

Analysis of Impact of Sexual Harassment of Women at Workplace with Reference to Vishakha v/s State of Rajasthan and Others. (AIR 1997 Supreme Court 3011)

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Abstract: *This paper discusses the sexual harassment issue against ladies and the laws that Indian Government passed like Sexual Harassment Against Women in Workplace (Prevention, Prohibition and Redressal) Act, 2013. Barely a person feel that the Sexual Harassment of Women at IT workplace (Prevention, Prohibition and Redressal) Act,2013 is been so vital and powerful to the working ladies and the working environment especially in IT sector, finding a way or solution for punishing such kind of offenses. The objective of this paper is to learn about the sexual harassment against ladies in India and to find the significant reasons of harassment against ladies in workplaces. To break down the adequacy of Sexual Harassment of Women at IT workplace(Prevention, Prohibition and Redressed) Act,2013 in controlling the sexual harassment in working environment in India. This demonstration originated from the Vishaka rules. This Research is done by doctrinal type, and utilized secondary sources that are essential and vital for data analysis. The secondary sources are collected from on the Internet, articles, other research journals, books and exposed acts in light of the subject. The Research utilized rates for significant investigation of the outcomes. At the point when Women work they are viewed as the change operators for the general public as the ladies are given more significance. The most extreme sexual harassment issue happens in the IT sectors..*

Keywords: sexual harassment, IT sector, Workplace, Prohibition, Women

I. INTRODUCTION

As increasing numbers of women have joined the labor force over the last 3 decades, what has also increased is their vulnerability to unwanted attention at the workplace. Today, the problem of sexual harassment in workplaces is acknowledged as a serious issue-as an occupational hazard and a violation of human rights. The devaluation of women and social domination of men still prevails in India. Women are viewed as dowry burdens, the weaker gender and worthy of a lower Social status as compared to man. Because of these factors

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II. HISTORICAL BACKGROUND

Pre-1997 the person facing sexual harassment at workplace had to lodge a complaint under Section 354 of the Indian Penal Code 1860 that deals with the 'criminal assault of women to outrage women's modesty', and Section 509 that punishes an individual/individuals for using a 'word, gesture or act intended to insult the modesty of a woman. During the 1990s, Rajasthan state government employee Bhanwari Devi who tried to prevent child marriage as part of her

duties as a worker of the Women Development Programmed was raped by the landlords of the community. The feudal patriarchy who were enraged by her (in their words: "a lowly woman from a poor and potter community") 'guts' decided to teach her a lesson and raped her repeatedly. The rape survivor did not get justice from Rajasthan High Court and the rapists were allowed to go free. This enraged a women's rights group called Vishakhathat filed a public interest litigation in the Supreme Court of India. This case brought to the attention of the Supreme Court of India, "the absence of domestic law occupying the field, to formulate effective measures to check the evil of sexual harassment of working women at all work places.

In 1997, the Supreme Court passed a landmark judgment in the same Vishakha case laying down guidelines to be followed by establishments in dealing with complaints about sexual harassment. Vaisakha Guidelines were stipulated by the Supreme Court of India, in Vishakha and others v State of Rajasthan case in 1997, regarding sexual harassment at workplace. The court stated that these guidelines were to be implemented until legislation is passed to deal with the issue. The court decided that the consideration of "International Conventions and norms are significant for the purpose of interpretation of the guarantee of gender equality, right to work with human dignity in Articles 14, 15 19(1)(g) and 21 of the Constitution and the safeguard against sexual harassment implicit their in

III. METHOD OF DATA COLLECTION

The current study "An overview of Sexual Harassment of women at workplace in India: An Analytical Study" is based on secondary data collected from different sources. secondary sources are concerned they were accumulated from number of research papers, articles and books. The research tool used for analyzation of data which amassed from different sources for current study is content analysis

IV. DISCUSSION

Sexual harassment in the workplace is considered as an occupational hazard especially for working women, though it can be perpetuated against men as well. However, the majority of cases of sexual harassment in the workplace are perpetuated by men against women.

Sexual harassment in the workplace is not a new issue – in fact it has been an issue that has been in existence ever since women entered factories and industries, during the period of the Industrial Revolution. Sexual Harassment, has identified incidents of sexual harassment going far back to the 1830s, when increasing numbers of women began working in the textile mills in New England. Three decades ago, there was no word or phrase to define behavior or conduct in the workplace, which was sexual and inappropriate in nature. Further, the lack of opportunity and social spaces to speak about such behavior made it impossible to categorize and define such acts.

While it is difficult to quantify the prevalence of sexual harassment in the workplace due to the chronic under reporting, studies have revealed that sexual harassment at workplace is a reality for a large number of women. In fact sexual harassment is so rampant in workplaces that we now have a law to deal with this issue - Sexual Harassment At Workplace(Prevention Prohibition And Redressed Act),2013 be implemented for building a healthy workplace environment.

V. CONCLUSION

Workplace harassment is a serious concern which requires immediate attention for better outcome. Although majority of the participants experience at least some form of harassment, they hesitate to objectively indicate the same due to fear of consequences of losing the job and facing further ramifications. The issue requires to be addressed with appropriate policies at the workplace. The study will help to plan the strategies to be implemented for building a healthy workplace environment.

workplace sexual harassment is a complex and multifaceted issue that requires a range of interventions to address. Organizations must take responsibility for creating a safe and respectful workplace, while individuals must be empowered to recognize and report harassment. Policymakers must continue to strengthen legal protections for victims of harassment, and society as a whole must recognize the harm that harassment causes and commit to combating it. By working together, we can create a world in which all individuals are treated with the dignity and respect they deserve..

VI. SUGGESTIONS

About 90% of women have faced sexual harassment at workplace for once in their life. is the high time to understand the importance of creating gender equality in India. The implementation of the laws should be done in the desired way.

- (i) Women should be encouraged to report such incidents and help in curbing the issue of sexual harassment at workplace.
- (ii) Employers should provide friendly and safe environment to women and should encourage women to report cases instead of hiding the facts for the reputation of company.
- (iii) Employers should organise a monthly meeting to know the grievances of the employees. This will help in creating a good bond between employer and employee and women will not hesitate in conveying the problems to employers.
- (iv) Awareness workshops should be organised by employers to make woman aware about the provisions of the laws related to sexual harassment at workplace
- (v) Convenient complaint mechanism should set up so that aggrieved woman should not face inconvenience.
- (vi) The organization should show commitment towards this issue. The efforts should be made to investigate the matter without any delay.
- (vii) Proper surveillance measures such as CCTV camera should be taken for the protection of women employees.

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