewhere. In sociological perspective, culture means, it is a way of life of the particular people or community in any society. It seems, culture has different from community to community as well as similarity also. Well know sociologist Edward Tylor defined "Culture is that complex which includes knowledge, beliefs, art, morals, law, custom and any other capabilities and hobbies acquired by man as a member of society. In Indian context culture is called Samaskar. A man became social and cultural man throughout their life, they should practice various Samaskars, even from birth to death. Who have had more Samaskars they called as Divjas or Brahman. It is also criteria for dividing community like upper and lower, cultural and non-cultural. Generally, culture as divided into two types; material and non-material. Non-material means abstract such as ideas, customs, beliefs, values, superstitions etc. These are called super structural things and these are miss leads our social development as well as people development. As a result national development has legging behind. Presently, number of legislative measures have been implementing. But harassment and other sex related violence have occurred continuously. Today cultural elements have put big

challenges to legislative measures to protect gender in society or public place. Present study have highlight the few cultural elements like wife's principles, virginity and purity, obedient with parents and colleagues, and glamour dress pattern. Below table shows cultural challenges to legislative measures in protecting women at public place.

Table 2: Cultural challenges of legislative measures in protecting women's at public place.

Cultural challenges	Respondents	Frequency	Percentage
Wife's principles	Yes	120	60%
	No	80	40%
	Total	200	100%
Virginity and purity	Yes	135	67.5%
	No	65	32.5%
	Total	200	100%
Obedient with parents and colleagues	Yes	111	55.5%
	No	89	44.5%
	Total	200	100%
Glamour dress pattern	Yes	152	76%
	No	48	24%
	Total	200	100%

Source by: Field work

Table 2 shows that, cultural challenges of legislative measure in women protection at public place. Firstly, wife's principle, this is most important cultural elements, Sati Shat Dharma has been adopt by women and always they kept in mind. At any critical condition, Indian women do not try to violent these principles. Domestic violence or sex related harassment has occurred by male in home or office grand. Women do not express and could not land case in police station. They try to tolerate herself and it considered as a truthful women culture. Present data highlights, majority (60%) of working women did not express in front of court or police. In this situation legislative measures cannot at active. Because, no one can ready to utilize this legislative measures. See how cultural elements were breakout the strength of legislative measures in India.

Secondly, virginity and purity, at any critical condition Indian women should protect her virginity and purity. In this respect, man did not bother about value of virgin and purity. But our culture has impose some constraints on women to keep her purity and pure women called "Paathirwate". But men virgin and purity did not considered as cultural traits. Majority (65.%) of respondents express on this issues. It is dual condition of Indian women. One side is women can able to enter into public life, another side is, at the time she can ready to face many problem. Otherwise, she did not work at public place.

Thirdly, obedience with parents and colleagues, Indian society has stress on obedient behaviour is cultural behaviour. But, harassment and violence against women has been happening till now and man have encash the women's Obedience so it is the most problem to legislative measures. Because, assaulted women could not express their problem in front of authority. How they have taken action against criminals. But few women have landing case against criminals and it could not decided at fast track level. In this regard, data reveals that 55.5% working women has agree to women's Obedience is one of the cultural challenges to Indian legislative measure at women protection.

Finally, glamour dress pattern, dress is most important cultural element in all over the society. Particularly, modern dress pattern is most problems to Indian legislative measures. It stimulate the men to commit to harassment against women at work place or public place. In this situation, police and government has in dual and contradiction level, if so they decided to ban the glamour dress styles, garment sector has going to lockout. After that it create huge problem to government mechanism so far not decided to ban the glamour dress. This is main issue for commit harassment against women. Present data exhibit and 76% of respondents have gave their opinion toward dress pattern is also create the dual problem to legislative measure to women protection at public place or working place.

Conclusion and suggestions

Since independent number of governments have been initiate more than 40 legislative measures for women betterment at working place and public place. But still sexual harassment could not stop. Particularly, women employees were suffer from sexual harassment by male at bus stand, office premises and other public place. Because, male were overwhelming by bias and miss interpret on women from long days in all respect this is big problem for women in public life. Even in this situation government mechanism could not stop their attempt to prevent all types of harassment against women or working women. So present study tried to highlights the strength and socio-cultural challenges to legislative measures at preventing sexual harassment against working women at working place or public place.

Present study highlights, Patriarchal socialization process, Sex preference and male dominants, ignorance and tolerance and mass media shows are most important social challenges to legislative measures. Data shows, majority of working women accepted to these social issues were big challenges to legislative measures. Because, these are deep rooted in men mind. Any preventing measures we have taken for this, result is nil. Until men perception could not change about women harassment do not control.

Finally, cultural challenges, number of cultural traits has been practiced in our society. So who were more adopting their life they were called cultured. So cultural issues were called, Sati Shat Dharma, Virgin and purity, obedient with parents and colleagues and glamour dress culture are most challenges to legislative measures for protecting women. Even data reveals that majority of working women has opine that these cultural elements are most challenges to Indian legislative measure to preventing harassment against women at public place.

Totally, study concludes that socio-cultural traits were major challenges to legislative measure in women protection at public place or working place. In spite of that necessarily check out the loop whole of our legislative measure and taken into new initiative about controlling sex harassment against women or working women in public place or work place. Therefore researcher would like to mention few suggestion for future days and these were mentioned here;

New suggstion for protecting women at public and working place

1. Strengthening legal systems to avoid all forms of harassment, inequality and discrimination practice against women and girls.

2. Political reservation should implement at parliament and assembly for strong voice against male dominants as well as strengthen the women in politics.
3. Women should have economic strength through saving in SHC, Bank, LIC and other saving sector, it lead women economic independent.
4. People should reorient about gender bias, because nature has provide equal opportunity to men and women.
5. Information media should avoid cruel and glamorous shows, because it effect on human being with negative way, numbers of male trying to imitate their life.

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