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Q10

Case study. Briefly describe at least four laws that have been enacted by the Government with respect to providing a healthy, safe and equitable working environment for women.

UPSC Civil Services Mains 2023 · GS IV · 20 marks · Ethics Case Studies

Case Studies on above issues.

Core demand of the question

- Briefly describe at least four laws that have been enacted by the Government with respect to providing a healthy, safe and equitable working environment for women

Revision summary

The stored question asks for laws on a healthy, safe and equitable workplace for women, not for Rashika's options.

The **POSH Act, 2013** creates duties against sexual harassment and a complaints structure.

The **Maternity Benefit Act, 1961**, as amended in 2017, gives paid leave, protection and crèche-related duties.

The **Equal Remuneration Act, 1976** and the Code on Wages, 2019 require equal pay for the same or similar work.

The **Factories Act, 1948** regulates safety, hours and crèches in factories.

The **Code on Social Security, 2020** consolidates maternity and related health security.

Introduction

The stored demand is a direct request for statutes, not a continuation of Rashika's Sunday. Four Union laws, with a fifth that now occupies the same field, set health, safety and equality at work for women.

Body**Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**

- This Act, commonly called the POSH Act, makes sexual harassment at the workplace a legal wrong and a duty of the employer to prevent.
- Every workplace with the prescribed number of workers must have an **Internal Complaints Committee**; others use a **Local Committee** under the district officer.
- The Act covers employees, visitors and some unorganised workplaces, and it requires awareness, a published policy, and time-bound inquiry.
- **Safety here is dignity:** a workplace that treats a woman's body or speech as a joke is not a safe workplace.

Maternity Benefit Act, 1961, as amended by the Maternity Benefit (Amendment) Act, 2017

- The **Maternity Benefit Act, 1961** gives paid maternity leave, nursing breaks, and protection from dismissal for pregnancy in covered establishments.
- The **Maternity Benefit (Amendment) Act, 2017** increased paid leave to twenty-six weeks for eligible women and provided for work-from-home where the nature of work allows, besides crèche duties for larger establishments.
- **Health and equality meet here:** a woman should not have to choose between a job and a medically unsafe early return.

Equal Remuneration Act, 1976 and the Code on Wages, 2019

- The **Equal Remuneration Act, 1976** required equal pay for the same or similar work and barred sex-based discrimination in recruitment for that work.
- The Code on Wages, 2019 consolidates that equal-remuneration duty with other wage laws, so the same principle now sits in the new wage code as it is brought into force.
- Equitable work is not only a chair in the office; it is the same wage for the same work.

Factories Act, 1948

- The **Factories Act, 1948** regulates hours, rest, overtime, hazardous processes, and welfare in factories.
- For women it has included restrictions meant as safety in night work and hazardous rooms, and it requires crèches where a prescribed number of women are employed.
- A healthy factory is ventilation, sanitation, machines with guards, and a crèche that is a room, not a line in a register.
- Some night-work limits have been debated and eased in later State rules and in the occupational-safety code; the 1948 Act remains the classic statute named in this field.

Code on Social Security, 2020

- The **Code on Social Security, 2020** gathers maternity benefit, provident fund, employees' state insurance and related social security, including for some unorganised and gig categories as notified.
- It is the present consolidation through which maternity and health-linked security are meant to travel as the code is implemented.
- A safe and equitable workplace for women includes income during childbirth and medical cover, not only a complaint committee.

How the four-plus-one work together

- POSH addresses violence and humiliation.
- Maternity law addresses biological and employment continuity.
- Equal remuneration and the wage code address pay equity.
- The **Factories Act, 1948** addresses physical safety, hours and crèches in industry.
- The **Code on Social Security, 2020** is the newer umbrella for maternity and health security.
- Together they are the Government's main enacted frame for a healthy, safe and equitable working environment for women. Implementation and informal work remain the weak edge.

Flow diagram

POSH Act 2013 Act 2013 -> Dignity
Maternity Benefit Act 1961 -> Health and job continuity
Equal Remuneration and Code on Wages -> Pay equity
Factories Act 1948 -> Safety hours creche
Code on Social Security 2020 -> Health and job continuity

Conclusion

- **At least four laws do this work:** the **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**; the **Maternity Benefit Act, 1961** as amended in 2017; the **Equal Remuneration Act, 1976** together with the Code on Wages, 2019; and the **Factories Act, 1948**. The **Code on Social Security, 2020** now sits with them on maternity and health cover.

Facts & figures

Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

The POSH statute after **Vishaka v. State of Rajasthan**; **Internal Complaints Committee** and **Local Committee** are its main forums.

Maternity Benefit (Amendment) Act, 2017

Raised paid maternity leave to twenty-six weeks for eligible women and added crèche and work-from-home provisions in specified establishments.

Equal Remuneration Act, 1976

Required equal pay for the same or similar work and barred sex discrimination in recruitment for that work, now largely folded into the Code on Wages, 2019.

Factories Act, 1948

The principal factory-safety law, including welfare amenities such as crèches where the prescribed number of women are employed.

Code on Social Security, 2020

Consolidates maternity benefit and other social-security laws; commencement depends on notification.

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