

# Evaluating the Effectiveness of Women-Centric Social Security Schemes through a Rights-Based and Capability Approach

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## Abstract:

Women in India experience disproportionate socio-economic vulnerability arising from their concentration in informal employment, persistent gender wage disparities, unequal distribution of unpaid care work, and limited ownership of productive assets. In response, the State has introduced a wide range of women-centric social security schemes, including maternity entitlements, pension programmes, insurance coverage, and livelihood initiatives. Despite this expansive constitutional and policy framework, questions persist regarding whether these schemes advance substantive gender justice or merely provide short-term relief. This study adopts a doctrinal legal research methodology, examining constitutional provisions, statutory frameworks, judicial precedents, and key social protection schemes. The analysis is guided by a rights-based framework, which evaluates accessibility, accountability, and non-discrimination, and by Amartya Sen's Capability Approach, which assesses whether such interventions expand women's substantive freedoms and agency. Secondary governmental data are used illustratively to contextualise doctrinal findings. The study finds that although India's social security architecture reflects progressive legislative intent and strong constitutional grounding, significant implementation barriers—including digital exclusion, administrative fragmentation, procedural complexity, limited coverage of informal workers, and intersectional marginalisation—constrain transformative impact. As a result, most schemes function primarily as compensatory welfare mechanisms aimed at mitigating immediate risks rather than as capability-enhancing instruments capable of restructuring structural gender inequalities and ensuring long-term economic empowerment.

**Keywords:** Social Security, Gender Justice, Women Empowerment, Capability Approach, Social Policy, India, Welfare Governance.

## 1.1. Introduction

Social security occupies a central position within welfare democracies as both a constitutional commitment and a developmental instrument. In India, the constitutional framework embeds gender justice within Articles 14, 15(3), 21, 39, 41 and 42 of the Constitution of India.<sup>2</sup> These provisions collectively articulate a vision of substantive equality, dignified livelihood, and socio-economic protection, mandating the State to secure humane working conditions, maternity relief, and public assistance in cases of vulnerability.

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<sup>2</sup> The Constitution of India, 1950, arts 14, 15(3), 21, 39, 41 & 42.

Judicial interpretation—particularly of Article 21—has further expanded the meaning of dignity to include socio-economic security, thereby strengthening the normative foundation for women-centric welfare measures.

Despite this constitutional commitment, women in India continue to experience structural disadvantage. Over 90% of working women are concentrated in the informal sector, where employment is characterised by income insecurity, absence of written contracts, and limited or non-enforceable statutory protections.<sup>3</sup> Persistent gender wage gaps, disproportionate unpaid care responsibilities, restricted ownership of land and productive assets, and intersecting marginalities based on caste, class, disability, and rural location compound this vulnerability. These structural inequalities constrain women's labour market participation and long-term economic autonomy.

In response, the State has introduced a wide array of women-centric social protection schemes, including maternity benefit legislation, conditional cash transfers, contributory pension programmes, accident insurance schemes, widow pensions, and livelihood initiatives through Self-Help Groups (SHGs). While numerically expansive and normatively progressive, the proliferation of schemes does not necessarily guarantee transformative outcomes.

This paper therefore interrogates the central question: Do India's women-centric social security schemes advance substantive empowerment and expand women's real freedoms, or do they remain confined within a distributive welfare model focused primarily on compensatory relief? The evaluation is undertaken through a rights-based framework and the analytical lens of Amartya Sen's Capability Approach.

## 1.2. Research Problem

The existence of multiple social security schemes for women does not automatically translate into genuine empowerment or structural transformation. While the proliferation of programmes reflects policy commitment and legislative intent, numerical expansion alone cannot be equated with substantive progress. Empowerment requires not merely the distribution of financial assistance, but the expansion of women's agency, autonomy, economic security, and decision-making capacity within both household and public spheres. In many instances, social security schemes function primarily as compensatory or relief-based mechanisms that mitigate immediate risks—such as maternity-related income loss, widowhood, or old-age vulnerability—without addressing the deeper structural inequalities that constrain women's long-term socio-economic mobility.

The core problem addressed in this study, therefore, is whether the existing legal and policy framework governing social security schemes for women in India effectively advances substantive empowerment or remains confined to a distributive welfare model. A distributive approach focuses on transferring benefits, often in the form of cash or insurance coverage, without necessarily altering gendered power relations or

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<sup>3</sup> Government of India, Periodic Labour Force Survey (latest available report).

labour market hierarchies. In contrast, substantive empowerment requires that such interventions enhance women's real freedoms—improving their capacity to participate in formal employment, control financial resources, access institutional support, and exercise informed choices. This study critically interrogates whether current schemes bridge this gap between welfare provisioning and transformative empowerment, or whether implementation deficiencies and structural limitations reduce them to short-term protective measures with limited emancipatory potential. While the proliferation of programmes reflects policy commitment, numerical expansion cannot be equated with substantive empowerment. Empowerment requires expansion of women's agency and real freedoms, not merely financial transfers. This distinction resonates with Sen's conception of development as expansion of capabilities rather than income growth alone.<sup>4</sup>

### 1.3. Research Methodology

This study adopts a doctrinal research methodology grounded in constitutional interpretation, statutory analysis, judicial precedent examination, and review of relevant policy documents, supplemented by secondary governmental and institutional data. Doctrinal research focuses on analysing the law as it exists—commonly referred to as “black-letter law”—with the objective of interpreting legislative intent, examining judicial reasoning, identifying normative inconsistencies or lacunae, and proposing principled legal reform. Within this framework, primary emphasis is placed on the textual and structural analysis of constitutional provisions, statutory schemes, and authoritative case law governing women-centric social security in India. Secondary empirical data drawn from governmental reports and institutional publications are used only illustratively to contextualise doctrinal conclusions, rather than as independent or statistically driven research instruments.

### 1.4. Objectives

1. To examine constitutional and statutory foundations of women's social security.
2. To assess implementation effectiveness.
3. To analyse gaps through rights-based and capability frameworks.
4. To recommend structural reforms.

### 1.5. Theoretical Framework

#### 1.5.1. Social Security as a Rights-Based Entitlement

The rights-based approach conceptualises social security not as an act of state benevolence or charitable assistance, but as a legally grounded entitlement inherent to human dignity and equality. Under international legal frameworks such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)<sup>5</sup> and various International Labour Organization (ILO) conventions, social

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<sup>4</sup> Jean Drèze and Amartya Sen, *India: Development and Participation* (OUP 2002).

<sup>5</sup> Convention on the Elimination of All Forms of Discrimination against Women (1979).

protection is recognised as a fundamental socio-economic right essential to achieving substantive gender justice<sup>6</sup>. In the Indian context, this normative commitment finds constitutional expression within the Directive Principles of State Policy, particularly Articles 39, 41, and 42, which mandate the State to secure adequate livelihood, public assistance, and maternity relief.<sup>7</sup> Although these principles are non-justiciable, they provide the moral and policy foundation for gender-responsive welfare legislation. Judicial interpretation has strengthened this foundation. In *Olga Tellis v Bombay Municipal Corporation*,<sup>8</sup> the Supreme Court expanded Article 21 to include livelihood rights. Similarly, in *Bandhua Mukti Morcha v Union of India*,<sup>9</sup> the Court linked dignity with socio-economic protection. A rights-based framework requires that social security schemes adhere to core principles of accessibility, accountability, transparency, and non-discrimination. This means that benefits must be reachable without undue procedural barriers, administrative processes must be answerable and reviewable, information must be publicly available and understandable, and no beneficiary should be excluded on discriminatory grounds. Where women encounter documentation hurdles, digital exclusion, delayed payments, or opaque grievance mechanisms, the scheme fails to meet rights-based standards, even if it is legally valid on paper. Thus, effectiveness under this framework is measured not merely by statutory existence, but by equitable and meaningful access in practice.

### 1.5.2. Capability Approach as an Evaluative Tool

Amartya Sen's Capability Approach reorients the evaluation of social security from mere income support to the expansion of individuals' real freedoms and substantive opportunities.<sup>10</sup> Martha Nussbaum further elaborates this framework in relation to women's human development.<sup>11</sup> Under this framework, the effectiveness of women-centric social protection schemes must be assessed not only by the amount of financial assistance distributed, but by their ability to enhance women's bodily integrity, economic participation, decision-making capacity, and social agency. For instance, maternity benefits should not only compensate for wage loss but also safeguard women's health and dignity; pension and insurance schemes should strengthen long-term economic security; and livelihood programmes should expand women's capacity to participate meaningfully in markets and community institutions. The approach emphasises that empowerment lies in enabling women to make choices they value and to act upon those choices. Consequently, cash transfers in isolation—without addressing structural constraints such as labour market discrimination, unpaid care burdens, or social norms—may offer temporary relief but do not necessarily expand genuine capabilities. By shifting the analytical lens from beneficiary numbers to qualitative changes

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<sup>6</sup> ILO Social Security (Minimum Standards) Convention, 1952 (No 102).

<sup>7</sup> Constitution of India, arts 39, 41, 42.

<sup>8</sup> *Olga Tellis v Bombay Municipal Corporation* (1985) 3 SCC 545 (SC).

<sup>9</sup> *Bandhua Mukti Morcha v Union of India* (1984) 3 SCC 161 (SC).

<sup>10</sup> Sen (n 1).

<sup>11</sup> Martha C Nussbaum, *Women and Human Development: The Capabilities Approach* (CUP 2000).

in freedom and agency, the Capability Approach enables a deeper and more transformative evaluation of social security schemes for women in India.

### 1.5.3. Constitutional Foundations of Women's Social Security

The constitutional foundation for women-centric social security in India is firmly embedded within both the Fundamental Rights and the Directive Principles of State Policy. Article 14 guarantees equality before the law and equal protection of the laws, forming the bedrock of gender justice. Article 15(3) empowers the State to enact special provisions for women, thereby constitutionally legitimising protective discrimination and targeted welfare measures. Article 21, which guarantees the right to life and personal liberty, has been expansively interpreted by the judiciary to include the right to live with dignity, encompassing socio-economic security and humane working conditions. Complementing these enforceable rights, Article 41 directs the State to provide public assistance in cases of unemployment, old age, sickness, and disablement, while Article 42 mandates just and humane conditions of work and maternity relief. Although Articles 41 and 42 are non-justiciable, they provide strong normative guidance for social welfare legislation. Through progressive judicial interpretation, particularly in expanding the scope of Article 21, the Supreme Court has linked dignity with access to social welfare, thereby strengthening the constitutional legitimacy of social security schemes for women.<sup>12</sup>

## 1.6. Statutory and Policy Framework

### 1.6.1. Maternity Benefit Act, 1961

The 2017 amendment to the Maternity Benefit Act significantly extended paid maternity leave from 12 to 26 weeks<sup>13</sup>, marking a progressive step toward safeguarding maternal health and strengthening workplace protections for women in the formal sector. However, despite its laudable intent, the amendment has generated unintended consequences. By placing the financial responsibility of extended leave entirely on employers, the legislation has increased the cost of hiring and retaining women employees, particularly in small and medium enterprises. This has, in certain contexts, reduced hiring incentives and may inadvertently reinforce gender bias in recruitment practices. Moreover, the Act's applicability remains largely confined to the formal sector, thereby excluding the vast majority of women employed in informal or unorganised work arrangements, where statutory compliance is weak or absent. Consequently, while the amendment advances formal legal protection, its limited coverage and employer-centric cost structure create a paradox wherein protective legislation may unintentionally contribute to labour market exclusion rather than universal empowerment.

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<sup>12</sup> *Francis Coralie Mullin v. Administrator, Union Territory of Delhi*, (1981) 1 SCC 608.

<sup>13</sup> The Maternity Benefit Act, 1961 (as amended in 2017).

### 1.6.2. PMMVY

The scheme provides a conditional cash transfer to pregnant and lactating women with the objective of supporting maternal nutrition and compensating partially for wage loss during pregnancy.<sup>14</sup> However, its effectiveness is constrained by several structural limitations. The financial assistance offered is relatively modest and does not function as a true income replacement, particularly for women engaged in informal or daily wage employment who experience significant earnings disruption during pregnancy. Additionally, in its initial design, the benefit was restricted to the first living child, thereby limiting coverage for women with subsequent pregnancies and raising concerns regarding equity and reproductive autonomy. Implementation challenges, including procedural complexities and delayed disbursement of funds, further reduce the scheme's practical impact. As a result, while the programme represents an important welfare intervention, these limitations diminish its capacity to provide comprehensive social protection or ensure substantive maternal security.

### 1.6.3. Pension and Insurance Schemes

Schemes such as the Atal Pension Yojana are designed to provide long-term income security by encouraging individuals in the unorganised sector to make regular contributions toward a guaranteed pension in old age.<sup>15</sup> While the objective of promoting financial security is commendable, the contributory structure of the scheme may inadvertently disadvantage low-income women who have irregular earnings, intermittent labour force participation, or limited control over household finances. For many women engaged in informal or unpaid work, consistent monthly contributions can be financially burdensome, thereby restricting sustained enrolment. Furthermore, awareness levels regarding pension schemes remain relatively low in rural and marginalised communities, where informational outreach and financial literacy initiatives are inadequate. Consequently, despite its potential as a social security instrument, the scheme's design and outreach limitations constrain its effectiveness in addressing the specific vulnerabilities faced by economically disadvantaged women.

## 1.7. Ground-Level Implementation Gaps

### 1.7.1. Awareness Deficit

Empirical studies and field reports consistently indicate that a significant proportion of rural women remain unaware of their entitlements under various social security schemes. Information dissemination mechanisms often fail to penetrate remote and marginalised communities, where literacy levels, digital access, and institutional outreach are limited. Awareness campaigns tend to be urban-centric, relying heavily on digital platforms, print media, and formal institutional channels that are less accessible to rural populations. As a result, many eligible women either do not apply for benefits or are unable to navigate

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<sup>14</sup> Ministry of Women and Child Development, Pradhan Mantri Matru Vandana Yojana: Scheme Guidelines (2017).

<sup>15</sup> Ministry of Finance, Pradhan Mantri Suraksha Bima Yojana: Scheme Details (2015).

procedural requirements due to insufficient knowledge. This informational asymmetry not only undermines scheme uptake but also weakens the rights-based character of social protection, as entitlements that are unknown to beneficiaries cannot be meaningfully exercised.<sup>16</sup>

### 1.7.2. Documentation Barriers

Several common exclusionary factors significantly limit women's access to social security benefits, despite formal eligibility. Aadhaar-linking requirements, though designed to streamline identification and prevent duplication, often result in denial of benefits due to authentication failures, data mismatches, or technical errors. Similarly, bank account inaccessibility—stemming from distance to financial institutions, inactive accounts, or limited financial literacy—creates practical barriers to receiving direct benefit transfers. Digital illiteracy further compounds these challenges, particularly among rural and elderly women who may lack access to smartphones, internet connectivity, or the skills necessary to navigate online application systems. Although digital governance reforms aim to enhance efficiency, transparency, and accountability, their heavy reliance on technology has inadvertently deepened exclusion for marginalised women who are already situated at the periphery of formal financial and administrative systems. Consequently, technological advancement without parallel capacity-building measures risks reinforcing, rather than reducing, structural inequality.

### 1.7.3. Delays and Administrative Fragmentation

The administration of women-centric social security schemes in India is often fragmented across multiple ministries and departments, including those responsible for labour, rural development, women and child welfare, and social justice.<sup>17</sup> This institutional dispersion leads to overlapping jurisdictions and a lack of clear accountability, as responsibilities for implementation and oversight are distributed across different authorities.<sup>18</sup> Such fragmentation frequently results in duplication of efforts, inconsistencies in beneficiary identification, and coordination gaps at the state and district levels.<sup>19</sup> Moreover, grievance redress mechanisms are often inadequately structured or poorly communicated, leaving beneficiaries without effective channels to address delays, denials, or procedural errors.<sup>20</sup> Weak monitoring and evaluation frameworks further undermine scheme effectiveness, as the absence of integrated data systems and real-time tracking limits the ability to assess outcomes and ensure transparency.<sup>21</sup> Consequently, administrative

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<sup>16</sup> Deepta Chopra and Elena Zambelli, 'No Time to Rest' (2017) 52(43) EPW 40.

<sup>17</sup> Constitution of India, 1950, arts. 14, 15(3), 38, 39, 41 and 42.

<sup>18</sup> Ministry of Labour and Employment, Government of India, *Code on Social Security, 2020* (No. 36 of 2020).

<sup>19</sup> Ministry of Rural Development, Government of India, *Mahatma Gandhi National Rural Employment Guarantee Act, 2005* (No. 42 of 2005).

<sup>20</sup> Ministry of Rural Development, Government of India, *Mahatma Gandhi National Rural Employment Guarantee Act, 2005* (No. 42 of 2005).

<sup>21</sup> Comptroller and Auditor General of India, *Performance Audit Reports on Implementation of Social Welfare Schemes* (various years).

fragmentation significantly constrains the coherent and efficient delivery of social security benefits to women.

#### 1.7.4. Intersectional Vulnerability

Marginalised groups of women experience compounded forms of exclusion that extend beyond gender alone, reflecting the intersection of caste, class, migration status, disability, and marital vulnerability.<sup>22</sup> SC/ST women often confront entrenched socio-economic disadvantages, limited land ownership, and systemic discrimination that restrict access to welfare institutions.<sup>23</sup> Migrant women face additional barriers such as lack of domicile documentation, portability issues in social security benefits, and informal employment conditions that exclude them from statutory protections.<sup>24</sup> Women with disabilities encounter both physical inaccessibility and administrative neglect<sup>25</sup>, while widows frequently suffer social stigma and economic dependency that heighten vulnerability.<sup>26</sup> Despite the existence of targeted welfare schemes, policy design often lacks nuanced intersectional targeting that accounts for these layered disadvantages.<sup>27</sup> As a result, uniform eligibility criteria and standardised delivery mechanisms may fail to adequately address the specific needs of women situated at multiple axes of marginalisation, thereby limiting the transformative potential of social security interventions.<sup>28</sup>

#### 1.8. Capability-Based Impact Assessment

While maternal health indicators demonstrate measurable progress—particularly in the rise of institutional deliveries and improved antenatal care uptake—the direct correlation between such schemes and sustained financial empowerment remains comparatively weak. Many women beneficiaries report short-term consumption support that assists with immediate nutritional or medical expenses during pregnancy, yet this assistance rarely translates into long-term economic stability. Although initiatives linked to direct benefit transfers have contributed to increased bank account ownership among women, account usage often remains limited and controlled by other household members, thereby constraining financial autonomy. Furthermore, there is minimal evidence of long-term asset creation, such as savings accumulation, land ownership, or sustained income-generating capacity attributable to these schemes. Consequently, the

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<sup>22</sup> Kimberlé Crenshaw, “Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color,” 43 *Stanford Law Review* 1241 (1991).

<sup>23</sup> Government of India, Ministry of Social Justice and Empowerment, *Annual Report* (latest edition); see also Constitution of India, arts. 15(4), 46.

<sup>24</sup> Ministry of Labour and Employment, Government of India, *Code on Social Security, 2020*; NITI Aayog, *Policy Framework on Migrant Workers* (2020).

<sup>25</sup> Rights of Persons with Disabilities Act, 2016 (No. 49 of 2016).

<sup>26</sup> Ministry of Women and Child Development, Government of India, *National Policy for Women, 2016 (Draft)*; see also Indira Gandhi National Widow Pension Scheme Guidelines.

<sup>27</sup> NITI Aayog, *Evaluation Study on Centrally Sponsored Schemes in the Social Sector* (various reports).

<sup>28</sup> Amartya Sen, *Development as Freedom* (Oxford University Press, 1999); Martha C. Nussbaum, *Creating Capabilities* (Harvard University Press, 2011).

overall impact suggests that existing social security measures function primarily as instruments of risk mitigation—addressing immediate vulnerabilities—rather than as transformative empowerment tools capable of restructuring gendered economic inequalities.

### 1.9. From Welfare to Transformative Empowerment

The central distinction emerging from this analysis lies between distributive welfare and transformative empowerment, two fundamentally different paradigms of social protection.<sup>29</sup> Distributive welfare is primarily concerned with the allocation of benefits to mitigate immediate risks. Its core objective is compensatory in nature: to provide short-term financial relief in situations of vulnerability such as maternity, widowhood, disability, or old age.<sup>30</sup> Within this model, social security schemes function as safety nets designed to cushion temporary income loss or consumption shocks.<sup>31</sup> While such interventions are undoubtedly necessary—particularly in contexts marked by high levels of informality and poverty—they remain largely remedial rather than structural.<sup>32</sup> The emphasis is on transferring benefits, often in the form of cash assistance or insurance coverage, without fundamentally altering the socio-economic conditions that produce vulnerability in the first place. As a result, distributive welfare operates within existing labour market hierarchies and gendered power structures, addressing symptoms rather than root causes.

In contrast, transformative empowerment seeks to expand women's substantive agency and reshape structural inequalities. It goes beyond income supplementation to enhance real freedoms, economic participation, and decision-making autonomy. A transformative approach would ensure that maternity protection does not merely compensate wage loss but strengthens women's labour market attachment without imposing hiring disincentives. It would promote access to skill development, asset ownership, and financial autonomy, thereby expanding long-term economic capabilities. Crucially, it would also recognise and redistribute unpaid care work—one of the central structural barriers to women's equal participation in the workforce. Transformative empowerment therefore requires coordinated labour reforms, institutional accountability, and gender-responsive policy design that dismantles systemic constraints rather than temporarily offsetting them.

Evaluated against this distinction, India's current women-centric social security regime remains predominantly situated within the distributive welfare model. Although the schemes provide essential relief and reflect progressive legislative intent, they largely function as protective mechanisms aimed at risk mitigation rather than as structural interventions designed to expand capabilities and reconfigure

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<sup>29</sup> Gøsta Esping-Andersen, *The Three Worlds of Welfare Capitalism* (Princeton University Press, 1990).

<sup>30</sup> Constitution of India, arts. 41 and 42; Code on Social Security, 2020 (No. 36 of 2020).

<sup>31</sup> International Labour Organization, *World Social Protection Report* (latest edition).

<sup>32</sup> Amartya Sen, *Development as Freedom* (Oxford University Press, 1999).

entrenched gender inequalities. The shift from distributive welfare to transformative empowerment thus represents not merely a policy adjustment, but a paradigmatic reorientation in the conceptualisation and delivery of social security for women.

### **1.10. Policy Recommendations**

To enhance the transformative potential of women-centric social security schemes, structural reforms are necessary at both policy and institutional levels. A shift toward universal maternity income support funded through public resources, rather than an employer-burden model, would reduce hiring disincentives while ensuring equitable coverage across formal and informal sectors. Establishing an integrated single-window gender social protection platform could streamline access, reduce administrative fragmentation, and improve coordination among departments. The adoption of gender-disaggregated real-time monitoring systems would strengthen accountability and enable evidence-based policy adjustments. Furthermore, a robust and accessible grievance redressal mechanism is essential to safeguard rights and ensure timely resolution of beneficiary concerns. Policy planning must also incorporate the valuation of unpaid care work to recognise women's invisible economic contributions and inform more equitable resource allocation. Finally, greater convergence between Self-Help Group (SHG) networks and social security delivery mechanisms could enhance outreach, awareness, and community-level support, thereby improving both access and effectiveness of welfare interventions.

### **1.11. Conclusion**

The foregoing analysis demonstrates that India possesses an extensive and constitutionally grounded framework for advancing women's social security. The combined force of constitutional guarantees, statutory protections, and welfare schemes reflects a normative commitment to gender justice and social equity. Legislative measures such as maternity protection laws, conditional cash transfer programmes, pension schemes, insurance coverage, and livelihood initiatives collectively indicate that the State recognises women's life-cycle vulnerabilities and seeks to address them through institutional intervention. However, the existence of an elaborate policy architecture does not automatically translate into substantive empowerment.

From a rights-based perspective, although legal entitlements are formally established, their realisation remains uneven due to procedural barriers, administrative fragmentation, digital exclusion, and weak grievance redress mechanisms. Accessibility, transparency, accountability, and non-discrimination—core pillars of a rights-based framework—are often compromised in practice. When beneficiaries are unable to effectively access schemes due to documentation hurdles, limited awareness, or systemic delays, the transformative promise of social security is diluted. Legal validity alone is insufficient if practical access remains constrained.

Similarly, evaluation through the Capability Approach reveals that most schemes function primarily as instruments of risk mitigation rather than as catalysts of structural change. While maternal health indicators and financial inclusion metrics show measurable progress, the impact on long-term economic participation, asset ownership, and decision-making autonomy remains limited. Cash transfers, in isolation, do not dismantle entrenched labour market inequalities, unpaid care burdens, or intersectional disadvantages rooted in caste, rurality, migration status, disability, and widowhood. Without complementary structural reforms—such as labour market inclusivity, recognition of unpaid care work, and integrated institutional delivery—social protection remains compensatory rather than emancipatory.

The central gap identified in this study lies between distributive welfare and transformative empowerment. Current schemes predominantly provide short-term financial relief, yet they do not sufficiently expand women's substantive freedoms or alter underlying gendered power structures. To bridge this gap, a shift toward universal and publicly financed maternity income support, integrated gender-responsive governance platforms, intersectional targeting, real-time gender-disaggregated monitoring, and strengthened accountability mechanisms is essential. Convergence with community-based networks such as Self-Help Groups can further enhance outreach and participatory governance.

In conclusion, India's women-centric social security regime reflects strong constitutional intent and progressive legislative design, but its transformative potential remains constrained by implementation deficits and structural limitations. Achieving substantive empowerment requires moving beyond fragmented welfare delivery toward a coherent, rights-oriented, and capability-enhancing social protection framework that addresses both immediate vulnerabilities and the deeper socio-economic inequalities that shape women's lived realities.

## 1.12. References:

### A. Books

- 1.Sen, Amartya, *Development as Freedom* (Oxford University Press, New Delhi, 1999).
- 2.Drèze, Jean and Sen, Amartya, *India: Development and Participation* (Oxford University Press, New Delhi, 2002).
- 3.Nussbaum, Martha C., *Women and Human Development: The Capabilities Approach* (Cambridge University Press, Cambridge, 2000).

### B. Articles

- 1.Khera, Reetika, "Cash Transfers and Social Protection: An Indian Perspective" (2014) 49C *Paid Work and Unpaid Care Work* (2017) 52(43) *Economic and Political Weekly* 40.

### C. Government Reports and Policy Documents

1. Ministry of Women and Child Development, Government of India, Pradhan Mantri Matru Vandana Yojana: Scheme Guidelines (2017).
2. Ministry of Finance, Government of India, Atal Pension Yojana: Operational Guidelines (2015).
3. Ministry of Finance, Government of India, Pradhan Mantri Suraksha Bima Yojana: Scheme Details (2015).
4. Ministry of Rural Development, Government of India, National Social Assistance Programme (NSAP) Guidelines.
5. NITI Aayog, Government of India, Strategy for New India @75 (2018).

### D. Legislation

1. The Constitution of India, 1950.
2. The Maternity Benefit Act, 1961 (as amended in 2017).
3. The Code on Social Security, 2020.

### E. Cases

1. Municipal Corporation of Delhi v Female Workers (Muster Roll) (2000) 3 SCC 224 (SC).
2. Olga Tellis v Bombay Municipal Corporation (1985) 3 SCC 545 (SC).
3. Bandhua Mukti Morcha v Union of India (1984) 3 SCC 161 (SC).

### F. International Instruments

1. Convention on the Elimination of All Forms of Discrimination against Women (adopted 18 December 1979, entered into force 3 September 1981).
2. International Labour Organization, Social Security (Minimum Standards) Convention, 1952 (No. 102).
3. International Labour Organization, Maternity Protection Convention, 2000 (No. 183).

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