

**BREAKING THE SILENCE: SEXUAL HARASSMENT AT WORKPLACE**

**Sunita Chahar**  
EED, RTU, Kota

**Kishor Kumar Ola**  
MBA, RTU, Kota

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**ABSTRACT**

This paper describes the serious issue of sexual harassment of women at the workplace, focusing on its causes, protections, and the challenges women face while seeking justice. Sexual harassment of women at the workplace is a pervasive violation of human rights and dignity. Sexual harassment of women at the workplace is a grave violation of women's rights and a major obstacle to their full participation in economic, social, and political life. This article explores the legal framework, factual data, real-life cases, and institutional responses concerning sexual harassment, with a focused lens on women police personnel.

**Keywords:**

POSH Act, ICC, Prevention, Prohibition and Redressal

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**INTRODUCTION**

Sexual harassment at the workplace has been globally recognized as a serious violation of human rights and an impediment to achieving gender equality. It encompasses a range of behaviors from unwanted touching, comments, advances, to coercion, creating a hostile and intimidating environment. The issue persists across sectors, from corporate offices to factories, hospitals, educational institutions, and government departments. Despite various initiatives, the culture of silence and fear surrounding workplace harassment remains deeply entrenched.

**1. Definition of Sexual Harassment**

According to the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (India), sexual harassment includes any one or more of the following unwelcome acts:

- Physical contact and advances
- Demand or request for sexual favors
- Making sexually colored remarks
- Showing pornography
- Any other unwelcome physical, verbal, or non-verbal conduct of sexual nature

The Act also recognizes a hostile work environment created by such behavior as a form of harassment.

**2. Legal Framework****2.1 Vishaka Guidelines, 1997[1]**

In response to the **Bhanwari Devi** case, the Supreme Court of India issued the Vishaka Guidelines mandating the creation of preventive mechanisms at workplaces.

**2.2 Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013[2]**

This law requires:

- Establishment of an **Internal Complaints Committee (ICC)** at every workplace.
- Time-bound redressal of complaints.
- Employer accountability in preventing and addressing harassment.

**2.3 Indian Penal Code (IPC) Provisions**

- **Section 354A:** Defines sexual harassment and prescribes punishment.
- **Section 509:** Addresses word, gesture, or act intended to insult the modesty of a woman.

**3. Facts and Statistics[3-5]**

- According to the **National Crime Records Bureau (NCRB) 2022** data, around **450 cases** of workplace sexual harassment were formally reported.
- A 2020 survey by **LocalCircles** found that nearly **58% of working women in India** have experienced some form of workplace harassment.
- The **International Labour Organization (ILO)** reports that harassment often remains grossly underreported, with many women fearing retaliation or damage to their career prospects.

**4. True Incidents****4.1 The Tehelka Case (2013)****4.2 Law Intern vs. Retired Judge (2012)****4.3 IT Company Incident, Bangalore (2018)****5. Challenges in Addressing Workplace Sexual Harassment[3-5]****5.1 Underreporting**

Due to fear of job loss, victim-blaming, and stigma, many women do not report incidents.

**5.2 Inadequate Implementation**

Despite legal mandates, many workplaces either fail to constitute Internal Committees or form them merely on paper without proper training.

**5.3 Social and Organizational Culture**

Patriarchal attitudes, lack of gender sensitization, and normalization of inappropriate behavior contribute to a toxic work environment.

**5.4 Retaliation**

Women who report harassment often face subtle retaliation like poor performance appraisals, transfers, or isolation at the workplace.

**6. Recommendations**

1. **Strengthening Internal Complaints Committees (ICCs):** Ensure they are functional, trained, and independent.
2. **Mandatory Gender Sensitization Workshops:** Regular training for all employees and management.
3. **Protection against Retaliation:** Strict rules to protect complainants from career-related repercussions.
4. **Confidential Complaint Mechanisms:** Secure channels to lodge complaints without fear.
5. **Increase Women's Representation:** More women in leadership and decision-making roles can reduce gender-based misconduct.
6. **Strict Penalties:** For non-compliance with the POSH Act and for acts of harassment.

**CONCLUSION**

Sexual harassment at the workplace continues to undermine women's participation and progress in the workforce. While legal frameworks have paved the way for safer workplaces, much remains to be done in terms of effective implementation, cultural change, and institutional accountability. Addressing these challenges requires a multi-pronged approach involving law, policy, education, and most importantly, a shift in societal attitudes toward women and their rights at work.

**REFERENCES**

- [1] Vishaka & Others v. State of Rajasthan, AIR 1997 SC 3011.
- [2] Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
- [3] Kapur, R., & Sanghavi, J. (2016). Sexual Harassment of Women at Workplace: A Socio-Legal Study in India. *Indian Journal of Gender Studies*, 23(1), 123–145.
- [4] Sahoo, H., & Pradhan, M.R. (2017). Sexual Harassment of Women at Workplace in India: Insights from the National Family Health Survey (NFHS-4). *Journal of Family Welfare*, 63(2), 33–45.
- [5] Sen, S. (2018). Challenges Faced by Women in Indian Police: A Study of Organizational Culture and Harassment. *Indian Police Journal*, 65(4), 78–91.