

A Study on Sexual Harassment of Women at Workplace: Special Reference India

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Abstract—A million of Indian women are entering the country’s workplace today. Many working women face sexual harassment at the workplace on a daily basis. It is crucial therefore that as a country, we strive to eliminate workplace sexual harassment since women have the right to work in safe and secure environment. The government of India is committed to promote gender equality and women’s empowerment across every sector. Sexual harassment results in violation of the fundamental rights of a woman to equality as per article 14,15 and her right to live with dignity as mentioned under article 21 of the constitution, the government of India enacted the sexual harassment of women at workplace act 2013. The act is an extension of the Vishakha Guidelines issued by the Supreme Court in 1997. Today all workplaces in India are mandated by law to provide a safe and secure working environment free from sexual harassment for all women.

Index Terms—Sexual Harassment, Empowerment, Equality, Prevention, Constitution, Prohibition, Redress.

I. INTRODUCTION

A safe workplace is therefore a women legal right. Indeed, the constitutional doctrine of equality and personal liberty is contained in articles 14,15 and 21

of the Indian constitution. These articles ensure a person right to equal protection under the law, to live a free from discrimination on any ground and to protection of life and person liberty. This is reinforced by the United Nation Convention on the Elimination of all forms of discrimination against women (CEDAW), which was adopted by the UN General Assembly in 1979 and which is ratified by India. While the official figures for women’s work participation are low, much of the work that women do is not captured in official data accounts. The captured women’s overall work participation would be 86.2 percent while the official data shows that women’s work participation rate is around 25.3 percent in rural areas and 14.7 percent in the urban areas. Estimates indicate that there is a huge workforce of women, there is a need to secure their workplace and entitlements. That 93 percent of women workers are employed in the informal sector; they remain unprotected by laws.

What is workplace?

A workplace is defined as “any place visited by the employee arising out of or during the course of employment, including transport action provided by the employer for undertaking such a journey.”



Definition Of Sexual Harassment: -

Sexual Harassment includes anyone or more of the unwelcome acts of behavior namely:

1. Physical contact or advances.
2. A demand or request for sexual favors.
3. Making sexually colored remarks.
4. Any other unwelcome physical, verbal, or non-verbal conduct of a sexual nature.

Examples of behavior that constitute sexual harassment at the workplace: -

1. Making sexually suggestive remark of innuendos.
2. Serious or repeated offensive remarks, such as teasing related to persons body or appearance.
3. Offensive comments or jokes.
4. Inappropriate questions, suggestions, or remarks about a person's sex life.
5. Intimidation, threats, blackmail around sexual favors.
6. Physical contact such as touching or pinching.
7. Stalking an individual.

Forms of Workplace Sexual Harassment:

1. Quid Pro Quo (this for that):
 - a) Implied or explicit promise of preferential treatment in employment.
 - b) Implied or express threat about her present or future employment status.
2. Hostile Work Environment:
 - a) Creating a hostile, intimidating or an offensive work environment.

b) Humiliating treatment likely to affect the health or safety.

Rights of the Complainant:

- 1) An empathetic attitude from the complaints committee so that she can state her grievance in a fearless environment.
- 2) A copy of the statement along with all the evidence and a list of witnesses submitted by the respondent.
- 3) Keeping her identity confidential throughout the process.
- 4) Support in lodging FIR in case chooses to lodge criminal proceeding.

Rights of the Respondent:

- 1) A patient hearing to present his case in a non-biased manner.
- 2) A copy of the statement along with all the evidence and a list of witnesses submitted by the complainant.

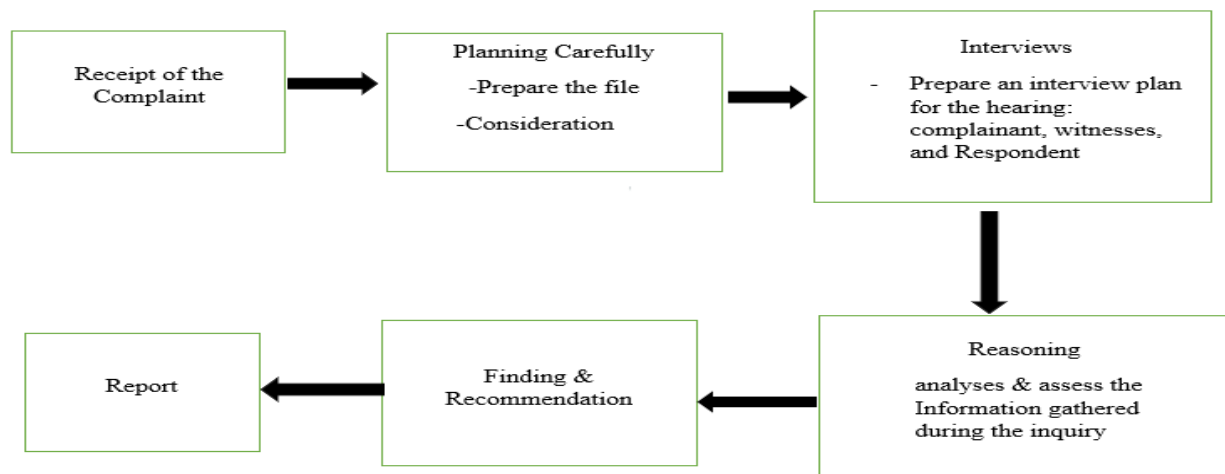
Dos for complaints committee:

1. Create an enabling meeting environment.
2. Use body language that communicates complete attention to the parties.
3. Treat the complainant with respect.
4. Discard pre-determined ideas.
5. Determine the harm.

Don'ts for Complaints Committee:

1. Get aggressive.
2. Insist on a graphic description of the sexual harassment.
3. Interrupt.
4. Discuss the complaint in the presence of the complainant or the respondent.

II. COMPLAINT PROCESS



Timelines as per the act:

| | |
|--------------------------------------|---|
| 1. Submission of Complaint | within 3 months of the last incident. |
| 2. Notice to the Respondent | within 7 days of receiving copy of the complaint. |
| 3. Completion of Inquiry | within 90 days. |
| 4. Submission of Report by | within 10 days of completion of the inquiry. |
| 5. Implementation of Recommendations | within 60 days. |
| 6. Appeal | within 90 days of the Recommendations. |

Reasons for sexual harassment at workplace:

1. Power Imbalance due to male domination
2. Gender Inequality and Stereotypes
3. Lack of awareness and Education
4. Perceived Impunity by persons in Authority
5. Lack of Accountability

Harassment of women at workplace in India:

Workplace harassment against women in India remains a significant issue with over 400 cases reported annually, through underreporting is high (less than 4 percent report), with over 46 percent of women experiencing it according to surveys. IT sector & banking sector a rise in complaints shows the current data. due to better awareness, but resolution rates are lagging with some reports citing a 67 percent increase in unresolved cases in NSE-listed firm. NCRB (National Crime Records Bureau) Report more than 400 cases annually from 2018-2022, with 419 reported in 2022. A national women commission survey found over 46 percent of women experienced workplace sexual harassment in India only 3.54% report to authorities and 1.4% to police. In 2025, it is anticipated that India will experience approximately 378 instances of workplace sexual harassment across its 28 state 8 union territories.

| State Name | Estimated cases (2025) |
|--------------------|------------------------|
| 1.Himachal Pradesh | 105 |
| 2.Kerala | 91 |
| 3.Maharashtra | 50 |
| 4.Karnataka | 47 |
| 5.Utter Pradesh | 30 |

| | |
|-----------------------|----|
| 6. Delhi | 25 |
| 7.Madhyapradesh | 15 |
| 8.Bihar | 12 |
| 9.Rajasthan | 12 |
| 10.Telangana | 12 |
| 11.Gujarat | 10 |
| 12.Tamilnadu | 10 |
| 13.Hariyana | 9 |
| 14.Odisa | 8 |
| 15.Andhrapradesh | 8 |
| 16.Jharkhand | 7 |
| 17.Punjab | 6 |
| 18. Chhattisgarh | 6 |
| 19. Assam | 5 |
| 20. Uttarakhand | 5 |
| 21. Chandigarh | 4 |
| 22. Jammu & Kashmir | 3 |
| 23. West Bengal | 2 |
| 24. Puducherry | 1 |
| 25. Goa | 1 |
| 26. Manipur | 1 |
| 27. Meghalaya | 1 |
| 28 Arunachal Pradesh | 0 |
| 29. Ladakh | 0 |
| 30. Sikkim | 0 |
| 31. Mizoram | 0 |
| 32. Nagaland | 0 |
| 33. Lakshadweep | 0 |
| 34. Andaman & Nicobar | 0 |

Representing in Maharashtra 50 cases means 13.23 % of the total cases, Maharashtra statistics are concentrated in urban centers such as Mumbai & Pune. Times of India report 2024 emphasizes the states flourishing corporate & entertainment sectors where women encounter harassment from both challenges & clients.

III. CONCLUSION

Sexual Harassment of women at workplace increase in day by day in India. Even though we have entered in the 21 century, Indian women are still not safe on workplace the main reason for exploitation of women at workplace lack of awareness about the sexual harassment of women at workplace act 2013, education, fear of being humiliated in society, Gender

Inequality, A male centered Society, Lack of daring etc. lot of things related to the exploitation. Most important suggestion is awareness about the sexual harassment of women at workplace act 2013, conduct the workshop, seminars for women about sexual harassment. aware and uses of the She-Box portal ministry of women & child development Government of Indians ensuring a safe. Today we seen women's working shoulder to shoulder with men, so safe women can be building a bright India. If women are safe our India will be safe.

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