

SEXUAL HARASSMENT AT WORK PLACE – A BARRIER TO GENDER EQUALITY

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ABSTRACT

Sexual harassment is a reprehensible crime committed against women which has a direct impact socially and psychologically. It has become a common occurrence on women around the globe and India is no exception. A survey reports that 56% women are victims of sexual harassment at the workplace and 53% women have been subject to sexual comments, gestures, jokes at the workplace⁹⁸⁹. In order to foster a stable and friendly work environment to encourage women, secure their social and economic empowerment and equitable growth, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013⁹⁹⁰ (hereinafter referred to as POSH Act) was drafted. The need for the Act was very much felt after the Vishaka judgment and it took 17 years after the judgment to enact and implement the POSH Act, 2013. *Vishaka vs State of Rajasthan*⁹⁹¹ dealt with such related aspects and the Apex Court defined Sexual Harassment as “including an uninvited or unwelcome sexual favour or sexual gestures from one gender towards the other gender”⁹⁹².

Harassment on women can be in various forms, especially at work place which is one importance factor contributing to gender inequalities. This paper concentrates on causes for harassment at work place, legal framework in India, barriers to women empowerment, need to achieve gender equality as a goal of sustainable development and appropriate measures to eliminate discrimination.

Key Words: Sexual Harassment, women empowerment, gender inequality, sustainable development goals, work place.

GRASP - EDUCATE - EVOLVE

⁹⁸⁹<https://economictimes.indiatimes.com/news/politics-and-nation/more-than-50-women-professionals-believe-sexual-harassment-at-the-workplace-has-increased-over-the-years-survey/articleshow/69855500.cms>, Published June 19, 2019

⁹⁹⁰Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

⁹⁹¹(1997) 7 S.C.C. 323

⁹⁹² *Vishaka vs. State of Rajasthan* (AIR 1997 SC 3011)

INTRODUCTION

The reputation of women has attained a significant change due to globalization as they have also joined the mainstream work force and become equal bread winners of their family. With this large influx of women, sexual harassment at work places has assumed great dimensions. Harassment is a form of discrimination which is opposed to the rights endorsed under Part III of the Constitution⁹⁹³. Sexual harassment, specifically at workplace makes women feel vulnerable, hostile, weak and dependent which hinders their contribution to the widespread competitive world. This hampers and retards their professional and social performance as well as economic advancement and causing them physical and mental trauma.

The issue of women empowerment is at the top of every country's agenda as it forms part of SDG 5 relating to gender equality. Gender Inequality is a disparity widely rampant in India although the Government is taking aggressive steps towards a solution. India is a developing country working towards sustainability. Because of such a large gender disparity, its progress can be hampered, so women need to achieve empowerment and gender equality.

Article 14 of the Constitution of India embodies gender equality as a fundamental right, but in our world, people have disproportionately different rights and chances even to decide their needs. Women have fewer economic prospects than men, have less access to basic and higher education, are more concerned about their health and safety, and are underrepresented in politics globally. In order to achieve gender equality and a number of other international development goals, women's rights must be maintained and opportunities offered to them to reach their full potential. Empowered women and girls benefit everyone by improving the health and

productivity of their families, communities, and countries. Women's empowerment is an important part in achieving gender equality. Enhancing a woman's sense of self, decision-making power, access to opportunities and resources, power and control over her own life both inside and outside the home, and the potential to effect change are all part of it. Gender issues, on the other hand, focus on the relationship between men and women in society rather than on women alone. The masculine gender's actions are crucial in achieving gender equality.

Gender equality in the workplace necessitates a "quantum leap" rather than cautious, incremental advances. Violence and harassment are unacceptable and have a negative influence on women's employment participation. It is still a depressingly common occurrence, regardless of country, status, or industry. Sexual harassment and other forms of gender-based violence are abhorrent and must be handled. Every country's agenda should include ratification and implementation of the Violence and Harassment Convention.

The position of women has faced a drastic change from the vedic period till date. We have been through period of civilization, medieval, modern and not the contemporary times. Though women are bestowed with human, fundamental and constitutional rights, the shocking reality is that they are not able to effectively manoeuvre them.

Sexual harassment is a type of gender discrimination which leads to inequality. Though there are many forms of harassment, the most common prevails in the work place. According to Comply Karo Services statement, there was 14% increase in cases of "sexual harassment" in the fiscal year 2019. A data based on BSE 100 companies divulge that a total of 823 cases reported in 2019 against 722 in 2018⁹⁹⁴. The increase in the number of cases also shows that there has been increment in the

⁹⁹³ The Constitution of India, 1950

⁹⁹⁴ <https://compliancetrack.in/index.php/2019/10/22/india-inc-reports-14-rise-in-sexual-harassment-complaints-in-fy19/>

awareness amongst women related to “sexual harassment” at workplace. Another aspect to be considered is that there has been progress in women’s representation in the companies which is at 33% currently⁹⁹⁵. According to the MWCD, 513 complaints have been registered through online complaining portal SHe-Box out of which 203 cases have been disposed (2019)⁹⁹⁶. A total number of 539, 570 and 965 complaints were registered in 2016, 2017 and 2018 respectively. According to a report by Martha Farrell Foundation, 33% of the domestic workers faces “sexual harassment” between June 4, 2018 to June 10, 2018 in the National Capital Region. The increased shift in number of complaints is also due to the #MeToo Movement⁹⁹⁷.

SEXUAL HARASSMENT

Sexual harassment is a serious manifestation of sex discrimination and a violation of human rights, which is addressed in the context of the ILO Discrimination (Employment and Occupation) Convention 1958 (No. 111)⁹⁹⁸. Every woman deserves to attain her full potential but certain inequalities hinder this reality. Inequality begins as early from birth and continues to education, employment and almost throughout life. Across India gender inequality results in unequal opportunities, and while it impacts on the lives of both genders, statistically it is girls that are the most disadvantaged⁹⁹⁹.

Sexual harassment contain the following key elements:

- quid pro quo - Any physical, verbal or non-verbal conduct of a sexual nature and other conduct based on sex affecting the dignity of

women and men, which is unwelcome, unreasonable, and offensive to the recipient; and a person’s rejection of, or submission to, such conduct is used explicitly or implicitly as a basis for a decision which affects that person’s job; or

- Hostile work environment - Conduct that creates an intimidating, hostile or humiliating working environment for the recipient.¹⁰⁰⁰

Unwanted sexual comments or advances, jokes, exhibiting photographs or posters objectifying women, physical contact, or sexual assault are all examples of sexual harassment. Sexual harassment can be perpetrated by a variety of people, including coworkers, superiors, subordinates, and even strangers.

Victims of Sexual Harassment:

Any female can be a victim of harassment, particularly sexual and that too at work place. Newspapers and magazines suggest that these assaults are more targeted on women, at any place and particularly due to power pressure in work place. Weak, vulnerable, marginalized, defenseless, disabled, transgender women face this problem in different manner. This is due to a combination of factors or circumstances that can increase the risk of violence and harassment.

Impact of harassment at work place:

The ILO Committee of Experts¹⁰⁰¹ observed that “sexual harassment undermines equality at work by calling into question the integrity, dignity and well-being of workers. It damages an enterprise by weakening the bases upon which work relationships are built and impairing productivity.” It costs governments and businesses a lot of money, especially towards rehabilitation, care, giving advice, adjudications and compensations from courts and others. For employers, these incidents affect their business or organization

⁹⁹⁵Rica Bhattacharyya, *India Inc reports 14% rise in sexual harassment complaints in FY19*, THE ECONOMIC TIMES (Sept. 25, 2019, 11:27AM), <https://economictimes.indiatimes.com/news/company/corporate-trends/india-inc-reports-14-rise-in-sexual-harassment-complaints-in-fy19/articleshow/71288712.cms?from=mdr>.

⁹⁹⁶SHe-Box, PRESS INFORMATION BUREAU, GOVERNMENT OF INDIA (Nov 29, 2019, 03:58PM), <https://pib.gov.in/PressReleaseDetailm.aspx?PRID=1594218>.

⁹⁹⁷ibid

⁹⁹⁸ https://www.ilo.org/wcmsp5/groups/public/---dgreports/gender/documents/briefingnote/wcms_738115.pdf

⁹⁹⁹ <https://www.unicef.org/india/what-we-do/gender-equality>

¹⁰⁰⁰ ibid

¹⁰⁰¹ https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---sro_new_delhi/documents/publication/wcms_630227.pdf

goodwill. On the other hand, for the victims, there are health and financial burden.¹⁰⁰²

Recently during 2019, a junior court assistant of the Apex Court made sex allegations against the former CJI Ranjan Gogoi through a written representation and sought for a probe. The Supreme Court took suo moto cognizance of the charges but the enquiry was cleared against Justice Gogoi holding no substance was found against him.

Sexual harassment is a worldwide problem that affects people from all walks of life, businesses, and professions. Victims of sexual harassment, on the other side, are often afraid to disclose it. Sexual harassment has become routine, and there is a lack of understanding of what constitutes sexual harassment, concern of retribution from colleagues, managers, family and friends, or the company, an absence of effective remedy or reporting mechanisms, and preconceptions that blame the victim rather than the perpetrator are all contributing factors. Other evidence issues exist, especially when sexual harassment occurs without witnesses, making it harder to prove through supporting evidence. Thus, it is apparent that sexual harassment at workplace is widespread but underrated.

CAUSES FOR SEXUAL HARASSMENT AT WORK PLACE

The reasons for incidents of harassment are various, including our society's culture and values system, as well as the relative authority and status of men and women. The way men and women are raised in India has a big influence on how they behave at work. Women often lack self-confidence as a result of their upbringing and being indoctrinated to suffer in quiet. Men, on the other hand, have been raised with macho beliefs, believing that women are nothing more than objects to be toyed with, and they easily carry these values into the workplace. Men are free to engage in sexual

harassment at work because of patriarchal views, but women are vulnerable. Because they lack power and work in insecure circumstances, women are more vulnerable to sexual harassment than men. Women usually accept their fate rather than speak out against sexual harassment because of their nervousness. They frequently leave in humiliation because they are unsure where to register a complaint or how their complaint will be handled.

This atrocity is sometimes viewed as a power game where the male commands sexual indulgence of a woman in return for a benefit or service from his side. The most well-known example of such a power game is the 'casting couch' where the cast actress has to sexually indulge with the casting director. Some are concerned about their career advancement as a result of women's empowerment. To cope with their emotions of insecurity, some males resort to harassing women at work. Men are occasionally irritated at work because they do not receive adequate recognition despite giving their best, yet women with minimal competence are picked to be a fair sex in an organisation. This can be annoying, and some men turn to sexual harassment as a way to cope. Not only are men to blame all of the time; some women believe that true women must have an attractive appearance. To play along, they consider sexuality as their sole source of power. Such a woman's attitude may occasionally inspire sexual advances from men at work, resulting in sexual harassment.

The key reasons that sexual harassment continues uninterrupted is that the firm refuses to accept sexual harassment accusations or disciplinary actions in order to maintain its reputation. Rather than sexual interest, sexual harassment is usually about maintaining existing power relationships. In the workplace, traditional gender norms and expectations of how men and women should behave are reinforced, and they play a crucial role in sexual harassment. Sexual harassment may be used as a form of punishment or deterrence when

¹⁰⁰² ibid

women are believed to be breaking these standards – for example, by working outside the home or pursuing a traditionally male-dominated occupation..

LEGAL FRAMEWORK

International Framework – UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW):

The UN General Assembly adopted the Convention on the Elimination of All Forms of Discrimination Against Women,¹⁰⁰³ 1979, and it is commonly mentioned as a worldwide bill of rights for women¹⁰⁰⁴. It defines “what constitutes discrimination against women and establishes a national aim for eradicating such prejudice”. The Convention describes discrimination against women as – “any distinction, exclusion or restriction made based on sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.” The Convention lays the groundwork for attaining gender equality by guaranteeing women’s equal access to and participation in political and public life, including the ability to vote and run for office, as well as health, education, and employment¹⁰⁰⁵. The parties to this Convention willingly take all necessary efforts to ensure that women have complete access to their humanitarian law, including legal and interim measures. The Convention is the only international human rights treaty that respects women’s reproductive rights as well as the importance of culture and tradition in establishing gender roles and family connections. It defends women’s rights to change or maintain their nationality, as well as the nationality of their children. Countries that

have ratified the Convention are legally obligated to implement its terms.

The International Labour Organization (ILO) adopted the Violence and Harassment Convention (No. 190)¹⁰⁰⁶ and its accompanying Recommendation (No. 206) at its Centenary Conference in June 2019¹⁰⁰⁷. Violence and intimidation at work will not be tolerated and must be eradicated, according to the international community. These groundbreaking tools were produced by community which constitute people from government, employer and work force and lay down a shared strategy for preventing and responding to workplace intimidations, based on an inclusive, integrated, and gender-responsive approach¹⁰⁰⁸.

Everyone has the right to a work place free from violence and harassments and assure equality. It covers all the organisations of both the governmental and private sectors as well as urban and rural locations. “A range of undesirable behaviours and practises, or threats thereof, whether one-time or repeated, that aim at, result in, or are likely to result in bodily, psychological, sexual, or economic harm, and includes gender-based violence and harassment,” according to the Convention. The definition of gender-based violence and harassment is “violence and harassment directed at persons because of their sex or gender, or disproportionately impacting persons of a certain sex or gender, and includes sexual harassment” (Article 1(1)).

National framework

In the historic ruling of *Vishaka v. State of Rajasthan*¹⁰⁰⁹ (“Vishaka Judgment”), the Supreme Court of India (“Supreme Court”) recognised workplace sexual harassment for the first time. The Supreme Court defined certain criteria and directed the Union of India

¹⁰⁰³<https://www.un.org/womenwatch/daw/cedaw/>

¹⁰⁰⁴ <https://www.un.org/womenwatch/daw/cedaw/>

¹⁰⁰⁵

<https://www.ohchr.org/sites/default/files/Documents/Events/WHRD/WomenRightsAreHR.pdf>

¹⁰⁰⁶<https://www.ilo.org/global/lang-en/index.htm>

¹⁰⁰⁷https://www.ilo.org/dyn/normlex/en/F?p=NORMLEXPUB:12100:0::N O::P12100_ILO_CODE:R206

¹⁰⁰⁸ https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_814507.pdf

¹⁰⁰⁹1997 6 SCC 241

to pass an adequate law to address workplace sexual harassment. 16 years after the Vishaka decision, the POSH Act and Rules were enacted¹⁰¹⁰. India finally had a definition of sexual harassment with the passage of Section 2(n) of POSH Act¹⁰¹¹. In the Vishaka verdict, the Judiciary upheld the basic concepts of justice and free-will as well as the concept that harassment to women at work place blatantly violates the fundamental rights of the Constitution. The passage of legislation against sexual harassment has prompted many women to speak up about the suffering they had endured in secret until 1997. The Vishaka Guidelines were used to create the historical POSH Act, 2013. The Vishaka Judgement exemplifies judicial activism in its purest form which was followed in few other countries.

Key elements of POSH Act

The extensive definition of the 'workplace' gives a very broad ambit thereby POSH Act applies to government bodies, public and private sector organizations, NGOs, organizations carrying on commercial, vocational, educational, entertainment, industrial and medical activities including Educational Institutions, Sports institutions and stadiums used for training individuals.

As per the Act, a workplace also covers within its extent places visited by employees during the course of employment or for reasons arising out of employment - including transportation provided by the employer for the purpose of commuting to and from the place of employment¹⁰¹².

The definition of 'employee' under this Act is fairly wide and covers all types of employees like regular, temporary, ad hoc employees, daily wage workers, contract labour, co-workers, probationers, trainees and apprentices, with or without the knowledge of

the principal employer, whether they are working for remuneration or not, working on a voluntary basis or otherwise, whether the terms of employment are express or implied.

The POSH Act requires an employer to constitute an Internal Complaints Committee (ICC) at each office or branch of an organization in which at least 10 or more employees were employed. It also sets out the structure of the committees, the process to be followed to lodge a complaint and inquire the complaint in a timely manner. It empowers the ICC to recommend interim measures to the employer at the request of the aggrieved employee such as

- i. Transferring of the aggrieved woman or the harasser to some other workplace or
- ii. Granting leave to the affected woman up to a period of 3 months in addition to her regular leave entitlement.

The Act mandates that the employer or the person designated in-charge of any workplace in which 10 or more persons are employed, to nominate an ICC for every branch of such workplace. Half of the total members of the ICC must be women and it must comprise

- (a) A woman Presiding Officer amongst the employees of the workplace and necessarily employed at a senior level
- (b) Not less than two members from the employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge
- (c) One member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment¹⁰¹³.

In addition to ensuring compliance with the other rules provided, the Sexual Harassment Act imposes certain responsibilities on the employer and others.

- provide a safe working environment

¹⁰¹⁰https://www.nishithdesai.com/fileadmin/user_upload/pdfs/Research%20Papers/Prevention_of_Sexual_Harassment_at_Workplace.pdf

¹⁰¹¹ The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013

¹⁰¹² Section 2(o) of POSH Act, 2013.

¹⁰¹³ Section 4 of the POSH Act, 2013

- display in conspicuous place of the workplace, the composition of the Internal Complaints Committee and the penalties for the person who indulging in acts that may constitute sexual harassment
- Conducting regular workshops and awareness programs to educate employees about the issues and implications of sexual harassment in the workplace and to conduct orientation programs for members of the Internal Complaints Committee.
- Consider sexual harassment as a misconduct under the Disciplinary or Service rules and initiate action for misconduct.
- The employer should oversee the timely submission of reports by the ICC

The government is in turn required to set up 'Local Complaints Committees' (LCC) at the district level to investigate complaints regarding sexual harassment from establishments where the ICC has not been constituted.

The law allows the employer to initiate action against the complainant in case of a 'false or malicious complaint'. This provision, although meant to protect the interest of the employer, is may likely prevent the reporting such incidents and filing complaints, which may in turn defeat the purpose for which the law was enacted.

On the other hand, inspite of all these legal efforts it remains an unpleasant fact that India is a dangerous country for women. All work environments must be safe, gender-neutral, and non-discriminatory. Individuals must be protected at their site of labour, rather than at their location of employment (streets, agricultural fields, residences that employ them, and so on). Increased budgetary resources are needed to raise awareness of the POSH Act among women. Barriers to the Act's successful implementation must be addressed immediately. The Women and Child

Development ministry has linked their online portal to all government ministries for redressal.

The Criminal Law (Amendment) Act 2013, which was enacted in response to the JS Verma Committee's recommendations¹⁰¹⁴, provided for amendments to the Indian Penal Code, 1860¹⁰¹⁵; Code of Criminal Procedure, 1973¹⁰¹⁶; Indian Evidence Act, 1872¹⁰¹⁷; and Protection of Children from Sexual Offences Act, 2012¹⁰¹⁸ to deal with sexual offenses-related laws¹⁰¹⁹.

Other initiatives

SHE-Box

A single-window e-box facility portal irrespective of the status of a women launched by the Ministry of Women and Child Development to encourage filing of complaints related to sexual harassment. The concerned official who has to initiate action on the complaint will be intimidated.

Me too

Tarana Burke, an activist, founded the #MeToo movement about 14 years ago. Her goal was to get the word out that the survivors have been given a hearing and acknowledged. The goal of this internet effort is to empower women, however that did not appear to be the case. Victimized women are frequently viewed as sympathetic figures. MeToo rose to prominence in 2017, Hollywood actress Alyssa Milano¹⁰²⁰ spoke up about Harvey Weinstein's sexual abuse. The fact that many posts on social media appear on a daily basis serves as a reminder of the Movement's vast impact and awareness.

"In United States, a survey was conducted before #MeToo in 2016 and after #MeToo in 2018 where it measured sexual harassment using three dimensions- gender harassment,

¹⁰¹⁴<https://prsindia.org/policy/report-summaries/justice-verma-committee-report-summary>

¹⁰¹⁵ Act 45 of 1860

¹⁰¹⁶ Act 2 of 1974

¹⁰¹⁷ Act 1 of 1872

¹⁰¹⁸ Act 32 of 2012

¹⁰¹⁹ https://lawgicain/home/blog_detail/96

¹⁰²⁰<https://www.nbcnews.com/news/us-news/year-ago-alyssa-milano-started-conversation-about-metoo-these-women-n920246>

unwanted sexual attention and sexual coercion. It found out that women reported lesser cases of sexual coercion and unwanted sexual attention. In 2016, there were 25% sexual coercion cases which had reduced to 16% in 2018. A decline was seen in cases of unwanted sexual attention from 66% to 25%. On the contrary, there was a huge hike in gender harassment. Such sharp incline may be a form of backlash being faced by women. A higher self-esteem and lower self-doubt were also an observed outcome in 2018.”

The #MeToo movement in India began in October 2018, when actress Tanushree Dutta accused Nana Patekar of sexual harassment while filming ‘Horn Ok Please’ in 2008¹⁰²¹. This paved way to a slew of anecdotes shared on social media by a diverse group of women from various professions. The #MeToo movement has engulfed several well-known actors, producers, and politicians, including Alok Nath, Sajid Khan, Vikas Bahl, M.J. Akbar¹⁰²², and former Chief Justice of India Ranjan Gogoi..

Many people have backed #MeToo, but there has also been a lot of backlash. One positive result of this move is that talking about and educating people about “sexual harassment” is no longer taboo. Seeing other victims come forward and share their tales has been encouraging and reassuring. It aids in the detection of cases that have gone undetected. Men have also begun to be more conscious of their attitude towards female coworkers and friends. The private organizations are obliged to allot budget to prepare their HR department and conduct seminars in this regard. They are also developing stronger SHW policies in the workplace. Men have realized that their behavior around females was poisonous and that they needed to change as a result of such training programs and workshops. This movement is thought to have done nothing to

help those from low-income families. It was a movement “led by, for, and by the privileged”.

Judiciary’s interpretation

In Apparel Export Promotion Council vs. AK Chopra,¹⁰²³ the Hon’ble Supreme Court for the first time upheld the validity of Vishala judgment and observed that “sexual harassment is gender discrimination against women” and that “any act or attempt of molestation by a superior will constitute sexual harassment.” The validity of few international conventions were also discussed and upheld. As stated in Rupan Deol Bajaj vs. Kanwar Pal Singh¹⁰²⁴, this case has changed the standards of modesty and privacy to the point where any harassment or interference into a woman’s private or public life will be considered a crime.

CONCLUDING REMARKS

“The progress of any society depends on its ability to protect and promote the rights of its women”¹⁰²⁵.

While there has been progress toward gender equality, there are still obstacles to overcome. Sexual harassment at work is a sensitive problem that requires the high degree of tolerance and endurance. As a result, such issues must be adjudicated at the earliest for a cordial, amicable and disciplined work environment. Workplace “sexual harassment” is a worldwide problem. It is deeply ingrained in Indian culture and must be removed in all forms. The government must ensure that both women and men have access to a safe environment. Because people spend about a third of their day at work, they need to know that their company will provide them with an environment free of sexual harassment. The IC committee must be constituted with four members – one female member who is occupying a senior position in the institution, 2 employees and one external member. It is recommended that out of the four members,

¹⁰²¹<https://timesofindia.indiatimes.com/entertainment/hindi/bollywood/news/tanushree-duttas-allegations-against-nana-patekar-all-you-need-to-know/photostory/66028931.cms>

¹⁰²²<https://www.pratidin.com/entertainment/alok-nath-sajid-khan-to-be-sent-show-cause-notice>

¹⁰²³<https://indiankanoon.org/doc/856194/>

¹⁰²⁴ 1996 AIR 309

¹⁰²⁵ <https://indianexpress.com/article/india/supreme-court-woman-has-right-of-residence-in-shared-household-of-in-laws-6747697/>

two shall be female. Not only should the government make modifications to the laws, but it should also keep track of how it is applied from the grass root level. Right and high time, the government has to take decisive action to reduce, if not eliminate, the number of issues relating to “sexual harassment” at work and give desired effect to “gender equality.” Although the POSH Act exists on paper, the goal of reducing sexual harassment and providing women with a redressal process for their complaints has not been fully realized. Women working in the unorganized sector have a possibility to realize their right to work in a safe environment if the approach to the issue is changed, domestic legislation is streamlined to meet international standards, and active efforts are made to publicize the legal provisions.

RECOMMENDATIONS AND SUGGESTIONS

1. The fundamental right of Right to education should be made a reality.
2. Setting up of a District level Women Commission with powers to impose fine and punishment for offences relating to gender inequalities.
3. Workshops can be conducted at the school level addressing students about gender equality so that they can treat each other with mutual respect. Inculcating this at school level strongly has a deep-rooted effect in the child’s mind.
4. Regular awareness meetings should be conducted in the work place discussing the code of conduct parameters fixed, workshops on harassments and discussions helps reduce harassment and inequalities.
5. Training to both men and women at work place on gender equality.
6. No protection by the Judiciary in any manner whatsoever to victim helps reduce sexual harassments on women. Fearing publicity and societal status, crimes may decrease.
7. Strictest possible punishment be given to the perpetrator.
8. Strict compliance of IC committee in all work places and huge penalties be imposed if not in conformity with the related provisions. Specific guidelines be issued to deal with such offences.
9. Awareness must be created among the unorganized informal sector about the Act so as to extend effective protection to them.
10. Amendments to the POSH Act, 2013 in conformity to ILO Convention on Violence and Harassment, 2019.
11. Mobilizing partnership that includes multi stakeholders is one component to achieve gender equality.