



**"Your Silence will  
not Protect You"**

**HERE ARE SOME  
WOMEN'S RIGHTS BY  
THE CONSTITUTION.  
KNOW YOUR RIGHTS**



*#WomensWednesday*



## Maternity Benefit Act 2017

The Act, which covers any organisation that has more than 10 employees, includes the right to take a fully paid maternity leave, **up from the previous 12 weeks to 26 weeks**. Women who opt for surrogacy or adopt a child under the age of three months are entitled to 12 weeks of leave. Organizations that have 50 or more employees will be required to set up a creche or daycare facility on their premises. The mother will be allowed to visit the creche up to four times a day.





## Right to equal pay.

Under the provisions of the Equal Remuneration Act, 1976, it is illegal to discriminate on the basis of gender, when it comes to wages or salary. Further, Article 39(d), part IV of the Constitution of India states that the Government should ensure that its policies provide for an equal remuneration for both men and women, if the work done is the same and people are holding identical posts or ranks.





## Sexual Harassment of women at workplace Act 2013

In 2013, the Vishaka Guidelines was superseded by The Sexual Harassment of Women at Workplace Act.

The Act orders that all offices or branches with a minimum of 10 employees, are required to set up Internal Complaints Committees (ICC) to investigate all complaints. Employers failing to do so are liable to pay a fine of ₹50,000. A second instance of non-compliance can lead to the revocation of the company's license.







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## Right to no arrest

As per sub-section (4) of Section 46 of the Code of Criminal Procedure, 1973, no woman can be arrested between 6 PM and 6 AM, even if there is an arrest warrant and a woman constable accompanying the police officers. Women also have the right to refuse to go to a police station for interrogation and can demand that it be carried out at their homes, in the presence of family or friends, under Section 160 of the Criminal Procedure Code.

If under any circumstances, a woman has to be arrested post-sunset, the police will have to seek prior permission of the Magistrate. Further, the arrest should only be made by a Lady Police Officer.





## Right to Zero FIR

Under this right, women can also **file a complaint at any police station, irrespective of the area where the crime has been committed.** Here the case is registered with the FIR serial number 0 and is transferred to the respective police station. The concept of Zero FIR came into existence after the Nirbhaya case.

