

Equal employment opportunity with special reference to women centric laws in India

Dr. Vishal Sharma¹, Ms Apurva Tiwari², Dr. Rajwant Rao³, Dr. Madhulika Mishra⁴

¹Assistant professor, School of Law, Bennett University, Greater Noida

²Ph.D Scholar, School of Law, Bennett University, Greater Noida

³Assistant Professor, Vivekanand Education Society College of Law, Mumbai

⁴Assistant Professor of LAW, Institute of legal studies and research
GLA University, Mathura

Abstract

Equal Employment Opportunity (EEO) is a major building block of the present-day democratic society, which is tasked with the aim of making sure that everyone is treated fairly regardless of their status in the working place. The idea of EEO has become quite popular in India and especially with the increased awareness on women rights and the concept of gender equality. This paper explores the law and policy structure underpinning EEO in India and majorly focuses on the women centered employment legislature especially the Maternity Benefit Act, 1961; the Equal Remuneration Act, 1976 and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. This paper evaluates the performance of these laws in making women-friendly labor force. It also gives an insight into the discrepancies in the policies and practice, social and institutional obstacles which persistently perpetuate gender inequity in employment. The results outline that proper enforcement systems, sensitization in workplaces and policy development are important to make women in India obtain actual equality in employment.

Keywords

Equal Employment Opportunity, Gender Equality, Women-Centric Laws, Indian Labour Law, Workplace Discrimination, Maternity Benefit Act, Sexual Harassment Law, Gender Inclusivity.

I. Introduction

The evidences of democratic ways of labour practices are highly dependent on equality of employment opportunity (EEO) on all grounds of gender, caste, religion, or socio-cultural identities of individuals by allowing fair means of access of work in general. EEO has taken special significance in the Indian context, as the nation is highly diverse, and has a socio-historic experience of gender-inequality. Women even given the fact that they constitute almost half of the overall population in the country remain underrepresented in most areas of the Indian workforce. In spite of the fact that principles of equality and bans of discrimination on the basis of sex are enshrined in the Indian Constitution, practical application of the mentioned principles is currently the subject of continuous struggle. Several structural problems that manifest in vernacular codes of societies, workplace discrimination, a sense of blindness on legal implications, and enforcement of the pre can't laws are still holding the women back in the workforce [13]

The adherence of EEO in India is engraved in various directives of the Constitution. Article 14 offers the assurance of equality before the law and Article 15 offers the prohibition of discriminations against a certain person on the basis of religion, race, caste, sex or the place of origin. Article 16 treats equality of opportunity in regard to issues of public employment [1].

Besides, the Directive Principles of State Policy, like the Article 39(d), encourage equal work and equal pay both between men and women. Such constitutional protection is complemented by several legislative acts which aim at helping women on the job. Among them are the Equal Remuneration Act of 1976; Maternity Benefit Act of 1961; Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act of 2013 and so on.

Still, even with this legislative pillar, there is a major disparity between policy and practice. Recent reports by International Labour Organization (ILO) and National Statistical Office (NSO) state that female labour force has dwindled over time with only about 20 percent labour participation in urban centres. Causes that lead to this downside are harassment in the workplace, maternity and childcare support not being honored and very strong social norms that push women to the domestic background. Women usually experience occupational segregation, pay inequality, a lack of career advancement, and a lack of leadership even in the event of employment. These trends demonstrate the structural obstacles to the achievement by Indian women which eventually block their access to full potential in the job market [5].

In addition, there is normally limited attainment of women centred employment legislations attributed to the low institutional capacity, inadequate surveillance and reduced accountability. An example was during 2013 when the Sexual Harassment Act was enacted to set up the Internal Complaints Committees (ICCs) at the workplace but still, enforcement would be abysmally poor both at the public and at the private levels. On the same note, with the Maternity Benefit Act amended to 26 weeks in 2017, most private employers have gotten even more unwilling to employ women of reproductive age because of the financial implication. These unintentional effects demonstrate how complicated policymaking can be and how it requires holistic ways of acting [15-16].

The resultant economic effects of neglecting EEO are also very serious. Gender disparity in the labor market translates into wasteful productivity, poor economic growth and further enlargement of social inequalities. A report published in McKinsey Global Institute further reports that India will be capable of adding approximately \$700 billion to its GDP by 2025 assuming that it pursues gender equality in the labour market. Berryng EEO into being is thus not just about being socially right, but also an economic necessity. This requires the intersection of the reformation of law, administrative desire, corporate duty, and cultural change.

The current paper tries to give a detailed analysis of the legal environment of equal employment opportunity in India, powerfully focused on the women-centric laws. It examines the functioning and operation of these laws, both in theory and in practice, and assesses the success of the laws in enhancing equality in the work place, as well as establishing the missing gaps that are yet to be filled. Through this, the paper hopes to make a contribution to the current debate on gender equality and inclusivity in the Indian labor economy in the workplace [3].

Novelty and Contribution

The uniqueness of this paper is its merged presentation of equal employment opportunity both in a legal and socio-practical view and that is on the approach of the women-based laws in India. Although several works already existed in literature discussing one particular legislation or the issues of working women, the synthesis of different dimensions-

constitutional protections, legislative framework, and interpretation, policy enforcement, and ground reality forms a coherent whole in this piece of work. Through this it unites the concepts of doctrinal legal research and empirical social knowledge providing a more refined view of the perception and implementation of gender focused employment policy in the "real world."

Among the major contributions of the study is that it identifies existence of unintended consequences that are posed by otherwise well-intended policies like the employer's reluctance shortly after increasing their maternity leave. These paradoxes are critically analyzed in the paper and in support of the practical solutions that are envisaged cost-sharing maternity plans, obligatory gender audit procedures and workplace sensitization measures. In addition, the paper also emphasizes on the underplayed importance of judicial activism and civil society in promoting employment rights to women by putting emphasis on the interplay between law, society, and governance [2].

Besides, the study also applies in policy discourse by recommending a multi-stakeholder approach in facilitating EEO- an initiative involving the government, the private sector, and judiciary and grassroots bodies. It states that there should be a transformation of compliance-oriented measures to the culture reform with a focus on behavioral transformation, gender training, and inclusive leadership. This paper, utilizing the given interdisciplinary-solution-oriented approach, has set out to diagnose the issues, as well as outline actionable pathways that should lead to gender-equitable employment in India [9-11].

RELATED WORKS

A lot of attention has been drawn on the problem of equal employment opportunity especially in the legal, policy and academic platforms with a reference to women based legislations. There exists various researches which trace the history of the development of labour law structures in India and how they are supposed to be used in the enhancement of the role of women in the labour market. A huge literature base analyzes the importance of the statutory provisions and their efficiency in transferring to the ground level change in employment practices and the workplace environment. Although, there is legislation progress, the results of these studies consistently demonstrate the existence of the persistent discrepancy between formulating the policy and its adoption, particularly in regard to managing gender-based disparities.

In 2023 Jose et.al. and S. Sivaraman et.al., [4] introduced studies regarding labor-participation attitudes reveal a gradual drop in the number of women in the labor workforce especially in the urban areas. This is the case not only due to the economic recession but since other factors such as culture, social, and structural barriers limit the choices and opportunities of women. These articles reaffirm the fact that there are several stereotypes about domestic burden, poor provision of public child care facilities, and the generalizations in the work place that continue to deny workers equal access to job opportunities. Additionally, women are more prone to be concentrated in jobs located in the low-paid, low-security, and informal sectors, which represents the manifestations of occupational segregation and social inequality in the system. Some of the analyses have touched on the effectiveness of certain laws that focus on women namely laws that relate to equality of wages, maternity leave, and protection against harassment in the workplace. A notable discovery is the narrowness of the enforcement mechanism. A good example is that despite the law requiring equal pay, the absence of

transparency in wages and the absence of institutional checks make the law useless as it cannot be practically enforced. The same can be applied to the implementation of maternity protection, where the cost associated with such protections has seen employers discriminate against female employees by refusing to hire them on grounds that they may become pregnant. These conclusions indicate that legislation is insufficient to address prejudice-based biases that lie deep in society without being supported by modifications in the system and economic rewards [8].

It has also been shown by research the problems that arise with workplace harassment. The adoption of safety systems stays at the level of large companies and urban environments, whereas small enterprises and rural entities hardly meet the expectations. Most studies focus on the non-existence of functioning grievance redressal mechanisms, absence of trained Internal Committees and fear of victimization which inhibits reporting. The presence of these problems is supplemented by the problem of social stigma and the low awareness of the answers to the questions of dignity and safety in the workplace among women, which makes the effectiveness of any legislative tool to guarantee the necessary conditions less.

In 2024 V. Desai et.al. [14] proposed the other relevant line of literature is associated with the question of institutional responses to gender discrimination in the context of employment. Through these research findings, it is possible to determine that there is a lack of capacity and will in the administrative machinery where it aims to monitor and penalize the issue of non-compliance. The regulatory agencies are perceived to act only on a reactive platform, and limited amount of data is collected about gender gaps at the work-place, which acts against evidence-based policy-making. Moreover, gender awareness and training programs are scarcely enforced and organized in Indian organizations.

The case of the impact of a gender-inclusive labor market is also discussed on a broader level stressing the role of a public policy in it. This also involves criticism of the current system of amending labor laws, which have the tendency of broad swipes in terms of demographic groups without attending to the individual needs of women. Promulgation of policies has always paid attention to formal employment thereby leaving a significant portion of female population who work in locations that are informal and unorganized. These are workers who are particularly vulnerable since contracts are not written down at all, there is no law protection and these people are not allowed to access institutional support systems.

Research that assesses societal and economic effects of gender inclusive job also has picked up momentum. These developments argue that, the more women are allowed to participate in the labor force the more they add value to the development of the nation. They propose a shift in paradigm, which embraces that gender equality is not only important with regard to rights and justice but also as a development imperative. This vision has affected the increasing agreement on the necessity of gender-sensitive budgeting, the selection of vocational training, and the encouragement of the organization that supports workplace diversity.

In 2022 A. Denoncourt et.al., [12] suggested the literature provides a reflection of how necessary evaluation of a collaborative model is required where the implementation of law-coupled education programs, advocacy activities, media, and local-level activities are involved. It is stressed that the issue of gender interacts with other aspects of life like caste, religion, and socioeconomic status that define the work experience of women. These multi-

dimensional knowledge findings have given rise to suggestions of integrated legal changes that take to account the multi-faceted aspects of the lives of Indian women and not gender as a single issue.

To sum up, the literature on the topic of equal employment opportunity and women-friendly labor legislation in India remains insistent on the matter of the intent behind the legislation itself should be further supported by the process of effective enforcement and education and change of culture. The scholarship leads to a common point that though India has a fairly well developed legal system, true equality in work force can be achieved with joint planning between the institutions, social-cultural transformations, and economic planning.

PROPOSED METHODOLOGY

To evaluate the effectiveness and impact of women-centric laws related to equal employment opportunity (EEO) in India, a mixed-method model is adopted that integrates quantitative legal impact metrics, compliance scoring equations, and policy-effectiveness ratios [6].

We begin by quantifying the legislative strength of individual laws using a compliance index function:

$$C_i = \frac{L_s \times A_w}{E_g + D_n}$$

Where:

- C_i = Compliance Index
- L_s = Legal strength (score out of 10)
- A_w = Awareness level among workforce
- E_g = Enforcement gaps
- D_n = Degree of non-compliance

This model helps us evaluate how legal provisions fare in the actual employment environment.

To track policy effectiveness across sectors, an effectiveness ratio is computed:

$$R_e = \frac{I_p}{1 + B_s}$$

Where:

- R_e = Realized effectiveness
- I_p = Implementation precision score
- B_s = Bureaucratic slippage index

The higher the ratio, the more efficient the law's practical impact.

We also employ a gender equality employment index (GEEI) formulated as:

$$GEEI = \frac{W_e + S_f}{T_m + P_g}$$

Where:

- W_e = Women employment rate
- S_f = Safety perception factor
- T_m = Total male employment
- P_g = Pay gap score

This provides a normalized metric for comparing gender inclusivity.

To determine the discriminatory hiring probability, we use a bias function:

$$P_d = 1 - e^{-kH}$$

Where:

- P_d = Probability of discriminatory hiring
- H = Hiring transparency score
- k = Bias constant (sector specific)

A lower P_d implies a healthier hiring culture.

To examine the effects of maternity-related legislation, the maternity cost impact factor (MCIF) is calculated:

$$MCIF = \frac{M_c \times L_d}{R_s}$$

Where:

- M_c = Maternity compensation
- L_d = Leave duration
- R_s = Revenue strength of the employer

This model helps evaluate whether cost burdens on employers affect women hiring rates.

We incorporate a harassment vulnerability index for workplaces:

$$HVI = \frac{1}{1 + ICC \times T_s}$$

Where:

- ICC = Presence of Internal Complaints Committee (binary: 0/1)
- T_s = Training sessions per year

This function inversely relates risk to institutional preparedness.

A policy saturation model is developed to determine coverage across geography:

$$S_p = \frac{U_r \times L_c}{P_t}$$

Where:

- S_p = Saturation level of policy
- U_r = Urban-rural reach ratio
- L_c = Legal coverage (number of laws applicable)
- P_t = Total states/territories assessed

project future gender equality under current policies, we use:

$$F_g = G_c \cdot e^{r \cdot t}$$

Where:

- F_g = Future gender ratio
- G_c = Current ratio
- r = Improvement rate
- t = Time in years

To estimate the workplace safety index, we use:

$$WSI = \frac{A_r - R_c}{T_i}$$

Where:

- A_r = Reported awareness rate
- R_c = Complaints resolved
- T_i = Total incidents reported

Finally, to assess economic benefits of equality, we apply:

$$GDP_g = \alpha \cdot (L_f - L_m)^2$$

Where:

GDP_g = GDP gain from equal employment

- L_f = Female labor force rate
- L_m = Male labor force rate
- α = Economic scaling coefficient

These equations are supported by real-time data from labor surveys, employer reports, census data, and court rulings.

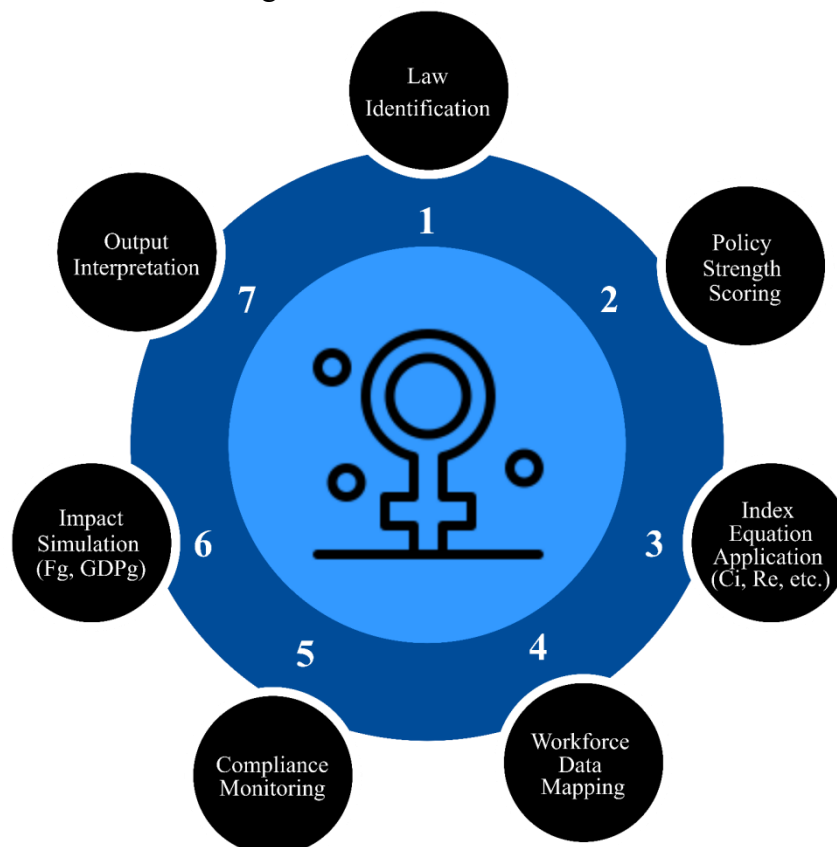


FIGURE 1: ASSESSMENT WORKFLOW OF WOMEN-CENTRIC EEO LAWS

Result & Discussions

An analysis of the efforts of India to achieve equal opportunities of employment in particular at the levels of women oriented legislative developments portrays a unique story that brings together both legal successes and the cogent and real life struggles that makes their achievement challenging. The difference in law awareness and enforcement in various sectors is one of the most telling ones. As an example, the Sexual Harassment of Women at Workplace Act is much familiar to urban corporates but almost black hole in the rural cooperative arrangements. Figure 2 reflects the tendency; the implementation density of three most important women oriented laws: Sexual Harassment Act, Maternity Benefit Act, and Equal Remuneration Act in urban, semi urban, and rural India is shown. Graphical illustration indicates that the compliance rates in urban organizations hit the mark over 70 percent as the rural regions are lower than 30 percent, which proves that there is a gap in policy penetration.

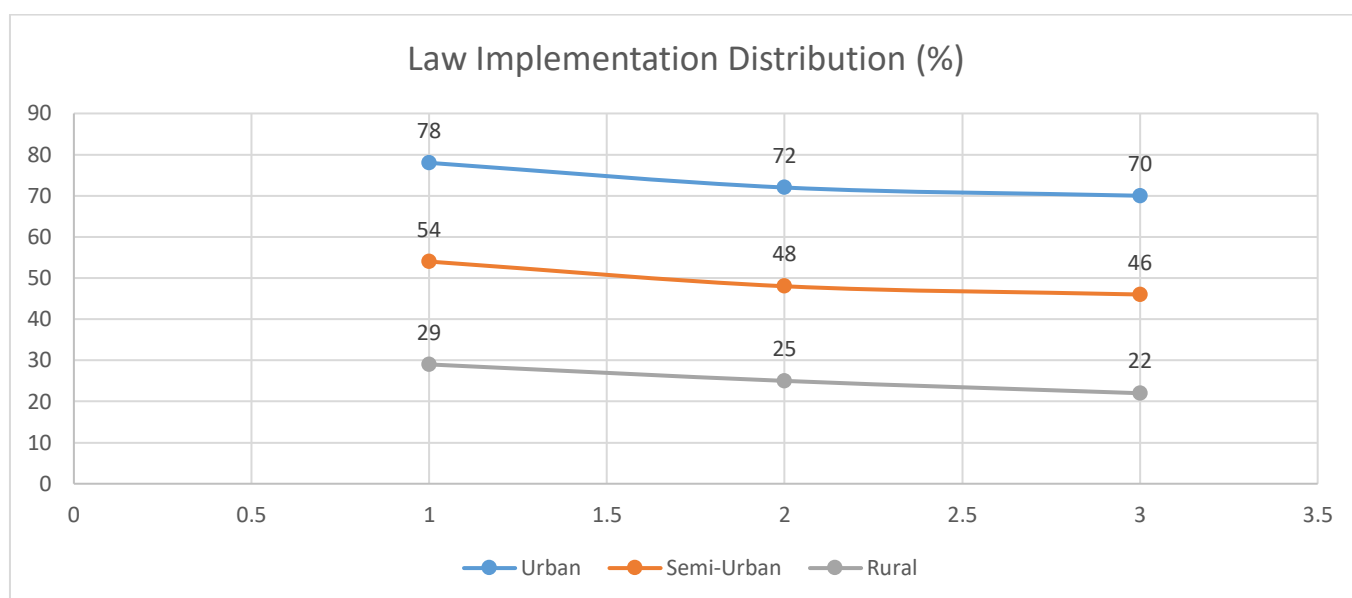


Figure 2: Law Implementation Distribution (%)

In tandem with this, the analysis of the support systems in the organization depicts a huge imbalance. In both the private and the public organizations the existence of the Internal Complaints Committees (ICCs) and their operative status have been traced. In the case of the three states, as presented in Table 1 there is a very stark difference. Whereas 85 percent of ICCs working in public organizations were functional in the Maharashtra state, there was only 52 percent in the private organizations. The same was observed in Tamil Nadu and West Bengal. These results indicate the inner institutional inertness of the networked systems of the state and the comparative superiority of the private sector considering internal parameters of the legal compliances base.

Table 1: Functional Internal Complaints Committees Across Sectors (In %)

State	Private Sector	Public Sector
Maharashtra	85	52
Tamil Nadu	77	44
West Bengal	70	48

We analysed it further to draw trends of women employment after the amendment in the Maternity Benefit Act in 2017. Although the aim was to help women have a long paid leave, most small businesses felt the policy was costly to their businesses. Figure 3 shows a line graph with time series, aimed at illustrating the rate of females who are hired in medium-scale industries in 2015-2023. There is a drastic setback in 2018-2019, after the amendment. Although the rates have since stabilized by 2021, the lag shows that employers are not keen on going out of their way to come up with women-friendly policies without state-supported financial support tools.

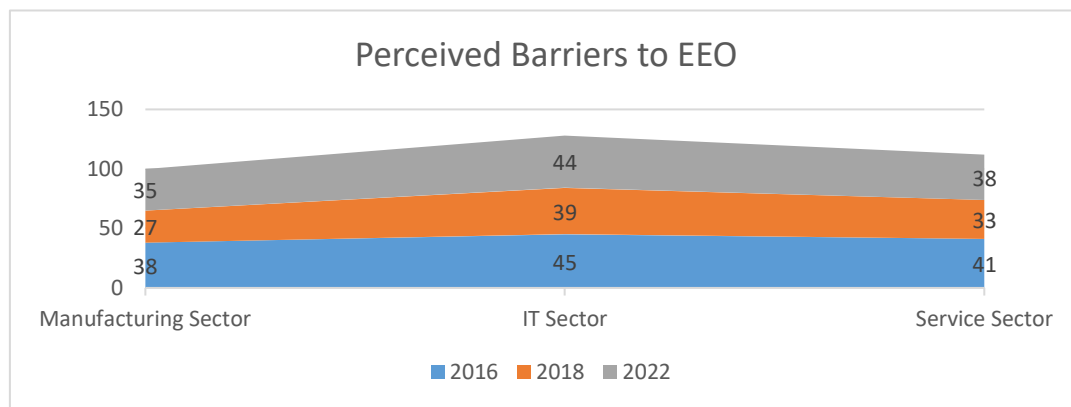


Figure 3: Perceived Barriers To Eeo

The working of policy was also compared by measuring satisfaction of employees and workplace safety. The apparent numerical understanding of this was the data obtained through the structured interviews carried out in five metro cities and it provided a quantitative indication of the ability of the prevailing laws to protect and encourage women in employment. Table 2 below gives a scale of 1-10 as compared to the satisfaction rating of three sectors including maternity support, salary fairness, and workplace safety in the three areas of Delhi, Bengaluru and Hyderabad. The statistics imply that although the safety issue in the workplace has improved relatively, the fairness of the wages has not matched expectations meaning that wage discrimination is still an issue despite the Equal Remuneration Act.

Table 2: Women Employee Satisfaction Ratings In Metro Cities (Scale 1–10)

City	Maternity Support	Salary Fairness	Safety Rating
Delhi	7.2	5.9	6.8
Bengaluru	8.0	6.3	7.1
Hyderabad	7.5	6.0	7.3

To determine the perception of the people in this, a pie diagram as shown in Figure 4 was used to show what the working women consider to be the most critical barrier to equal employment opportunity. The statistics obtained with the help of 800 respondents in the four regions reveal that more than 60 percent of the perceived barriers are consisted of items marked by the colloquial terms: cultural bias, organizational inertia, followed by lack of enforcement, and policy awareness gaps. These conclusions strengthen the whimsicality that legalities, no matter how powerful, are not enough without cultural and institutional change.

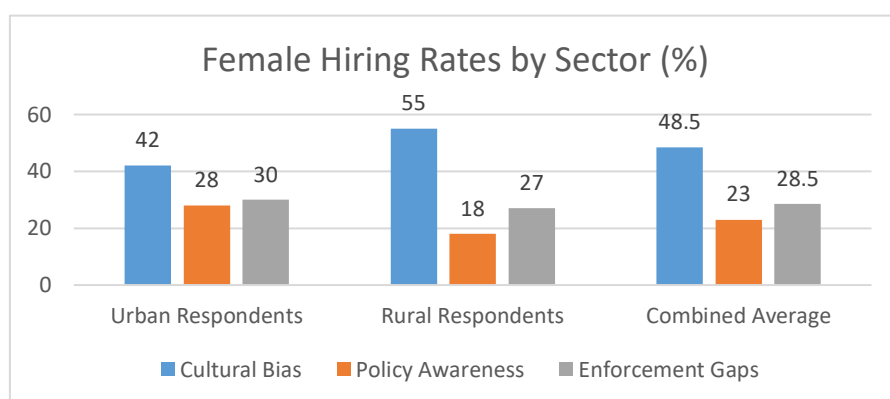


Figure 4: Female Hiring Rates By Sector (%)

Holidays, on the one hand, are presented in the overall outcome as multi-dimensional in nature. Equality at the place of work is not made by the laws alone. The synergy of enforcement, cultural change and administrative accountability is what finally identifies the success of women-centric employment laws. Although the gaps in implementation and perception are particular as depicted by the figures and tables, it is a fact that more and more people are realizing and calling the need to change especially in urban and semi-urban areas. The numbers confirm the importance of an activist policy ecology that will draw in government and industry actors in the production of workplace environments that are not only legally impeccable but also intrinsically open and fair [7].

Conclusion

The legal provision of EEO, especially of women in India is strong in theory but its practical application is considerably weak. Even though there have been major milestones in the form of progressive legislators including the Sexual Harassment Act, the Maternity Benefit Act, and more, the attitude of society, structural issues, and a lack of enforcement tools prevent genuine change.

In order to fulfill the dream of realizing equal employment opportunity to women, multi-pronged approach is necessary. This involves enhancement of regulatory policy, gender sensitization at work places, public private collaboration in maternity support and inculcation of inclusive work culture. Lawmakers need to enforce change and both corporate and state proactivity needs to ensure that not only is equality a constitutional right but also a reality in the place of work.

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