

Women, Wages & Workplace Harassment

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Abstract-'Orientation' is a socio-social term alluding socially characterized jobs and ways of behaving doled out to guys and females in a given society. Orientation Disparity, in straightforward words, might be characterized as oppression ladies in view of their sex. Ladies are customarily viewed as by the general public as more fragile sex. She has been concurred a subordinate situation to men. She is constantly taken advantage of, corrupted disregarded and separated both in our homes and in external world.

Accordingly, this examination paper investigates the issue of orientation separation in working environment, wage segregation and mindfulness connected with wrongdoing against ladies. The system embraced for the review was clear exploration plan. Information were gathered from 100 people through poll strategy in India. In the current review, statically devices like rate examination and chi-square test were utilized for the examination. This paper figures out various elements connected with work and day to day existence issue of ladies in current India. The procedure assisted with investigating information about factors which influences the ladies day to day existence.

Keywords- Gender, Inequality, Workplace harassment, Wage discrimination, Crime, India

INTRODUCTION

-“A society that is unable to respect, protect and nurture its women and children loses its moral moorings and runs adrift.”¹

-“A woman, a mother holds the highest position, highest regard in our country. Men often underestimate the female members of their family. Women are two steps ahead of men. We need to recognize their power.”²

Once women were worshipped as goddesses in India. Gradually their status deteriorated. Centuries of unfair treatment and domination over them resulted in the total loss of their separate identity and individuality.

Equal work and equal pay had allotted but the equality in real sense is still the moon for women. Many attempts have been made in India to increase women's socio-economic status (United Nations, 1997). Critics argue that income generation alone does not increase the economic equality of women in India (Devi, 1999; Dixon, 1982; Drèze & Sen, 2002; Medhi, 2000; A. K. Sen, 1999). Amartya Sen (1999) argued that economic discrimination is a much “broader concept” (p. 108) than economic status and a complex relationship exists between culture and economic status of poor women in India.

Although income generation is just one factor, the India Development Report (Parikh & Radhakrishna, 2002) stressed that economic growth is necessary to alleviate poverty. Socio-economic forces combine to greatly influence the development of poor women in India.

Given that culture permeates all aspects of life in India, a critical cultural and feminist perspective may enhance understanding of the complex nature of economic development.

While it is important to adjust the financial state of ladies however in recycled it is important to make mindfulness about regulations that are pertinent in India. Sexual

Provocation at work environment of ladies is a worldwide peculiarity common both in created as well as in non-industrial nations. Cutting across religion, culture, race, rank, class and geological limits it has spread like infection in the general public. . In India, a lady is physically hassled each 12 minutes.³ Because of industrialisation, globalization, improvement in different fields, job of ladies is changing quickly in India. Today, ladies in India are showing progress in practically every one of the fields like training, financial aspects, legislative issues, media,

¹ The Hindu [New Delhi] 15 Sept. 12.

² Narendra Modi (Prime Minister of India).

³ D.K. Srivastava (2010) “Progress of Sexual Harassment Law in India, China and Hong Kong: Prognosis for Further Reform”, 51 HILJ 172

workmanship, space and culture, administration areas, science and innovation, and so on. As the job of ladies has moved from family work to business world, offenses against ladies are likewise expanded step by step. In spite of rising frequencies of lewd behavior, their revealing is nearly nothing as ladies dread loss of individual and expert standing and job inferable from the social shame.

Generally Work environment Provocation against ladies has begun when the "Me Too development" has come into conversation. Many enormous countenances in Hollywood and Bollywood turned into the guilty party for bugging ladies in working environment.

Lewd behavior of Ladies At Work environment The global instruments characterizes Inappropriate behavior as "brutality against ladies and biased treatment which is an expansive definition contrasted with the public regulations. Public regulations center around the unlawful direct more.

Overall sense it is known as "unwanted sexual blessing and other verbal or actual lead of a sexual sort that will in general establish an unfriendly or hostile workplace

The Supreme Court of India defined Sexual Harassment as any unwelcome sexually determined behaviour (whether directly or by implication) such as;⁴

1. Physical contact and advances,
2. A demand or request for sexual favors,
3. Sexually colored remarks,
4. Showing pornography,
5. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

A key part of the definition is the use of the word unwelcome. Such unwelcome or uninvited conduct/act is totally prohibited. Sexual or romantic interaction between consenting people at work may be offensive to observers or may also lead to the violation of the workplace's policy, but it is not sexual harassment.

Gender wage discrimination- The gender pay gap or gender wage gap is the average difference between the remuneration for men and women who are working.

Women are generally found to be paid less than men.

According to the estimates of the World Inequality Report 2022, in India, men earn 82 per cent of the labour income whereas women earn 18 per cent of it. India has slipped to the 135th position globally (among 146 countries) as per a gender parity ranking put out by the World Economic Forum (WEF). This means, it is only 11 ranks above Taliban-ruled Afghanistan, where women are prohibited from attending schools. Other neighbours of India — Nepal, Bangladesh, Myanmar, Bhutan, China and Sri Lanka have much better ranks.

This is especially worrisome because six years ago, in 2016, India ranked the 87th in the world. According to WEF, the South Asian region that includes India could take around 200 years to actually close the gender gap.

OBJECTIVES OF THE STUDY

The literature hence establishes a gap and a need for research work-life balance amongst women of the society working in different segments of society, which leads to the below objectives.

- To study the factors that affect workplace harassment and to take suggestive measures from men and women.
- To determine awareness about the Government's programs and legal framework for the prevention of workplace harassment and wage discrimination from men and women.

LITERATURE REVIEW

Women are discriminated against since the beginning of time. Women have come a long way and every single time they proved their mettle. But discrimination against them still exists even in the most progressive societies. Discrimination against them is deeply rooted in societies and people have grown accustomed to it this acceptance makes change an even more challenging task. Despite so many legal protections, discrimination against women in the workplace still persists in India. *According to a recent policy by Opportunity Now, 1/5th of the total women surveyed said that their careers stalled due to discrimination in work where their managers failed to give them promotion and training opportunities.*

⁴ Vishaka & Ors vs State Of Rajasthan & Ors on 13

August, 1997

There are a number of theories, Studies, and laws that have been framed for Gender discrimination and workplace discrimination against women. Wayne (1995) says that no law has ever attempted to define precisely the term 'discrimination', in the context of the workforce, it can be defined as the giving of an unfair advantage (or disadvantage) to the members of a particular group in comparison to the members of another group.

Vibhuti Patel (2002) discussed that workplace discrimination and harassment have remained one of the central problems of the women's movement in India since the early 80s.

Ramakrishnan (2008) in his study, states that every day in some parts of our world, women are mistreated. They are being raped and sexually harassed. The most basic human right which is the "*Right not to be violated*" is violated many times when crimes are committed against women.

C.P. Chandra Shekhar & J. Ghosh (2007) studied the changing pattern of women's pay at workplaces in Urban India. They conducted an analysis of female employment in Urban India and found that there has been a sharp decrease in women's employment in urban areas. They observed a decline in casual employment of urban women and an increase in self-employment. They also stated a disturbing fact of increasing women's employment as domestic servants across India.

B.Unnikrishnam, T.Rekha, Ganesh Kumar, B.Rashmi, P.Mithra & B.Sanjeev (2010): Their study depicts the demographic data of the respondents and the harassment faced by them in their respective workplaces. It was well observed that the younger lot faced more harassment as compared to the older one. They found that sales girls, followed by nurses faced more harassment as compared to school teachers and bank employers. They also found that respondents with less or no experience faced more harassment at workplaces as compared to experienced employees.

Tushar Agrwal(2013) In this paper, he examines wage discrimination separately for gender as well as for social groups in both the rural and urban sectors. The labor market conditions in India differ very much across the two sectors. For example, in rural India, a large workforce is engaged in agricultural and allied activities. A separate examination of the rural and urban sectors may help identify some of the critical factors relating to gender and castes and may provide

inputs to rural and urban development policies. The analysis in the paper is based on a nationally representative dataset, namely, India Human Development Survey (IHDS) 2005.

Pereira & Rodrigues (2014): Study states that the law relating to workplace discrimination in India is facing infancy and is prone to many flaws and loopholes. She suggests that extensive research and debating are required to fill the loopholes in current laws. There is a need to implement new strict laws. Fast-track courts must be set up in order to avoid further harassment of individuals at workplaces.

Shalmoli Bhattacharya (2015) studied the evolution of laws and various acts of discrimination and harassment of women in the workplace. She suggested that in order to act wisely, companies must first understand the whole issue of sexual harassment and should invest considerable time and investment towards this important issue.

Sree Krishna Bharadwaj H (2015) stated that women have been discriminated against in India from time to time and the main reason behind this is the existence of anti-discrimination laws only in the books and not in practice. The government has failed tremendously in the implementation of legislation which is very necessary to remove discrimination from society and workplaces. He suggested that proper implementation of the laws in an actual sense is very much necessary to remove discrimination in society.

Krupa R. Trivedi (2015) studied gender discrimination in the workplace. According to her workplace discrimination is a common and constant problem everywhere in our country. The Constitution of India does talk about discrimination but it is very limited in scope and extends only to state and public institutions. She suggests that a proper framework with constructive planning is very essential at this point in time to make women free from workplace discrimination. According to her, Human Resource Department and personnel selecting the employees must be proactive in their approach and must prevent gender equality. Anti-discrimination cells must be created in the organizations so that cases of discrimination can be reported immediately and anonymously. She also believes that the syllabus at the primary school level should include success stories of strong women like Kalpana Chawla, Kiran Bedi, etc so that students can get inspired and respect every gender from a young age.

Bhagwati Prasad Chaudhary (2016) studied violence against women and sexual harassment in workplaces. She says that organizational culture plays a vital role to prevent sexual harassment and other forms of discrimination in the workplace. She suggested that top-level management must take proper initiatives to have a better environment at the workplace. This can be done by the collective efforts of all the employees and members at the workplace.

According to the Monster Salary Index (MSI) published in March 2019, women in the country earn 19% less than men. The survey revealed that the median gross hourly salary for men in India in 2018 was ₹242.49, while ₹196.3 for women, meaning men earned ₹46.19 more than women

RESEARCH PROBLEM

The status of women in India can be analyzed by identifying underlying themes that affect their socioeconomic development. Discrimination starts from the home of the women and it drives in every environment, it is well known that women are the most suffered kind of gender now. Domestic violence and harassment are just some examples of it. But as the future lives in the youth, so this paper will analyze the observation and thinking of the future of gender discrimination.

METHODOLOGY

This research is based on different articles, papers, and laws. After that, it is based on a survey method that will contain questions regarding workplace harassment and gender wage gap in society. These questions are asked to the 16 to 35 age group. The response of the participants varied but lead to a formal study with above objectives to investigate the issue at a greater length. A schedule consisting demographic data related to the respondents such as age, gender, nature of family, work experience, qualification, as well questions using multiple choice questions to understand the importance of various factors impacting workplace harassment and wage discrimination & awareness related questions.

This research is based on the Primary research method. That includes a set of questionnaires that helped in collecting data from approximately 100 people within the age group of 16 to 60 years old. The targeted audience includes both genders & also includes working and non- working-class people. Questions are related to gender discrimination at the

workplace, Workplace sexual harassment, wage discrimination & legal awareness-related questions.

Beside above, some websites providing information on this topic have been used in the research, Also the internet and web based resources and legal databases have been used in the research. It is hereby assured that no part of this project has been plagiarized in any form or from any source.

ANALYSIS OF RESEARCH

COMPARATIVE ASPECT-

Workplace harassment and gender equality are important issues that affect individuals across different countries. While it is challenging to provide a comprehensive analysis, I can highlight some comparative aspects of workplace harassment and gender equality in India, the United States, and the United Kingdom.

India:

1. Workplace Harassment: Workplace harassment remains a significant concern in India. Instances of sexual harassment, gender-based discrimination, and unequal treatment are reported in various industries. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act was enacted in 2013 to address these issues, but implementation and enforcement vary.

2. Gender Equality: Gender inequality persists in India, including disparities in wages, employment opportunities, and career advancement. While efforts have been made to promote gender equality through legislation and initiatives like the Beti Bachao, Beti Padhao (Save the Daughter, Educate the Daughter) campaign, there is still a long way to go.

United States:

1. Workplace Harassment: Workplace harassment is a significant concern in the United States. It encompasses various forms such as sexual harassment, discrimination, and hostile work environments. Laws such as Title VII of the Civil Rights Act of 1964 and the Equal Employment Opportunity Commission (EEOC) enforce protections against workplace harassment.

2. Gender Equality: The United States has made progress in promoting gender equality. Laws like the

Equal Pay Act of 1963 and the Lilly Ledbetter Fair Pay Act of 2009 address wage disparities. However, challenges remain, including gender gaps in leadership positions and underrepresentation in certain industries.

United Kingdom:

1. Workplace Harassment: Workplace harassment is a significant issue in the United Kingdom. Sexual harassment, discrimination, and bullying are reported in various sectors. The Equality Act 2010 provides protection against workplace harassment, and organizations are expected to have policies in place to prevent and address such incidents.

2. Gender Equality: The United Kingdom has taken steps to promote gender equality. Legislation like the Equality Act 2010 prohibits gender discrimination and aims to close gender gaps. Initiatives such as gender pay gap reporting have shed light on disparities, but achieving full gender equality remains a work in progress.

CONSTITUTIONAL ASPECTS-

Constitutional aspects play a vital role in shaping workplace harassment, gender equality, and wage discrimination policies in different countries. Here is a comparative overview of the constitutional aspects related to these issues in India, the United States, and the United Kingdom:

India:

1. Workplace Harassment: In India, the Constitution does not explicitly address workplace harassment. However, the fundamental rights enshrined in the Constitution, such as the right to equality (Article 14) and the right to life and personal liberty (Article 21), form the basis for addressing workplace harassment issues. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act of 2013 was enacted to provide legal protection and mechanisms for redressal.

2. Gender Equality: The Constitution of India guarantees gender equality through various provisions, including Article 14 (right to equality), Article 15 (prohibition of discrimination on grounds of sex), and Article 16 (equal opportunities in public employment). The Constitution empowers the

government to make special provisions for the advancement of women (Article 15(3)), and various laws and initiatives have been introduced to promote gender equality.

United States:

1. Workplace Harassment: The Constitution of the United States does not explicitly address workplace harassment. However, Title VII of the Civil Rights Act of 1964, which prohibits workplace discrimination on the basis of sex, race, color, national origin, and religion, provides a legal framework to address workplace harassment. The First Amendment protects individuals' freedom of speech but does not protect speech that constitutes harassment.

2. Gender Equality: The Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution provides the basis for gender equality. The Supreme Court has interpreted this clause to prohibit gender-based discrimination. Additionally, the Equal Pay Act of 1963 and other legislation have been enacted to address wage discrimination.

United Kingdom:

1. Workplace Harassment: The Constitution of the United Kingdom is not codified in a single document. However, various laws, including the Equality Act 2010, address workplace harassment. The Act prohibits harassment on the basis of protected characteristics, including sex. The Human Rights Act 1998, which incorporates the European Convention on Human Rights, also plays a role in protecting individuals from workplace harassment.

2. Gender Equality: The principle of equality is enshrined in the United Kingdom's constitutional framework. The Equality Act 2010, along with the European Convention on Human Rights, ensures protection against gender discrimination. The Act addresses wage discrimination and promotes gender equality in various aspects of life, including employment.

WAGE DISCRIMINATION AND INDIAN CONSTITUTION-

In India, the Constitution provides a framework for addressing wage discrimination and promoting equal pay for equal work. The relevant constitutional

provisions include:

1. Article 14 (Right to Equality): Article 14 of the Constitution of India guarantees the right to equality before the law. It prohibits discrimination based on various grounds, including sex. This constitutional provision forms the basis for challenging wage discrimination and seeking equal pay for equal work.

2. Article 15 (Prohibition of Discrimination): Article 15 prohibits discrimination on grounds of sex, among other factors. It empowers the state to make special provisions for women and other disadvantaged groups. This provision supports initiatives aimed at addressing wage disparities and promoting gender equality in the workforce.

3. Article 39 (Equal Pay for Equal Work): Article 39 of the Directive Principles of State Policy states that the State shall, in particular, direct its policy towards securing equal pay for equal work for both men and women. Although the Directive Principles are not enforceable by courts, they provide guidance to the

government in formulating laws and policies. This constitutional principle reinforces the commitment to address wage discrimination.

Based on these constitutional provisions, the Indian government has taken steps to address wage discrimination and promote gender equality. *The Equal Remuneration Act, 1976* is one such legislation enacted to ensure equal pay for equal work, irrespective of gender. The Act prohibits discrimination in payment of wages based on gender and requires employers to pay equal remuneration to men and women for the same or similar work.

However, it's important to note that despite constitutional provisions and legal frameworks, wage discrimination persists in India. Factors such as social norms, cultural biases, and gaps in implementation and enforcement contribute to this issue. Efforts are ongoing to bridge the wage gap and achieve greater gender equality in the Indian workforce.

ANALYSIS OF COLLECTED DATA

Description	Categories	Percentage (out of 100)
Age	Less than 18	7 %
	18-30	79 %
	30-60	14 %
Gender	Male	57.4 %
	Female	42.6 %
Nature of family	Patriarchal	56.4 %
	Matriarchal	5.9 %
	others	37.7 %
Work life problem to a women related-		
Aware any kind of violence against women?	Domestic	58.4%
	Psychological	59.4%
	Economical	48.5%
	Physical	38.6%
	Sexual	33.7%
Aware any kind of sexual harassment?	Rape	30%
	trafficking	12%
	Stalking	84.3%
	Voyeurism	16%
	Superiority/ sexual favour	5%
	Groping in crowded places	2%
	Assault	2%
	unwelcome sexually	61%

	determined behavior by someone	
	a demand or request for	25%
Aware or seen any kind of Workplace harassment?	sexual favour to a woman	
	sexually colored remarks to a women	42%
	Shown pornography, or any other unwelcome physical verbal, or non-verbal conduct of sexual nature to a women	15%
	Haven't witnessed or seen	8%
Wage discrimination related factors		
Factors behind wage discrimination	Gender discrimination as a whole.	67%
	Differences in industries or jobs worked in comparison to men	48%
	Differences in years of experience in comparison to men	25%
	Differences in years of experience in comparison to men.	32%
	Poverty, hunger, etc.	10%

Laws awareness related questions		
Harassment done by only one gender	It's done by men only	2%
	Done by both the genders	80%
	Don't have idea	18%
Workplace Harassment is an area centric problem?	Yes	65%
	No	35%
Indian legal system is well functioning	Yes	13%
	No, its need to improve	80%
Factors why laws cannot seem to be implemented rightly	silence of the women is one of the factors	84%
	corruption in the system	71%
	less awareness regarding laws	79%
	poverty and caste system do vary	46%
	women are not superior in nature	17%
	women are dominated by men whether they are working or not	43%
	respect in society will abolish	36%

Factors behind women managers extra is she is working	Harassment at work	43%
	Harassment at work	47%
	Sexual abuse	36%
	Harassment at home	43%
	Mental stress	71%
	Society's patriarchal nature	40%
	Thinking that Women are less superior to men	25%
	Less education	25%
	Due to poverty of the house	40%

FINDINGS

Personal life and family related factors-

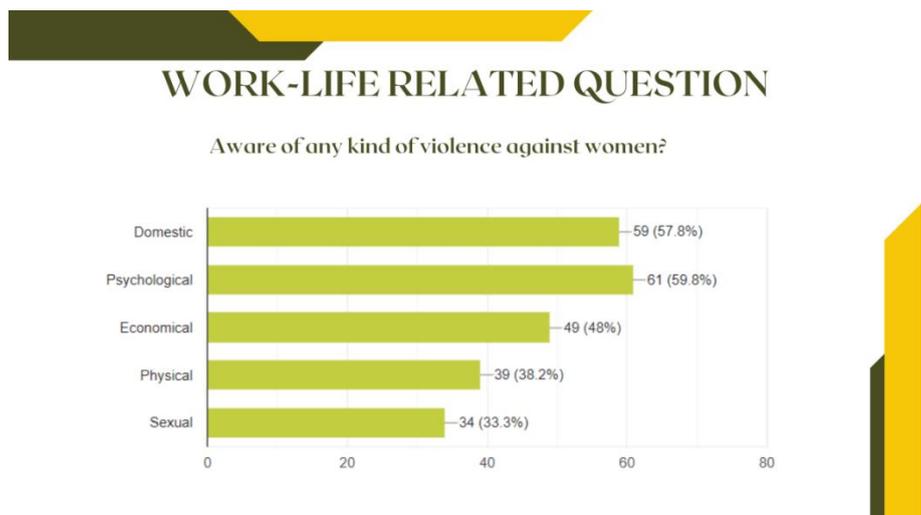
Personal life and family related factors were header and held great importance in the findings. Almost 57 % were male and 43% were female has participated in questionnaire. Among them 56% belongs to Patriarchal family and 6 % were only matriarchal family, Remaining belongs to egalitarian family. In 100 people of survey almost 55% were full time employed & 83 % of people's either mother or sister or friend is working, remaining at least have experience of working class.

Work life related problem-

Working environment plays vital role in mental and

physical conditions of women. In our survey at least 67% thinks that working class women faces problem in society. With this, 59% have seen or heard domestic violence, 61 % psychological, 48% Economical, 40% physical and even 34% agreed that they have seen or heard sexual harassment against women. But more than 70% women denied that they have been harassed in workplace whereas 10% said Yes and remaining dined to answer. More than 58% respondents either have been or seen or heard "unwelcome sexually determined behaviour by someone (whether directly or by implication) like physical contact and advances including cyber bullying to a

women)", 25 % were agrees with demand for sexual relations in working conditions. However 80% agrees that harassment in working place can be done by both genders it can be women or men & 60 % denied that harassment is an area centric problem.



Wage discrimination related factors-

Wage discrimination against gender is the most

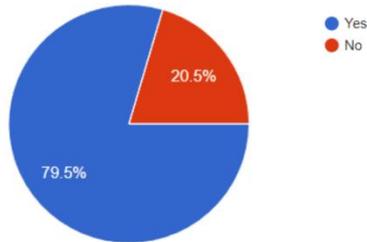
discussed and prior topic. Thus we tried to identify few factors behind wage discrimination and got that Gender discrimination as a whole claimed by 65%

respondents, Differences in industries or jobs worked & differences in years of experience as compare to men were voted by 48% and 26 %, respectively.

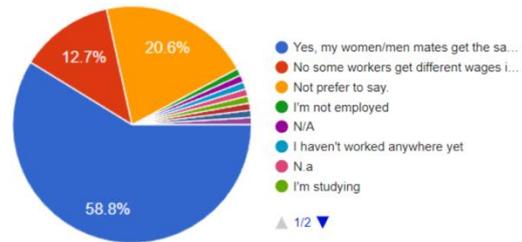
Similarly, differences in hours worked and poverty and hunger was voted 32% and 10%, respectively.

WAGE DISCRIMINATION-RELATED FACTORS

Do you think India's female workers faces wage discrimination?



Does your workplace support equal wage opportunity



Other factors regarding awareness and thought process-

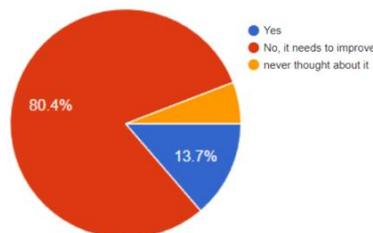
Indian laws always safeguarded the dignity and equality of women but the main factor behind that is most of the people are not aware about the basic laws. But we got the result as opposite, 83% of people know about the Voyeurism and stalking are punishable under Indian Penal Code 1860 but due to other factors

like reporting crime may cause disrespect in between their circle.

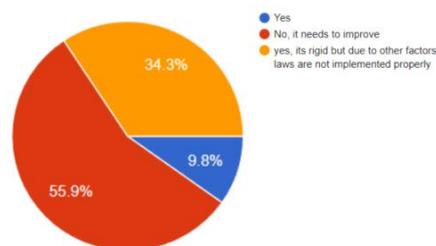
Women if working have to manage home and work at a same time; it's a fundamental rule in our society and 75% respondents agreed to the point. They agreed that women have to face Harassment at work, wage discrimination; sexual abuse with these, Also she suffers mental stress, harassment at home and less independency in her own etc.

LAW AWARENESS -RELATED FACTORS

Do you think the Indian legal system is well functioning regarding crime against women?



Do you think Indian laws for crime against women are rigid?



RESULT ANALYSIS

In hypothesis 1 we predicted that “Working class women does not face more problems in society” or “Yes, they do” and calculated through the chi-square

test. The result showed that there was significant difference in comparison- (P- Value < Chi- square 3.841 < 12.69) Hence it is clear that working class women does face more problem in society and rejected null hypothesis.

Ho: Working class women does not face problem in society. Ha: Working class women face problem in society.

In hypothesis 2 we predicted that “Indian female workers do not face wage discrimination” or “Yes, they do” and calculated through the chi-square test. The result showed that there was significant difference in comparison- (P- Value < Chi- square 3.841 < 28.4) Hence Indian female workers do face wage discrimination and rejected null hypothesis.

Ho : Indian female workers does not face wage discrimination. Ha : Indian female workers face wage discrimination.

In hypothesis 3 we predicted that “Indian legal system is well functioning regarding crime against women.” or “Yes, they do” and calculated through the chi-square test. The result showed that there was significant difference in comparison- (P- Value < Chi- square 3.841 <

36) Hence it is clear that Indian legal system is well functioning regarding crime against women and rejected null hypothesis

Ho : Indian legal system is well functioning regarding crime against women.

Ha : Indian legal system is not well functioning regarding crime against women.

In hypothesis 4 we predicted that “Women manage both home and work.” or “Yes, they don’t” and calculated through the chi-square test. The result showed that there was significant difference in comparison- (P- Value < Chi- square 3.841 < 22.4) Hence it is clear that and rejected null hypothesis

Ho : Women manage both home and work.

Ha : Women do not manage both home and work.

Apart from these it is also found that most respondents think that men upbringing and education is the main factor of Harassment or wage discrimination. Also women reproductive health decisions affect the job of the women.

CONCLUSION

In this patriarchal society women cannot be equal to men, even women does not need to be equal because women does not need equality they just need the equal treatment as a women. Dignity of women is the most important factor that needs to be maintained. Dignity comes from the mentally relaxed environment and

with proper wage distribution. Balancing work along with family commitments is not an easy task. 37% respondents thinks women does not enjoy the right to choose on choosing a job, on the right to be a mother 43%, on the choice of marriage 61%, on the choice of education 37% & not even in the right of abortion.

SUGGESTIONS

Through questionnaire we sorted few suggestions where respondents written about prevention of workplace harassment like- Establish a clear cut zero tolerance, anti-harassment policy. Institute training and awareness programs for your employees; ensure everyone understands the process for reporting a complaint. Teaching self-defence, confidence and self-value from a young age etc. were few suggestions related to workplace harassment.

With all these proper planning of the city is necessary: Every city should be planned in a very specific manner. Awareness and better implementation of laws should be better for if we want to prevent the wage discrimination.

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