



Participation Of Women In The Informal Sector: Pros And Cons

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Abstract

The formal sector plays a very important role in the economy of the country. In relation to India almost 70-80% of the workforce is in the informal sector and almost 50% of products are manufactured in the informal sector. Informal sector is a large source of employment especially for women. Women participation in the informal sector is a significant aspect of the Global economy particularly in developing countries. But there is often exploitation of women in the informal sector. For the protection of the labour force in the informal sector a number of schemes have been initiated by the Government of India. The Indian Constitution also makes the provision for the workers. For the protection of women working in the informal sector it is necessary that they must be educated at least at the secondary level so that they would be aware about their rights.

Informal sector is very important for the growth of GDP so there is a need to improve the working conditions, working hours and wages of the workers. Informal sector includes a range of economic activities that are not regulated by the government and are often not included in formal labour market statistics. And the labourers in the informal sector are humans; by being human certain rights are given to them without any discrimination of religion, race, sex, caste and creed. Article 21 of the Indian Constitution also provides that everyone has the right to life with dignity and the right to work in a healthy environment. The research paper is focused on the participation of women in the informal sector and the absence of proper laws for the protection and growth of women in the informal sector.

Keywords: Human Rights, Constitutional Provisions, Government Schemes, Women Empowerment, Formal Sector, Informal Sector.

Introduction

Women make up half of India's population. Women are participating in public life, sports, business, politics, economy and international originations. This change is positive and called women empowerment. Women's economic empowerment means they are enjoying their rights to control, assets, income and their ability to manage the economy. But empowerment of women is really a vast term. It includes empowering women with education, decision making, better health, equality in society and good social status. It helps the women to make their own decisions by breaking all the limitations of family and society. Women are vital and productive workers in India's economy. They make up one-third of the labor force.¹

¹ S.N.Tripathy, *Unorganised Women Labour in India* 27 (Discovery Publishing House, New Delhi, 1st edn., 1996).

Women are not inferior to men, they are equal, and they equally perform well in all spheres of life. It is the concept of gender equality. There is a need to take measures to lift the social, professional and personal status of women. The Ministry of Women and Child Development has taken a number of steps and initiated a number of schemes for women empowerment.

What is the Formal Sector?

Sectors having jobs with fixed hours, regular wages and are recognized and monitored by the government, the activities involved are included in the gross domestic product. Income is paid to the workers. In the formal sector workers are engaged in legal economic activities. A proper record of employment is kept with the firm, company and corporation. There are clear rules for recruitment, agreement and job responsibilities.² The relationship of employer and employee is maintained in the formal sector through a contract. The employee works in a healthy environment and is entitled to all the benefits including leave, loans etc. Employee can be a part of an organized association or union where his/ her grievances are addressed. The social protection is provided to the employee such as life insurance, health insurance, pension, allowances etc.³

What is the Informal Sector?

The informal Sector is completely opposite to the formal sector. No written rules or agreement is there, it exists merely on verbal understanding. Wages and working hours are not fixed. Mostly it relies on daily earning. In most cases, the working atmosphere is unhealthy. The workers cannot come together and cannot address their problems through association or a group. They have poor awareness about social protection schemes.⁴

The Informal sector is neither text nor the activities included in the GDP of the country. But both the formal and the informal sector constitute the Indian economy. The informal sector is also described as a gray economy. Poor women are especially dependent on informal sector employment. Social in depth studies conducted in different cities showed that about 70% of the women working in the informal sector occupations were below the poverty line.⁵ Although there are important variations between different sub-sectors with regard to literacy, health problems, education levels and remuneration. A major section of Indian society is working in the informal sector. But there is a lack of legal, economic and social security.

Category of Workers in the Informal Sector

Street Vendors

It is an important activity related to the informal sector. Most of the street vendors are illiterate or they are educated at primary level. They live in very poor conditions and have low skills. It is their livelihood. But the urban bodies consider it as illegal activities. In 2004, the Government of India recognized their role in the economy of the country.⁶ Street vendors are a scattered category which includes women. Women are engaged in selling different types of commodities like cosmetics, bangles, vegetables, broom sticks etc. and among these women nearly 40% are sole earning members in their families.

Domestic Workers

Domestic workers are mostly women. This is the main occupation for the migrant workers. They migrate to Mumbai, Delhi and in other big cities from Bihar, Odisha, Chhattisgarh, Jharkhand and Assam. Most of them are under the age of 14 years. It is the main source of their income. But there are many deficiencies in domestic work like low wages, long working hours and social security. They are

² Nirmala Banerjee, *Women in the Unorganised Sector* 47 (Sangam Books, Delhi 1st edn., 1985).

³ Ammu Joseph, "A Voice for the Unheard" *The Hindu*, August 20, 1995.

⁴ Kalpagam U., *Labour and Gender Survival in Urban India* 119 (Sage Publication, 1st edn., 1994).

⁵ D.P.Singh, *Women Workers in Unorganised Sector* 76 (Deep & Deep Publications Pvt. Ltd., 1st edn., 2005).

⁶ <https://www.indiaspend.com> (last visited on 8 July, 2024).

more vulnerable than other kinds of workers. They sweep and clean, wash clothes, cook, care for children, the elderly and the disabled. Some live on the premises of their employers' others work part time. Many times, in the newspaper we read the news relating to the violence on domestic workers especially when they are women.⁷

Construction labourers

The construction industry is the fastest growing sector. In India almost half of the construction labourers are women. They are almost exclusively unskilled, casual, manual labourers, carrying bricks, cement, sand, water, digging earth and breaking stones.⁸ Most of the women working as construction laborers are illiterate and that's why they are often exploited by their employer. Sometimes they are treated worse than men because of their gender.

Garment Workers

The garment industry is or has historically been one of the most female dominated industries in the world and it also generates many jobs for the women workers. Now the question arises relating to working conditions. It's about pay, working under dignified conditions and security at the workplace. Health and safety are often neglected; workers are denied breaks and a number of problems in the textile industry. It is the exploitation of women workers. But besides the loopholes the garment industry has allowed women to gain recognition for their economic contribution for the family. There are many women who are mobilizing into unions and other labor movements to challenge gender inequality and exploitations in the garment industry.⁹

Women in the Informal Sector

During the second half of this century, as a result of the globalization of the economy, there are new trends, which have created new opportunities for employment of women. The employment in the Informal sector is increasing all over the world. During the economic crisis in South East Asia, most of these countries have experienced a decline in the formal sector and growth in the Informal sector. The Informal sector is contributing well in Africa and Latin America. Women are working largely in the Informal sector. This is the primary source of their income.¹⁰

Women participation in the labour force has risen in most countries which is also reflected in the changing sex composition of the total labour force. Women's share in the total labour force has risen. Almost 80% of women in South East Asia are working in the informal sector. It leaves women often without any protection of labour laws, social benefit and health insurance. They work for lower wages, the working condition, working environment are not safe. There is always a risk or sexual harassment.¹¹ Women working in the informal sector are not aware about the protection schemes for them including legal protection, health insurance and social benefits. Most of the women are involved in hawking and trading activities. Recently they are participating in Micro and Small production and domestic activities, clothing manufactures and self-employment activities.¹²

Factors Contributing to Women's Participation

- **Economic Necessity:** Many women enter the informal sector due to economic necessity. In many low income households, women need to contribute financially to meet basic needs such as food, housing, education and healthcare. Households with unstable or seasonal income sources often rely on women

⁷ M. Koteswaro Rao, *Empowerment of Women in India*, 217 (Discovery Publishing House, New Delhi, 1st edn., 2005).

⁸ ibid

⁹ Rebecca Rose Varghese, "Intersectionality of gender and caste in women's participation in the labour force" *The Hindu*, January 23, 2024.

¹⁰ <https://www.unwomen.org> (last visited on 9th July, 2024).

¹¹ S.N.Tripathy, *Women in Informal Sector* 84 (Discovery Publishing House, New Delhi, 1st edn., 2003).

¹² Nivedita Menon, *Gender and Politics in India* 23 (Oxford University Press, UP, 1999).

informal work to smooth out financial gaps. In many developing economies, formal employment opportunities are limited pushing women to seek work in the informal sector.¹³

- **Flexibility to Manage Domestic Responsibilities:** Informal sector jobs often provide the flexibility needed for women to balance work with domestic responsibilities, such as child care and elder care.¹⁴ Many informal jobs are part time or have irregular hours, making them more accessible for women who need to manage household duties.
- **Barriers to Formal Employment:** Women face several barriers to formal employment which contribute to their higher participation rates in the informal sector.¹⁵ These barriers can be structural, social, cultural and economic. Employers may have biases against hiring women, especially for certain roles or higher level positions, due to stereotypes and prejudices. Women often receive lower wages than men for the same work which can discourage them from seeking formal employment.¹⁶

Challenges

- **Income Inequality:** Women in the informal sector often earn less than their male counterparts and face significant economic insecurity. This disparity is due to ingrained societal norms and gender discrimination. Women are frequently relegated to lower paying jobs within the informal sector, such as domestic work, street vending and home based enterprises, while men are more likely to have higher paying roles.¹⁷ In the informal sector employment relationships are often unregulated and precarious, making it difficult for women to demand fair wages.
- **Poor Working Conditions:** Informal jobs can involve hazardous conditions, long hours and lack of regulatory oversight. Women working in the informal sector often face poor working conditions, which can have significant negative impact on their health, safety and overall well-being. Informal sector jobs often involve dangerous tasks without proper safety measures.¹⁸ Informal sector workers typically do not have insurance or access to medical benefits making it hard to get health care when needed. Women in the informal sector usually lack maternity and other benefits.¹⁹
- **Limited Access to Credit and Resources:** Women in the informal sector often have limited access to, vocational training and development opportunities, which constrains their ability to improve their work conditions or income. Access to credit and financial services is often limited, making it difficult for women to invest in better equipment or start small businesses that could improve their working conditions.

Educational Programmes, Skill Development and Training to Women

Education plays a very important role for women. It makes them aware of their rights, decision making and access to better employment opportunities. But it is really sad that almost 80-90% of women working in the informal sector is illiterate or has completed only primary education. By being illiterate they are being exploited at work places. Many organizations provide skill training to women at different levels. This can help women workers to develop their skills and to help them to get their rights in society.²⁰ Education can also reduce the likelihood that most of the women will work in the informal

¹³ Lalhriatpuii, *Economic Participation of Women in Mizoram* 56 (Concept Publishing Company Pvt. Ltd., New Delhi, 1st edn., 2010).

¹⁴ Sivasubramanian K., Pushpa A., Raju, Madhu Dhruva Kumar, "Women and Informal Employment: An Analysis of Socio-Economic and Health Conditions of Women Home Based Workers in Chennai, India" 21 *JWS* 102 (2011).

¹⁵ S. A. Mishra, *Women and Urban Informal Sector* 92 (Discovery Publishing House, New Delhi 1st edn., 2010).

¹⁶ *ibid*

¹⁷ A. Mitra, "Employment in the Informal Sector" 41 *IJLE* 479-480 (2017).

¹⁸ Faisal Bari, "Women in the informal sector" *Dawn*, September 18, 2020.

¹⁹ Kapur Surbhi and Presana Kumar Sethy, "Working and Living Conditions of Workers in Unorganised Sector-A Review of Literature" 4 *IIRJ* 87-89 (2014).

²⁰ www.ilo.org (last visited on 7 July, 2024).

sector. Education will encourage women to participate in the formal sector. It can improve their earnings to lead a better life. It can help to change social norms and can empower women in every sphere of life.²¹

Training programs provide women with specific skills relevant to their informal sector work, such as sewing, handicrafts, food processing or small scale manufacturing. Improved skills increase producer productivity and the quality of their output, enabling them to earn higher incomes. Basic digital skills training can help women use technology to manage their businesses, market their products online and access new opportunities. This is particularly important as digital platforms become more integral to economic activities. Programs that teach business management, financial literacy and entrepreneur skills empower women to start and grow their own informal businesses. This can lead to greater economic independence and higher incomes.²²

Migrant Women Workers in the Informal Sector

There is a noticeable increase in rural to urban migration. The workers who come to the cities are not working in the formal sector. Most of the migrant workers who come to work in the urban area are working in the informal sector. Cities like Mumbai, Kerala, and Punjab are on the top in case of migrant workers.²³ These workers are from Bihar, U.P, Odisha, Chhattisgarh etc. These migrants migrate to urban areas mostly in search of livelihood opportunities.

Almost half of the migrant workers include women due to lack of skill and educational attainment. Women workers are both economically and socially vulnerable. The informal sector in cities is characterized by low wages, excessively long hours of work and social insecurity. They lead very miserable lives. Health condition is very poor. The women migrant is more affected as they are paid less than male companions.²⁴ They do not enjoy health benefits like maternity leave and others. Contractors easily exploit them. Kerala is the first state in India to enact a social security scheme for the migrant workers. It is Kerala Migrant Workers Welfare Scheme 2010. It provides four types of benefits; a) accident/ medical care up to 25000/- Rs; b) in case of death one lakh Rupees to the family; c) Children education allowance; d) and termination benefits of 25000/- after five years of work.²⁵

To get the benefit of the scheme, a worker needs to register with the scheme. The membership has to be renewed every year by paying 30/- Rs. But till now, only 50000 workers out of twenty five lakh have been registered.

Empowering Women Who are Working in the Informal Sector

The main focus of the issue is to provide social security, equality and prosperity to all women who are working in the informal sector. By gender equality the lives of women can be transformed from a situation in which their choices are limited to one in which they are empowered to take decisions within the household and the labour market. So for empowering women in the informal sector they must be educated, aware of their rights. Equal wages should be paid to them without any gender discrimination.²⁶

There should be healthy working conditions for them. Government should also make laws for maternity benefits to women working in the informal sector. Social security should be provided to them so that contractors will not exploit them. In the world 41% women are working agriculture and they rarely own the land upon which they work. So their decision making power and control over land use are limited. So the land rights and excess to technology should be provided to all the women.²⁷

²¹ 4th World Conference on Women in Beijing 1995, <https://www.un.org> (last visited on 8th July 2024).

²² Elizabeth Hill, *Worker Identity, Agency and Economic Development* 127 (Taylor & Francis Group, New York, 1st edn., 2010).

²³ *ibid*

²⁴ Roshni Chakrabarty, "Female labour participation declining in India: Why are women not working?" *India Today* June 11, 2023.

²⁵ N. J. Kurian, "Widening Economic and Social Disparities: Implication for India" 126 *IJMR*, 62 (2011).

²⁶ A.D. Mishra, *Problems and Prospects of Working Women in Urban India* 58 (Mittal Publications, New Delhi, 1st edn., 1994).

²⁷ Khema Sharma, "Role of Women in Informal Sector in India" 4 *JHSS* 33 (2012).

Policy Recommendations

- **Regulatory Reforms:** Regulatory reforms can significantly enhance women's participation and improve their conditions in the informal sector.²⁸ The proper implementation of labour laws and regulations can protect informal workers especially women. Legal recognition to informal workers can help ensure that women receive the same protections and benefits as those in the formal sector. This includes the right to fair wages, safe working conditions and the ability to unionize.
- **Social Protection:** Extending social security benefits and health insurance to informal sector workers Such as health insurance, maternity benefits and pensions to informal workers can significantly improve women's security and well-being.²⁹ Providing affordable and accessible child care services can enable more women to participate in the informal sector by relieving the burden of unpaid care giving responsibilities.
- **Access to Finance:** Regulatory reform that facilitates access to microfinance and small loans can help women start and expand informal businesses. Policies can also promote financial literacy programs tailored to women's needs and encouraging saving programs for the informal workers can help women build financial security and invest in their enterprises creating financial products tailored to the needs of women in the informal sector.
- **Training and Education:** Vocational training and education play a pivotal role in enhancing the participation of women in the informal sector by providing them with the skills, knowledge and confidence needed to succeed. Training in technical skills such as computer literacy or mobile technology use can help women access information, manage their businesses better and reach new markets. Education in marketing and sales techniques can assist women in promoting their products, reaching more customers and increasing their revenues.³⁰
- **Networking and Mentorship:** Training programs that include opportunities for networking can connect women with other entrepreneurs, mentors and potential customers or suppliers. Facilitating peer to peer learning and support groups allows women to share experiences, solve common problems and learn from each other. Strengthening women's cooperatives and networks can provide mutual support and collective bargaining power.

Constitutional Provisions

Directive Principles of State Policy

These are ideals and objectives to be achieved by the state for setting up in India a Social welfare state, as distinguished from a mere police state, which aims at social welfare and the common good and to secure to all its citizens, justice-social and economic. the basic aim of the welfare state is the attainment of substantial degree of social, economic and political equalities, the assumption by community acting through the state, as its responsibility, to provide the means, whereby all its members can reach minimum standard of economic security civilized living, capacity to secure social status and culture to keep good health.³¹

²⁸ Rashmi Tiwari and Shivani Tiwari, "Women Employment in Unorganised Sector in India: An Empirical Analysis" 35 *JRD* 645-664 (2016).

²⁹ Devika Oberai, "Mental Health of Women Working in the Informal Economy" 9 *IJIP* 1650 (2021).

³⁰ Jayanti Ghosh, *Informal Women Workers in the Global South* 68 (Taylor & Francis Group, New York, 1st edn., 2021).

³¹ <https://foreignpolicy.com> (last visited on 9th July, 2024).

Article 39 The state shall, in particular direct its policy towards securing-

- a) That the citizens, men and women equally have the right to an adequate means of livelihood.
- b) That there is equal pay for equal work for both men and women.³²

Article 42 the state shall make provisions for securing just & humane conditions of work and for maternity relief.³³

Article 21 in Olga Tellis Vs. Bombay Municipal Corporation, it was held that the right to life includes the right to livelihood.³⁴

Social Security Schemes for Informal Sector

According to the National Sample survey Organization during 2011-12, the total employment in formal and informal was 47 crore, 8 crore were in the formal sector and 39 crore were in the Informal sector.³⁵ Many schemes are initiated by the Government of India for providing social security to workers in the informal sector. According to the workers Social Security Act 2008, every informal worker shall be eligible for registration subject to the fulfillment of two conditions;

- (a) He/ She should have completed 14 years of age and a self-declaration by him or her confirming that he/ she is an informal worker.
- (b) Every informal worker shall be registered by the district administration. The state Government is mandated to register the informal workers and to provide benefits of welfare schemes.

- **Indira Gandhi National Old Age Pension Scheme**

The Ministry of Rural Development has introduced IGNOAPS under the National Social Assistance Programme in 2007; it aims is to provide social protection to the beneficiaries who are eligible under this. Poor households, old age people, widows and disabled people are eligible under the scheme. Under this scheme senior citizens will receive a monthly pension. The beneficiary will not contribute any amount to receive the pension. The age should be 60 years or the pensioners must belong to BPL. He/ She must not have any other financial source from family members or any other source.³⁶

- **National Family Benefit Scheme**

The scheme provides for a lump sum family benefit of Rs. 10,000/- to the bereaved family in case of death of the bread earner of the family. The scheme is applicable to people, if he/ she is above 18 years of age and below 60 years of age. A woman in the family, who is a homemaker, is also considered as breadwinner under these schemes.

- **Janani Suraksha Yojna**

It was launched in 2005 under the National Health Mission for safe motherhood. It is launched for reducing maternal and neonatal mortality in poor pregnant women. It is a centrally sponsored scheme. The scheme integrates cash assistance with delivery. The purpose of the scheme is to ensure that pregnant women who are BPL. It provides cash benefits to eligible pregnant women if they choose to deliver a health facility irrespective of their age and the number of children they have. Women who choose to deliver in accredited private institutions are eligible only if they are below poverty line or belonging to SC/ST.³⁷

- **Handloom weavers' comprehensive welfare Scheme³⁸**

The scheme has been launched by GOI with the following two components:-

³² The Constitution of India, art. 39.

³³ The Constitution of India, art. 42.

³⁴ The Constitution of India, art. 21.

³⁵ <https://testbook.com> (last visited on 9th July, 2024).

³⁶ <https://vikaspedia.com> (last visited on 10th July, 2024).

³⁷ *ibid*

³⁸ <https://wikipedia.org> (last visited on 10th July, 2024).

(a) **Mahatma Gandhi Bunker Bima Yojna:** The main objective is to provide insurance cover to handloom weavers in case of natural death, accidental death, total disability and partial disability.

(b) **Health Insurance Scheme:** It is based on the pattern of Rashtriya Swasthya Bima Yojna. The Ministry of Health and Family Welfare has issued detailed instructions for coverage of handloom weavers in Rashtriya Swasthya Bima Yojna.

- **National Scheme for Welfare of Fishers Men and Training and Extension**

The scheme has been formulated by the Department of Animal Husbandry. The objectives of the scheme are;

- (a) Provision of basic amenities like drinking water and sanitation in fisher's villages
- (b) Better living standard for fishers and their families
- (c) Social Security
- (d) Economics Security

- **Aam Aadmi Bima Yojana:** It is a social security scheme for rural landless households. It was launched in 2007. Under this scheme the head of the family or one earning member of the family is covered. The member to be covered should be aged between 18 to 59 years.

- **Rashtriya Swasthya Bima Yojana:** It is a national Health Insurance Programme. It is for the poor. It provides insurance coverage to the informal sector workers belonging to BPL categories. It provides cashless insurance for hospitalization in public as well as private hospitals. It is under the ministry of labor and employment but now transferred to the Ministry of Health and Family Welfare.³⁹

- **Atal Pension Yojana:** It is for the informal sector. It was mentioned in the 2015 budget. Person would contribute to the pension fund. The Central Government would also co-contribute 50% of rupees one thousand per annum to each eligible subscriber account for five years. Minimum age for joining this scheme is 18 years and maximum age is 40 years. The age of start of pension would be 60 years.⁴⁰

Conclusion: The informal sector is always known for low wages and minimum living standards, long working hours, lack of basic facilities and insecurity. Women are the most vulnerable group in the informal sector. They contribute equally to men. But they are always ignored. The labour force in the informal sector is more than the labour force working in the formal sector. Informal sector contributes almost 60-70% to the economy. It is only because of the labour force working in the informal sector. But the workers, especially women, are not provided with the basic necessities which they need to live a healthy life.

The other reason for such exploitation is that workers in the informal sector are illiterate and they are not aware about their rights and welfare schemes launched by the government for their welfare. So it becomes necessary to educate them and to provide social security to them.

³⁹ <https://textbook.com> (last visited on 11th July, 2024).

⁴⁰ <https://www.india-briefing.com> (last visited on 10th July, 2024).

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