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SHIFTING PARADIGMS: THE CHANGING CONDITIONS OF WOMEN IN THE WORKFORCE

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ABSTRACT

This article explores the shift in the state of women in the workplace with the help of landmark cases and statutory framework in the India. This article is written specifically in context to India. The changes in the Indian Judiciary regarding the rights of women and safeguards given to women is one of the centre theme of this article. The Indian society has witnessed the journey from an era of no guidelines for status of women in the workplace, to the formulation of guidelines through judicial decisions, and ultimately, the enactment to a concrete legislation. During this expedition, the societal outlook varied too, the idea of women empowerment widespread and number of working women escalated. This made it even more essential that strict laws must be made towards the safe and healthy workplace for women. However, the execution of statutory framework is way ahead difficult to the formation. It requires the vigilance of the society. The women must know their rights and the organisations must ensure compliance of all rules, regulations and guidelines.

KEY WORDS

Workplace of Women, Societal Evolution, Enlightenment among Women, Judicial Precedents, Legislation, Dynamic Complexities

INTRODUCTION

Historically, women were primarily restricted to household labour. Over time, this traditional barrier was fiercely challenged by several notable women, for instance, Rani Lakshmi Bai of Jhansi, who fought as a warrior on the battlefield; Mother Teresa, who dedicated her life to uplifting the destitute; and Kalpana Chawla, the first woman of Indian origin to journey into

space. However, we are now witnessing a remarkable societal shift. Moving beyond isolated examples of notable individuals, a massive section of the general female population has successfully entered the workforce. This rapid influx of female professionals has fundamentally reshaped the modern workplace. Historically, when employment was heavily male-dominated, office spaces were structurally designed only for men. Many organizations did not even provide basic necessities like separate female washrooms. Today, infrastructure has dramatically improved, and organizations are legally mandated to provide clean, safe, and specialized facilities for women. To ensure this transition remains safe and equitable, Parliament has enacted robust statutory protections alongside landmark judicial precedents. These regulations mandate that any organization employing female staff must implement strict safety guidelines, transforming the workplace from an exclusive male domain into an enabling environment for women.

SHIFT IN SOCIETAL PERSPECTIVE

In recent times, the standpoint of society has changed significantly. Today, female education is highly prioritized, marking a clear social reorientation from the old belief that only a boy child should study to ensuring that a girl child also receives an education. The core objective behind educating girls is to enable them to participate actively in the workforce, working shoulder to shoulder with men in every field. Families are now progressively encouraging both their daughters and daughters-in-law to pursue careers and achieve professional independence. Most importantly, we are witnessing a powerful social awakening among women regarding their rights. Women have deeply realized that earning their own bread is vital for self-respect and security. They are no longer willing to be financially dependent on others. This structural shift has caused widespread women empowerment throughout society, transforming traditional household dynamics. While certain systemic frictions still exist, this ongoing societal evolution shows that communities are adapting to a more balanced worldview. By breaking old barriers, women are not just securing their own futures, they are driving the entire nation forward as equal partners in progress.

FRAMEWORK FROM THE CASE LAWS

Judicial decisions are essential to the development of regulations and guidelines, since these case laws provide recommendations in the absence of legislation. The judiciary interprets the provisions of the Act and resolves any ambiguity in relation to the statutory Act. In the *Vishaka & Ors. v. State of Rajasthan* (1997), the court provided certain guidelines to prohibit sexual

harassment of working women at all work places. It was held that gender equality includes protection from sexual harassment and right to work with dignity, which is a universally recognised basic human right. The Hon'ble Supreme Court of India highlighted the absence of legislation that would stop sexual harassment and give women a safe workplace. In every incidence of sexual harassment, the Indian Penal Code, 1860's Sections 354 and 354A were to be addressed; nevertheless, these laws did not specifically address the matter at hand. The Hon'ble Court became well acquainted with the need for appropriate and feasible laws to address sexual harassment as a result of this. After the Vishaka guidelines were passed, it took the legislature sixteen years to pass the POSH Act.

Apart from the Vishaka guidelines, the court occasionally renders rulings protecting women's rights in the workplace. In case of *Municipal Corporation of Delhi v. Female Workers (Muster Roll)*, 2000, the court granted the female employees' demand (muster roll). It instructed the Corporation to provide benefits under the Maternity Benefit Act of 1961 to female employees on the muster roster who had worked for the Corporation continuously for three years or longer. The appeal in the case of *The Secretary, Ministry of Defence v. Babita Puniya* (2020), disposed by court with certain directions, for instance, all serving women officers on SSC shall be considered for the grant of PCs irrespective of any of them having crossed fourteen years or, as the case may be, twenty years of service, and the option shall be granted to all women presently in service as SSC officers.

In the case of *Anuj Garg v. Hotel Association of India* (2007), the Supreme Court held no law in its ultimate effect should end up perpetuating the oppression of women. Personal freedom is a fundamental tenet which cannot be compromised in the name of expediency until unless there is a compelling state purpose. Heightened level of scrutiny is the normative threshold for judicial review in such cases.

LEGAL PROVISIONS IN INDIAN JUDICIARY

The ground-breaking legislation, i.e., Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act) offers a thorough framework for dealing with workplace sexual harassment. Any unwanted sexual act or behaviour, whether verbal, physical, or visual, is defined by the Act as sexual harassment. This includes a demand or request for sexual favours; a promise of preferential treatment in exchange for sexual favours; a threat of reprisal for refusing to submit to sexual advances; or any other conduct of a sexual

nature that is unwelcome. Additionally, the POSH Act offers the victim some protections, such as confidentiality of the complaint, protection from retaliation and access to legal aid.

A key component of Indian legislation, the Maternity Benefit Act, 1961 was created to guarantee the health and welfare of female employees during pregnancy and childbirth as well as provide maternity benefits. In order to make sure that employers follow the requirements of the Maternity Benefit Act of 1961 and give women employees the required maternity benefits and facilities, the government has set up inspections and labour law compliance measures. Employers who violate the Act's restrictions attract fines or even imprisonment. The employer can be subject to penalties for non-compliance.

The Equal Remuneration Act, 1976 mandates that employers pay equal remuneration to men and women workers for performing the same work or work of a similar nature. It strictly bars discrimination against women during recruitment, training, promotions, or transfers, unless the employment of women in such work is explicitly restricted by another law.

CHALLENGES

Despite significant societal evolution, deep-rooted challenges remain. As women step into the workforce to pursue careers, they find themselves burdened with a "dual responsibilities" managing both professional duties and household responsibilities. While women do their absolute best to balance these roles brilliantly, the constant pressure often leads to severe exhaustion. Consequently, many women are forced to leave their jobs, particularly after childbirth when domestic demands multiply. The harsh reality is that routine household chores are still viewed solely as a woman's duty. Most men do not participate in domestic work, a behaviour actively supported by traditional family mind-sets. For instance, a mother-in-law will often object if her son attempts to help with household tasks, reinforcing the outdated belief that men are not meant for domestic labour. Apart from these challenges at home, women face severe institutional hurdles at the workplace. Incidents of sexual harassment continue to rise. While strong parliamentary frameworks like the POSH Act exist, their full-fledged implementation is still pending. Many organizations fail to properly constitute or maintain the mandatory internal committees. From domestic double standards to unsafe working environments, modern women navigate systemic friction every single day just to exercise their right to work.

CONCLUSION

In contemporary Indian society, a profound transformation is visible in the conditions governing women at the workplace. Today, robust statutory frameworks provide stringent safeguards that simply did not exist in the past. These legislations place mandatory obligations on organizations to ensure compliance, backed by severe penalties for non-compliance and offenses against female employees. Simultaneously, the societal outlook has evolved. There is a widespread awakening regarding the equal importance of educating both the male and female child, with an emphasis on creating an enabling, secure environment. Recognizing this, the Government of India consistently rolls out major gender-budgeted schemes specifically dedicated to women's empowerment and safety. Yet, a harsh social reality persists. Despite progressive laws and budgetary allocations, many women who genuinely desire a career are restricted by intense domestic pressure or the intimidating conditions of their immediate workspaces. While we must acknowledge this historic shift and take pride in how far we have come, we must also recognize that legislative framework alone is not enough. True progress requires continuous effort to dismantle the deep-rooted structural impediments that still hold women back.

REFERENCES

- Vishaka & Ors. v. State of Rajasthan, AIR 1997 SC 3011.
- Indian Kanoon, <https://indiankanoon.org/doc/1031794/> (last visited June 23, 2026).
- Jyotika Saroha, Vishaka & Ors. vs. State of Rajasthan & Ors. (1997), i Pleadings, (23 June, 2026, 6:06 PM), <https://blog.iplayers.in/vishaka-ors-vs-state-of-rajasthan-ors-1997/>.
- Municipal Corporation of Delhi v. Female Workers (Muster Roll), AIR 2000 SC 1274.
- Yati Dharna, Municipal Corporation of Delhi v. Female Workers (Muster Roll), 1(8) IJRLM (2024), https://ijrlm.com/wp-content/uploads/2025/07/9a5553_879a7225bdd046ecaef560de93d2692d.pdf.
- The Secretary, Ministry of Defence v. Babita Puniya, (2020) 7 SCC 469.
- Manupatra Academy, https://www.manupatracademy.com/LegalPost/MANU_SC_0194_2020 (last visited June 23, 2026).
- Anuj Garg v. Hotel Association of India, AIR 2008 SC 663.
- Indian Kanoon, <https://indiankanoon.org/doc/845216/> (last visited June 23, 2026).

- Muskan Anand, An overview of the POSH Act, 2013, i Pleadings, (23 June, 2026, 6:08 PM), <https://blog.ipleaders.in/an-overview-of-the-posh-act-2013/>.
- Sankhla Consultants, <https://sankhlaco.com/the-maternity-benefit-act/>, (last visited June 23, 2026).
- The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, No. 14, Acts of Parliament, 2013 (India).
- The Equal Remuneration Act, 1976, No. 25, Acts of Parliament, 1976 (India).
- The Maternity Benefit Act, 1961, No. 53, Acts of Parliament, 1961 (India).