

# Awareness regarding legal rights amongst working women in organized sector of Ludhiana district in Punjab

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■ **ABSTRACT** : The study was conducted to determine the level of awareness regarding prevailing legal rights amongst the working women employed in organized sector of Ludhiana district of Punjab. The sample examined 100 working women employees drawn from four a cross section of organizations *i.e.* two each from both public and private sectors. Interview schedule and questionnaire techniques were used to collect the information regarding the legal rights of women. Findings revealed that working women in organized sector had low level of awareness towards legal rights in the domains of marriage, maintenance, property, dowry, divorce, Equal Remuneration Act and Maternity Benefit act. However, the lowest awareness level was observed in the domain of property and maintenance with the mean scores of 1.04 and 0.96, respectively. So, there is need to sensitize women regarding their legal rights which is the logical way to seek justice, safeguard their rights and promote their empowerment. It is important to make women realize their own capabilities and potential to boost their self-image and foster confidence in them to protect their rights.

■ **KEY WORDS** : Awareness, Legal rights, Working women, Organized women workforce

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The earlier notion of man being the bread winner and homemaker is slowly vanishing. Women who have been oppressed, suppressed, marginalized rather colonized by men since ages in India are in transition. Earlier, while a man was allowed an independent existence, woman's survival was not socially conceivable without the family. Significance of the family for women was considered more vital than for a man. Motherhood was their supreme goal which was socially celebrated and expected to be performed within the domestic domain along with other household responsibilities. Women knew no world outside their kitchen windows. The religious and feudal traditions governed their lives. In spite of their entitlements to land and resources they never enjoyed these rights. However, the tide has begun to change in this traditional world order. A vast majority of the women may still be fighting against the old order yet a sizeable number has joined the work force due to economic necessity. They have come to recognize their capabilities and embraced employment outside their homes in both

organized and unorganized sectors.

These employed women are contributing significantly to support their families. This has brought a positive change in their social status within the family and outside. However, there are instances galore where even educated and unemployed women suffer maltreatment at the hands of their husbands and in-laws. As far as constitutional rights are concerned, Indian women enjoy an envious position as compared to even their counterparts in the developed world. But, in spite of the comfortable legal provisions, women have been relegated to a subordinate status in our family and social systems. They are the victims of social oppression owing largely to lack of awareness about their legal rights. This makes them vulnerable to exploitation, atrocities and violence by men. Keeping in view the fact that even the constitutional safeguards have not proved effective in curbing violence and improving the status of women, the present study has been planned to ascertain the level of awareness about prevailing legal rights amongst women working in

organized sector of Ludhiana district of Punjab.

**RESEARCH METHODS**

The study was carried out on working women employed in organized sector in urban areas of Ludhiana district of Punjab. Four types of institutions *i.e.* schools, colleges, banks, hospitals which employed women were selected. In each type of institute, again one private and one public institute was selected in the first instance. From these selected institutes, a sample of 100 working women was selected through simple random sampling procedure. Data were collected through interview schedule and questionnaire techniques. Responses were measured on three point continuum *i.e.* aware, somewhat aware and not aware which were assigned the weight-age of two, one and zero, respectively. The collected data were analyzed by using the frequencies and percentages.

**RESEARCH FINDINGS AND DISCUSSION**

Awareness about rights is an important prerequisite to fight against violence, discrimination and biases. Women have been provided legal rights in the domains of marriage, maintenance, property, dowry, divorce, equal remuneration act, maternity benefit act. The discussion below reports their awareness regarding their rights in these domains.

**Awareness of rights in the domain of marriage:**

Marriage patterns are strongly influenced by culture

and tradition, and their study often yields important insights into women’s status and empowerment in society. The culture is such that once a girl is married to a man, she has to stay with him till the end, no matter how he treats her as a wife. So, awareness regarding legal rights is important for women welfare. Table 1 reveals that the awareness of respondents regarding their legal rights in the domain of marriage which was low. However, the maximum awareness was found regarding ‘valid age for marriage’ with the mean score of 2.00 followed by the legal provision that ‘neither party has a living spouse at the time of marriage’ with mean value of 1.08. The least awareness level was found regarding ‘parties are not sapindas\* of each other unless the customs or usage governing each of them permits of a marriage between the two’ law also provides that marriage is not valid if ‘neither party is incapable of giving a valid consent to marriage in conditions such as unsoundness of mind, any mental disorder or recurrent attack of insanity’ that renders him/ her unfit for marriage or procreation of children with mean scores of 0.73 each. Thus, there is low level of awareness about the rights concerning marriage domain. Awareness of rights in the marriage domain enables people to marry consciously and thereby reducing chances of marriage going wrong or resulting to unwanted consequences. The findings were supported by the study of Mohseni and Anvar (2003) who reported that lack of awareness of marriage rights affects the stability of family and society which is the major problem of modern society.

**Table 1: Awareness of the respondents regarding their legal rights in the domain of marriage (n=100)**

Sr. No.	Awareness about legal rights At the time of marriage:	Ranking based on mean scores									
		Schools		Colleges		Banks		Hospitals		Total	
		Mean	Rank	Mean	Rank	Mean	Rank	Mean	Rank	Mean	Rank
1.	Legal age of marriage	2.00	1	2.00	1	2.00	1	2.00	1	2.00	1
2.	No living spouse at the time of second marriage.	1.28	2	1.20	2.5	0.96	2	0.88	2	1.08	2
3.	Neither party- Is incapable of giving consent to marriage in consequence of unsound mind, Though capable of giving a valid consent, neither party has been suffering from mental disorder of such a kind or to such an extent as to be unfit for marriage and unfit for procreation of children. Recurrent attacks of insanity.	0.88	4	0.80	4	0.60	3	0.64	4	0.73	4
4.	The parties are not sapindas* of each other unless the custom or usage governing each of them permits of a marriage between the two.	0.60	5	0.72	5	0.32	5	0.52	5	0.54	5
5.	The parties are not within the degrees of prohibited relationship unless the custom or usage governing each of them permits of a marriage between the two.	1.04	3	1.20	2.5	0.52	4	0.68	3	0.86	3

\*Any person extends far as the third generation(inclusive) in the line of ascent through the mother, and the fifth(inclusive) in the line of ascent through the father, the line being traced upward in each case from the person concerned, who is to be counted as the first generation

**Awareness of rights in the domain of maintenance:**

The advent of the nuclear family, due to globalization and consumerism, resulted into disintegration of the joint family system. The repercussion of the dismantling of the joint family has been the withdrawal of the support system which earlier acted as a buffer to weather difficult periods during the early phase of marital life. This precisely is the reason for stressful living, discords and conflicts between parents leading to increase in divorce rate. This arises due to incompatibility between spouses. The children also have to endure the psychological conflicts due to differences between parents. In such situations, the wife and the children require sustenance and the law steps ensure that they are not subjected to distress. The data in Table 2 reveal the awareness of working women concerning their right to maintenance. The maximum awareness in this respect was found concerning the condition where husband treats his wife with cruelty thereby causing a reasonable apprehension in her mind that it will be harmful or injurious to live with him ( $\bar{x}=1.70$ ) and if husband has any other wife living ( $\bar{x}=1.53$ ). However, the lowest awareness was reflected on the statement that ‘wife is entitled for maintenance only if she has not deviated from the path of chastity and ceased to be

Hindu by conversion to another religion’ ( $\bar{x}=0.68$ ). Therefore, awareness must be generated about these rights to maintenance as codified in the Hindu Adoption and Maintenance Act 1956 as the enforcement machinery is inadequate and often the deprived person has to approach the court for execution so that the amount ordered is paid. It is essential that the courts should be empowered to dispose of the right to maintenance on a fast track so that this social legislation is enforced both in letter and spirit.

**Awareness of rights in the domain of property:**

There is growing evidence lending credence to the fact that women in India have a lower status due to less control over resources, especially land/property rights and consequently do not have the leverage to ensure health, education and general better status of families. The awareness of women was, therefore, seen regarding this domain of their rights. Data in Table 3 clearly reveal very low range of awareness regarding this right on all parameters. Among the included items, the maximum awareness was found for the item ‘a daughter by birth becomes the coparcener in her right in the same manner as the son’ ( $\bar{x}=1.78$ ) and ‘she has the same rights in the coparcenery as she would have if she had

**Table 2: Awareness of the respondents in the domain of maintenance (n=100)**

Sr. No.	Maintenance rights Wife is entitled for maintenance:	Ranking based on mean scores									
		Schools		Colleges		Banks		Hospitals		Total	
		Mean	Rank	Mean	Rank	Mean	Rank	Mean	Rank	Mean	Rank
1.	If treated with cruelty by the husband that caused a reasonable apprehension in her mind that it will be harmful or injurious to live with him.	1.88	1	1.60	1	1.64	1	1.68	1	1.70	1
2.	If husband has any other wife living.	1.68	2	1.32	2	1.60	2	1.52	2	1.53	2
3.	Husband has ceased to be a Hindu by conversion to another religion.	1.12	4	0.84	4	0.36	4	0.68	5	0.75	4
4.	She has not unchaste or ceased to be a Hindu by conversion to another religion.	1.04	5	0.72	5	0.24	5	0.72	4	0.68	5
5.	Entitled to be maintained by father-in law after her husband's death.	1.36	3	0.88	3	0.84	3	1.40	3	1.12	3

**Table 3: Awareness of the respondents in the domain of property (n=100)**

Sr. No.	Provision regarding property rights	Ranking based on mean scores									
		Schools		Colleges		Banks		Hospitals		Total	
		Mean	Rank	Mean	Rank	Mean	Rank	Mean	Rank	Mean	Rank
1.	By birth as a daughter you become a coparcener** in your own right in the same manner as the son	1.80	1	1.80	1	1.76	1	1.76	1	1.78	1
2.	Have the same rights in the coparcenery property as she would have if she had been a son	1.72	2	1.56	2	1.44	2	1.52	2	1.56	2
3.	Be subject to the same liabilities in respect of the said coparcenery property as that of a son	1.48	5	1.12	5	1.36	3	1.40	4	1.34	4
4.	Upon marriage, the wife becomes a coparcener in her husband's property	1.60	3.5	1.36	4	0.92	5	1.20	5	1.27	5
5.	The daughter has a right to parent's property even after her marriage	1.60	3.5	1.48	3	1.04	4	1.44	3	1.39	3

\*\*One who has an equal portion with others of an inheritance

been a son' ( $\bar{x}=1.56$ ). While, the least awareness was found for the statement that 'upon marriage the wife becomes a coparcener in her husband's property' ( $\bar{x}=1.27$ ) followed closely by 'the daughter has a right to parent's property even after her marriage' with a mean score ( $\bar{x}=1.39$  and 'subject to the same liabilities in respect of the said coparcenary property as that of a son' of ( $\bar{x}=1.34$ ). Thus, generating awareness regarding this right is important to save them from ignominy and insults and enable them to lay claim to their rights concerning inheritance.

**Awareness of rights in the domain of dowry:**

Dowry is a peculiar problem of our country where newly married women are harassed and tortured for not bringing adequate dowry. This incident is on the rise even in the so called modern society of today. Therefore, this aspect was measured to determine awareness of the rights among working women in the domain of dowry. Data in Table 4 clearly reveal low level of awareness about this legal right. However, the maximum awareness was found for the right to justice if 'the bridegroom or his family demand property or pressurize for getting consent from parents for property'

( $\bar{x}=1.75$ ). The women should, therefore, be made aware about this right as provided under the Indian Penal Code, 1860 and the Dowry Prohibition Act, 2005 to enable them to break free from this tradition so that parents do not feel obliged to follow the custom of dowry.

**Awareness of the rights in the domain of divorce:**

There are legal provisions for divorce in violent marriages where wife is battered, tortured or intimidated by the husband. Table 5 revealed maximum awareness about the constitutional provisions of this right in the following conditions such as 'husband's contraction to a second marriage' ( $\bar{x}=1.65$ ), 'cruel treatment by the husband' ( $\bar{x}=1.53$ ), 'extramarital affairs of the husband' ( $\bar{x}=1.52$ ), 'both being unhappy in their married life due to several reasons' ( $\bar{x}=1.45$ ) and 'harassment by husband for sexual intercourse' ( $\bar{x}=1.43$ ) while the statement for which the awareness level was found very low was 'If husband is suffering from a virulent form of leprosy' ( $\bar{x}=0.95$ ). Therefore, awareness generation campaigns should be organized to impart knowledge regarding the legal provisions under this right.

**Table 4: Awareness of the respondents regarding Dowry issues (n=100)**

Sr. No.	Dowry issues	Awareness Ranking based on mean scores									
		Schools		Colleges		Banks		Hospitals		Total	
		Mean	Rank	Mean	Rank	Mean	Rank	Mean	Rank	Mean	Rank
1.	If groom or his family ever demanded dowry, since the time of your marriage	1.96	1.5	1.88	1	1.32	2	1.84	1	1.75	1
2.	Demand for household articles like refrigerator, furniture, electrical appliances, etc. at the time of settlement of marriage	1.96	1.5	1.68	4.5	1.16	5	1.64	2.5	1.61	4.5
3.	Demand for car was made after marriage	1.80	6	1.68	4.5	1.44	1	1.60	4.5	1.63	3
4.	Dowry demand after marriage	1.92	3	1.76	3	1.24	3	1.64	2.5	1.64	2
5.	Dowry demand was made at the time of marriage ceremony	1.88	4	1.80	2	1.16	5	1.60	4.5	1.61	4.5
6.	Demand for property	1.64	7	1.52	7	1.16	5	1.48	7	1.45	7
7.	Demand of cash	1.84	5	1.60	6	1.04	7	1.52	6	1.50	6

**Table 5: Awareness of the respondents regarding reasons of divorce (n=100)**

Sr.No.	Legal provision regarding divorce	Ranking based on mean scores									
		Schools		Colleges		Banks		Hospitals		Total	
		Mean	Rank	Mean	Rank	Mean	Rank	Mean	Rank	Mean	Rank
1.	Harassed for sexual intercourse	1.64	4.5	1.32	5	1.16	6	1.60	2	1.43	5
2.	Husband contracted a second marriage	1.88	1	1.72	1	1.32	1.5	1.68	1	1.65	1
3.	Extramarital affairs of husband	1.68	3	1.60	3	1.32	1.5	1.48	3.5	1.52	3
4.	Unhappy married life	1.64	4.5	1.48	4	1.20	4.5	1.48	3.5	1.45	4
5.	The wife is treated cruelly by her husband	1.76	2	1.68	2	1.24	3	1.44	5	1.53	2
6.	Mental disorder of any one persists, making it impossible for them to lead a normal marital life	1.24	6	1.00	6	1.20	4.5	1.20	6	1.16	6
7.	Husband is leprosy patient	1.08	7	0.80	7	1.04	7	0.88	7	0.95	7

**Awareness of the rights as per equal remuneration act:**

This is a right which provides equal payment for equal remuneration to men and women workers and for the prevention of discrimination, on the grounds of sex against women in the matter of employment and for matters connected therewith or incidental thereto. Table 6 clearly reveals low level of awareness concerning this right of equal remuneration act. The maximum awareness was found for the parameters of equal payment for equal work *i.e.* both men and women should be paid equally ( $\bar{x}$ =1.50) and no discrimination should be made while recruiting them on the grounds of sex, age, caste, etc. ( $\bar{x}$ =1.32). However, least awareness was for ‘discriminations made by employer is punishable with a fine of ten thousand rupees which may

extend to twenty thousand rupees with imprisonment for a term of three months extendable upto two years or both’ ( $\bar{x}$ =0.98). This parameter showed the least awareness by respondents of all the categories. Various channels for redressal of grievances *i.e.* police, the executives and judiciary must also be involved in awareness generation programmes for speedier diffusion of knowledge about these rights.

**Awareness of the rights as per Maternity Benefit Act:**

This act focuses on regulating the employment of women in certain establishments for certain periods before and after child-birth. Data collected from four types of institutions *i.e.*, schools, colleges, banks and hospitals (Table 7) revealed low level of awareness regarding this act.

**Table 6: Awareness of the respondents regarding equal remuneration act (n=100)**

Sr. No.	Provision under equal remuneration act	Ranking based on mean scores									
		Schools		Colleges		Banks		Hospitals		Total	
		Mean	Rank	Mean	Rank	Mean	Rank	Mean	Rank	Mean	Rank
1.	Equal payment is not made to men and women for same work or work of similar nature	1.64	1.5	1.48	1	1.32	1	1.56	1	1.50	1
2.	The rate of remuneration of any worker is reduced by the employer	1.32	3.5	1.08	4	0.92	4	1.08	5	1.10	4
3.	Any discrimination made against women except where the employment of women for such a work is prohibited or restricted by or under any law	1.32	3.5	1.24	3	1.28	2	1.28	2	1.28	3
4.	Discrimination is made while recruiting on the grounds of sex, age, caste, etc.	1.64	1.5	1.40	2	1.00	3	1.24	3	1.32	2
5.	Any discrimination made by employer is punishable with a fine of ten thousand rupees which may extend to twenty thousand rupees or with imprisonment for a term of three months extendable upto two years or both	1.16	5	0.88	5	0.72	5	1.16	4	0.98	5

**Table 7: Awareness of the respondents regarding maternity benefit act (n=100)**

Sr.No.	Provision under maternity benefit act	Ranking based on mean scores									
		Schools		Colleges		Banks		Hospitals		Total	
		Mean	Rank	Mean	Rank	Mean	Rank	Mean	Rank	Mean	Rank
1.	No employer shall knowingly employ a woman in any establishment during the six weeks immediately following the day of her delivery.	1.64	1	1.48	1	0.88	4	1.64	1	1.41	1
2.	No woman shall work in any establishment during six weeks immediately following the day of her delivery.	1.36	3	1.16	4	0.92	2.5	1.32	3	1.19	3
3.	No women shall do any work of hazardous nature or which involves long hours of standing, or which in any way is likely to interfere with her pregnancy or the normal development of the foetus, or is likely to cause her miscarriage or otherwise to adversely affect her health	1.52	2	1.32	2	1.12	1	1.40	2	1.34	2
4.	The maximum period for which any woman shall be entitled to maternity benefit shall be twelve weeks of which not more than six weeks shall precede the date of her expected delivery	1.28	4	1.20	3	0.92	2.5	1.04	4	1.11	4
5.	If a woman dies during this period, the maternity benefit shall be payable only for the days up to and including the day of her death.	0.88	5	0.72	5	0.60	5	0.68	5	0.72	5

However, the maximum awareness was regarding ‘no employer shall knowingly employ a woman in any establishment during the six weeks immediately following the date of her delivery ( $\bar{x}$ =1.41) and no woman shall do any work of hazardous nature or which involves long hours of standing, or which in any way is likely to interfere with her pregnancy or the normal development of the foetus, or is likely to cause her miscarriage or otherwise to adversely affect her health ( $\bar{x}$ =1.34) while the lowest awareness was shown by the respondents for the statement, ‘if a woman dies during this period, the maternity benefit shall be payable only for the days upto and including the day of her death’ ( $\bar{x}$ =0.72).

**Awareness of respondents regarding their legal rights:**

The overall results showed very low level of awareness for different rights as shown in Table 8. Maximum awareness was shown by the respondents for the rights concerning ‘dowry’ (1.60) and ‘marriage’ (1.47) and the least awareness was shown for the ‘right to maintenance’ (0.96), ‘property’ (1.04) and ‘maternity benefit act’ (1.15). Employed women play a central role in decision – making, compared to the unemployed ones. In other words, lack of awareness is the root cause of discrimination against women at various phases of life. Women face lack of awareness about rights in the domains of domestic violence, community participation, inheritance of property, time of marriage and divorce rights.

Awareness should be generated not because it is a good idea, but because greater legal literacy will lead to lesser disputes and poverty alleviation and better future and well being of women. This will ensure equal rights to access, inheritance or owning of property. When they will have access to land and property, they will be in better position to provide for their family, communities and workplaces requirements/needs. Reputed government organizations and NGOs, professionals, social workers and women activists can play a catalytic role in creating awareness among literates,

semi-literates and illiterates to empower them with rights and duties to gain access to means of development and work towards gender equity and justice. The men who have more income take a more active role in decision – making and the same findings are supported by Saxena (2010). It is therefore crucial to raise women’s awareness about their economic, social, marital rights if they are to contribute productively to the rebuilding of their families, community and nation. This awareness generation is the only remedy to seek justice for women to safeguard their rights and promote their empowerment. Wadkar (2000) Smith (2003) and Singh (2004) have also contributed some information in respect to the present investigation.

**Conclusion:**

There is a low level of awareness amongst the working women regarding their legal rights. However, maximum awareness was found to be regarding the rights concerning dowry, marriage and domestic violence. Data revealed that the maximum awareness was found regarding the valid age for marriage, right to maintenance in the event of maltreatment or perpetration of cruelty on wife and right of a daughter to parental property like that of a son. The maximum awareness for the right to divorce was in the event of husband contracting a second marriage. Awareness concerning equal remuneration act *i.e.* equal payment to men and women for same work was maximum. In the context of maternity benefit act, maximum awareness was found for the right that no ‘employer shall knowingly employ a woman in any establishment during the six weeks immediately following the date of her delivery’.

Level of awareness for right to property was found to be low. In order to secure this right to them, the policy makers, researchers and practioners must develop strategies to enhance women’s awareness about property rights and close the gaps between rights given by laws and enjoyed in practice. Awareness must be generated about the rights to maintenance as codified in the Hindu adoptions and maintenance act.

**Table 8: Comprehensive view of awareness of respondents regarding their legal rights (n=100)**

Sr.No.	Legal rights	Ranking based on mean scores									
		Schools		Colleges		Banks		Hospitals		Total	
		Mean	Rank	Mean	Rank	Mean	Rank	Mean	Rank	Mean	Rank
1.	Marriage	1.64	2	1.46	2	1.30	2	1.47	2	1.47	2
2.	Maintenance	1.18	9	0.89	10	0.78	10	1.11	9	0.96	7
3.	Property	1.16	10	1.17	9	0.88	9	0.94	10	1.04	6
4.	Dowry	1.86	1	1.70	1	1.22	3	1.62	1	1.60	1
5.	Divorce	1.56	5	1.36	4	1.21	4	1.39	3	1.38	3
6.	Equal Remuneration Act	1.42	7	1.22	7	1.05	7	1.26	7	1.24	4
7.	Maternity Benefit Act	1.34	8	1.18	8	0.89	8	1.22	8	1.15	5

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