

have the female leaders who will raise their voice on behalf of the female domestic workers. The measures must be on the basis of the present needs of daily life. Only one legislative step has been taken by the Parliament of India, Prohibition of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 where the female domestic workers have got the identity. The tragedy is that, there are no other legislations related to them, by which they can demand their rights. It is high time to make a negotiation in between government and them to maintain their right to life accordingly.

The Trade Unions in West Bengal are really silent and maintaining status quo which are really surprising in the modern context. Though, one of the Trade Union's leader Naba Dutt in Kolkata said in a workshop house conducted by West Bengal Women's Commission on the date of 29 April, 2017 at, Saltlake , Kolkata, the leaders in India keep their silence for their own male ego. He also said that the female Domestic workers should be allowed to use washroom during the time of their duty hours in a house, and also protest against the vulgar desire of the male employers.

Sometimes it is observed, for the refusal of the vulgar desires the female domestic workers have been thrown from the job place having the allegation of theft in that house. It should be the duty of the executives in state level to investigate the fact behind the curtain and register F. I. R. on behalf of the victim. Frequently, the victim would not be always allowed by them for the strong influence of the local political leaders. That should be observed by our judiciary with a sharp eye.

The educated persons in our society should go ahead for the protection and growing up of a healthy relation with paid female domestic helpers. Without social awareness and moral upliftments all the suggestions and recommendations will put in vein.

Some of the domestic workers are affected by their alcoholic / drug addicted husbands, Drug-addict Cure Centres started in the area, should extend effective services so as to cover up these families in order to overcome their problems and to help the women domestic workers to lead a respectable life in and outside the family.

## **6. 5. Conclusion**

The present descriptive-cum-diagnostic study mainly attempts to focus on the social-economic life of women domestic workers, working in one or more families for wages. It highlights the working conditions, family and workplace adjustment and after effect of

work etc. The information used in discussions has been mainly obtained from the field with the help of structured and duly pre-listed interview schedules separately prepared for women domestic workers and their employers.<sup>38</sup>

Subjects of interview in this study have been selected from different districts of West Bengal. Discussion in different chapter is based on the obtained information and personal observations of the researcher. Besides, the case studies presented in the report highlight overall profile of the problems. Since the area of study is dominated by Hindu families except a few majorities of women / girls domestic workers belong to Hindu family. Among all, good number of them belongs to 31-40 years age group and the age group of more than seventy percent women domestic workers falls between 21-40 years. This clearly indicates that practice of domestic work is more significant among women in the age group up to 40 years.<sup>39</sup>

As far as caste group of domestic servant is concerned, more or less all specified caste group of women have shown interest / participation in domestic work. However, more than sixty percent of them belong either to backward or to other lower castes. In all, the participation rate of backward caste women to domestic work is comparatively higher in the area of study.<sup>40</sup>

Surprisingly more than 80 percent of the domestic workers are married and another group of about 9 percent have been widowed. This clearly speaks that after marriage, the family responsibility has forced them to supplement the family income. Unfortunately, widowed women, who had lost their life partner as well as earning head of the family, did not have any alternative but to join work force as domestic worker. Accordingly, unmarried girl domestic workers living with their parents are being forced by the family poverty. With this, one can understand that the family economic compulsion, either due to loss of earning member or unemployment of husband, is the dominant reason for women to work.<sup>41</sup>

Education / wise information gathered, shows that more than half of the domestic respondents either illiterate or have a little reading / writing ability through literacy program, started in the area of study. Interestingly, there are just 15 percent domestic

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<sup>38</sup> Supra note 6 at P. 117.

<sup>39</sup> Ibid.

<sup>40</sup> Ibid at P.118.

<sup>41</sup> Supra note 6 at P. 118.

workers having middle standard education. Similarly, the educational attainment of respondents' husband shows that about 20 percent are illiterate, about half of them having education up to middle and above standard and rest are just literate (just able to read and write).<sup>42</sup>

Worst experiences (to be altered and written in the light of domestic workers) having to disclose personal matters in public, in front of strangers.

- 2) Having to recount gruesome details of the violence perpetrated against them.
- 3) Uncertainty about how the case is proceeding.
- 4) The excruciating delays in court proceeding affecting financial and emotional well being.
- 5) Corruption of and financial exploitation by lawyers and court officials.
- 6) Being forced in to neglecting children and family.
- 7) Being threatened or otherwise abused by own lawyer.
- 8) Being subjected to personal insult and disrespect.
- 9) Not being believed and being held responsible for her situation.<sup>43</sup>

One interesting comparison table is given below:

<b><u>Women who choose not to go to court</u></b>	<b><u>Women litigants</u></b>
<i>The main reasons for not taking them in court.</i>	<i>Worst experience of women litigants in court.</i>

- |  |  |
|--|--|
| <ul style="list-style-type: none"><li>• Protection of family honour by not making the matter public.</li><li>• Dishonour at making private matters public.</li></ul> | <ul style="list-style-type: none"><li>• Having to disclose personal matters in public, in front of strangers.</li><li>• Having to recount gruesome details of the violence perpetrated against</li></ul> |
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<sup>42</sup> Ibid.

<sup>43</sup> Swayam, "Gender Equality and the Judicial System in West Bengal", in Dr. N.K. Chakrabarti and Dr. Shachi Chakraborty (ed.), *Gender Justice*, 271 (R. Cambray & co. Private Ltd., Kolkata, 2006).

- Financial constraints, particularly because of the delays in courts.
- Protecting children from the trauma of a court trail.
- Made to feel guilty and responsible for being victims of violence.
- Being subjected to personal insult and disrespect.
- The excruciating delays in court proceedings affecting financial & emotional well being.
- Corruption of and financial exploitation by lawyers & court officials.
- The trauma the children go through the court process.
- Not being relieved. Being held responsible for her situation.

*Impressions of women who choose not go to court about experience of women who do go to court after facing violence.*

*Main reasons cited by women litigants for NOT going to court given a second chance.*

- Insensitivity of the judicial system to woman's problems.
- Women are not believed in court.
- Revealing one's personal problems in public would be very traumatic.
- The court procedure is very time consuming and expensive.
- The court was not sensitive to the specific problems they faced as woman.
- They were not believed in court.
- Having to disclose personal matters in public, in front of strangers was very traumatic.
- The long delays made their litigation very expensive and they were also exploited financially.

*Changes suggested to make the judicial system more gender sensitive for women who chose not to go to court.*

*Changes suggested to make the judicial system more gender sensitive by women who chose not to go to court.*

## ATTITUDE

- The attitudes of the judges, lawyers and court personnel should be changed. They should be sensitive and sympathetic to women and their circumstances.
- The attitudes of the judges, lawyers and court personnel should be changed. Sensitive and sympathetic to women and their circumstances. A litigant's moral character should not be brought into the arguments and nor should her decisions be judged by patriarchal norms and values.

## TIME

- The judicial procedure should be made faster and the court cases should not be unnecessarily delayed.
- The judicial procedure should be made faster and the court cases should not be unnecessarily delayed.

## MONEY

- Financial exploitation by lawyers and other court personnel should be stopped and severe action should be taken against bribery and corruption within the judicial system.
- Financial exploitation by lawyers and other court personnel should be stopped and severe action should be taken against bribery and corruption within the judicial system.<sup>44</sup>

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<sup>44</sup> Supra note 32 at P. 376-378.

Near about half (45.33 %) of the women domestic workers have migrated to the area of study due to some reason, either from neighbouring district of the state or other state and rest of them are original residents of the study area where they have chosen to work as domestic workers for their livelihood. This is because of increasing dependence on the nuclear families and there by economic compulsion for putting women to work. Educational data as said shows that more than 55 percent women respondents are either illiterate or just able to put their signature through literacy program started in the recent past in the study area. However, rest of them have education either up to Primary or Middle standard. Similarly, more than half of the women respondent's husbands are either illiterate or able to put their signature whereas rest of them have education up to Middle or above standard. The overall educational background of the respondents and their husbands indicate their poor social status and reasons of holding low paid jobs.<sup>45</sup>

Interestingly, a great majority (88 %) of women domestic workers come from nuclear types of families and rest of them from joint families. However, more than 90 percent of the respondent's family size is of three and above members. The trend of being away from small family norms and practises of keeping large family size in the respondents' families indicate the family economic pressure which has forced them to undertake this job.<sup>46</sup>

Surprisingly, about 30 percent workers' respondents started their job even before the age of 15 years. However, a majority of the respondents has started the job after the age of 26 and above. It means women who started working before the age of 15 years or so, had started working from their parents' houses. More than 65 percent of the women respondents started working before their marriage when they were staying with their parents. It signifies the family poverty of their parents and the in-laws has been the major factor for women or girls to join domestic work.<sup>47</sup>

The economic conditions of women domestic workers further show that more than three-fourth (88 %) of them do not have their own houses to live in. Hence, they have to depend on rental houses which is indeed very expensive with their small earning. Further, it is seen that whatever kind of houses they have occupied, in about 60 percent house there is just one room where they have to carry on all activities with both adult and

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<sup>45</sup> Supra note 6 at P. 118.

<sup>46</sup> Ibid at P. 119.

<sup>47</sup> Ibid.

young members of the family. As regards the availability of electric facility in these houses, findings show that in 65 percent of the occupied house by the domestic workers, there is no facility of electricity. Therefore, they have to depend upon their own made sources of light etc. It also shows that the kind of mohalla and houses they have occupied is all because of their family poverty.<sup>48</sup>

Similarly, the facility of running water in the houses occupied by them shows that one-fourth of the respondents houses do not have the facility of running water because of which they collect water from common tap, set up outside the mohalla they live in.<sup>49</sup>

Besides general profile of women domestic workers, their employer's profile has also been obtained. It shows that about half of the employers belong to 41 to 50 years age group and another 22 percent up to 40 years. Now, it becomes clear that between 41 to 50 years age group women, due to their child care responsibility in addition to their usual work, seek support of domestic workers. 92 percent of women employers have direct interest on various requirements and supervision of the domestic workers engaged in their houses. More than half of the domestic workers' employers belong to upper caste and the percentage of lower caste employers comes to nine. It means, women of lower caste have the capacity to afford employment to domestic workers. About two-third of the employers who engage domestic workers, 36 percent of them are women employers. Family income of whom is above Rs. 6000/- per month, as per them, as high as about 40 percent have employed domestic workers just for the sake of maintaining social status in the changing society and rest of them is motivated due to their pregnancy, poor health and increasing household workload.<sup>50</sup>

Hence, it could be concluded that most of the married backward and lower caste women between 21-40 years age group in the area of study are working as domestic workers. These women mainly belong to nuclear family whose size comes between 4 to 7 members. Majority of women workers started undertaking domestic work after 26 years. However, more than 60 percent of them joined this occupation before their marriage. More than two-third of women domestic workers do not have their own house to live in, therefore, they live in rented houses. The family income of a good number of women domestic workers is up to Rs. 500/- or so per month. The children of about two-third

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<sup>48</sup> Supra note 6 at P. 119.

<sup>49</sup> Ibid at P. 120.

<sup>50</sup> Ibid at P. 121.

women domestic workers are working and supporting their family in one way or other. More than three-fourth women domestic workers face the family poverty due to loss of their husband's job which is the main factor, compelling them to join as domestic workers. Majority of working women have kept domestic workers in their houses. The monthly income of a good number of domestic workers varies from Rs. 300/-to 600/- a month. On an average, they earn a sum of Rs. 500/- per month. By and large, in addition to their salary, they are given some kind of extra benefit by their employers. Majority of the domestic workers are not satisfied with the treatment which they get from their employers, specially when due to illness, or other reason beyond control, they do not attend the work or become late at work place. A good number of dissatisfied women domestic workers if wishes to leave the present job, but being non-technical and for lack of higher education, they do not find any alternative to the present job. However, they wish to continue their present jobs till their children become grown up or husbands procure some suitable work. Majority of women employers have complained about the quality of services, discharged by the domestic workers, their punctuality, regularity and commitment to their responsibility. Moreover, they wish to get better quality of service and want domestic workers to be more responsible to their job commitment. A good number of domestic workers admits that due to lack of any Organization-Union, they fail to demand / bargain better conditions of work and job security, etc. However, they have showed willingness to form their organization. This will be an interesting area for social activist and the trend social workers to start for domestic workers' education and leadership training in order to promote improved quality of services and obtain job security.<sup>51</sup>

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<sup>51</sup> Supra note 6 at P. 125.

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