

Safe Workplaces for All: A Trainer's Guide for Internal Committees under PoSH Act

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SAFE WORKPLACES FOR ALL: A TRAINER'S GUIDE FOR INTERNAL COMMITTEES UNDER POSH ACT

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Abbreviations

CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
IC	Internal Committee
LC	Local Committee
PoSH	Prevention of Sexual Harassment
SC/ST	Scheduled Caste/Scheduled Tribe
SDG	Sustainable Development Goals
TNUSSP	Tamil Nadu Urban Sanitation Support Programme
ULB	Urban Local Body



Introduction

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1. Introduction

The Constitution of India has enshrined the principles of equality and rights of women in its Preamble (Article 14, 15 (1-4), 16, 29, 29A and 42), Fundamental Rights, and Duties (Article 51A). India is also a signatory to several UN conventions, including the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the 1995 Beijing Platform for Action, and the 1948 Convention on the Rights of the Child. These commitments underscore the nation's dedication in protecting and empowering its women and girls. The ambitious 2030 Sustainable Development Goals (SDGs) have set the path for the empowerment of women, by specifically addressing key challenges such as poverty, inequality, and violence against women, under SDG 5, 8 and 10.

In recent years, there has been a shift in the perception of women from being mere recipients of welfare benefits to key members of labour force, actively engaged in the development of the country. Employment Statistics (2023) states that 32.68 per cent of women in India, aged 15 or older, are a part of the labour force, against 77.2 per cent of men in the same age group. This number has steadily increased since 2017 when it was 23 per cent, with studies stating that the participation of women could be as high as 86.2 per cent, if entire data is documented in official records. It is to be noted that 93 per cent of women workers are employed in the informal sector, unprotected by the laws (Ghosh, 2014).

Urban Local Bodies (ULBs) in India employ a significant number of women labour as informal workers across its various functions. This includes planning and development, public health, and infrastructure. ULBs execute their functions through the constitution of different Standing Committees such as taxation, finance and accounts, water supply, public works, planning and development, licenses and appeal, grievances and social justice. For its employees, ULBs are mandated to oversee recruitment, required number of employees, capacity building and performance management.

Deep-rooted patriarchal constructs continue to position women in disempowered social and economic hierarchies, restricting their ability to fully realise their rights. This also leads to increased violence against women in both public and private spheres, most of which remain unreported. The Prevention of Sexual Harassment (PoSH) Act (2013) is a significant step towards creating a safe and inclusive workplace. The Act mandates all organisations, including ULBs, to establish Internal Committees (ICs) to handle complaints related to sexual harassment (Sharma, 2020).

This guide aims to orient, sensitise, and train IC members from ULBs on the PoSH Act, its provisions, roles and responsibilities of IC members, and redressal processes. These trainings envision that IC members are capable of handling complaints efficiently and effectively, creating a safer and more inclusive work environment for its employees.

1.1. Objectives of Training Sessions

The module aims to capacitate IC members from ULBs on -

- Social context of PoSH Act, i.e., gender realities and vulnerability of women to violence
- Major provisions of the PoSH Act
- Roles and responsibilities of IC
- Complaint procedure and redressal mechanisms

1.2. Structure of Training Modules

Table 1.1: Session Plan			
Sl. No.	Session	Method	Duration
0	Icebreaker	<ul style="list-style-type: none"> Participatory exercise using flashcards 	15 minutes
1	Understanding concepts of gender and intersectionality	<ul style="list-style-type: none"> Participatory exercise – Power Walk – to understand intersectionality and social inequalities Discussion on gender stereotypes 	1 hour
2	Harassment of women at workplace	<ul style="list-style-type: none"> Presenting information on harassment of women at workplace Storytelling (background of the law) Open discussion followed by presenting information on major provisions in the law 	45 minutes
3	Roles and Responsibilities of Internal Committee	<ul style="list-style-type: none"> Presenting related information 	1 hour
4	Case reading and reflection	<ul style="list-style-type: none"> Group work – discussion on stories to understand views of participants about sexual harassment at workplace Recall, recap and closing 	1 hour

Source: TNUSSP, 2024

The training module is structured into four sessions, each with its distinct objectives. This guide includes duration of each session, detailed instructions for training, and necessary materials, for an engaging learning experience. Supplementary reading materials and presentations are also provided to support the trainer in effectively delivering the sessions.

Note to the trainer: Before the workshop, kindly go through the reading materials provided along with other reference materials. Kindly use participatory methods to facilitate discussions and address the queries and doubts of the participants. If you are unsure about the response, please inform them that you/ training organisers will get back to the participants with responses. Please refrain from providing incorrect information. Conclude every session with a summary. Additional aids like presentations, flashcards, and exercises can be developed from the reading materials provided.



Session Plan

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2. Session Plan

2.1. Session 0: Introduction and Ice-breaking activity

2.1.1. Session Plan

Duration: 15 minutes

- Welcoming the participants
- Laying out the objectives of the workshop
- Establishing the participatory nature of the workshop and encouraging their active participation and inputs
- Conducting a round of introduction, if time permits
- Conducting the icebreaker activity

2.1.2. Activity: Icebreaker

The following images are projected on the screen and participants are asked to state the gender of the professionals as soon as they see the images.

The trainer should briefly engage with the participants to understand why they associate certain professions with a particular gender.

Figure 2.1: Flash Cards for Icebreaker Activity

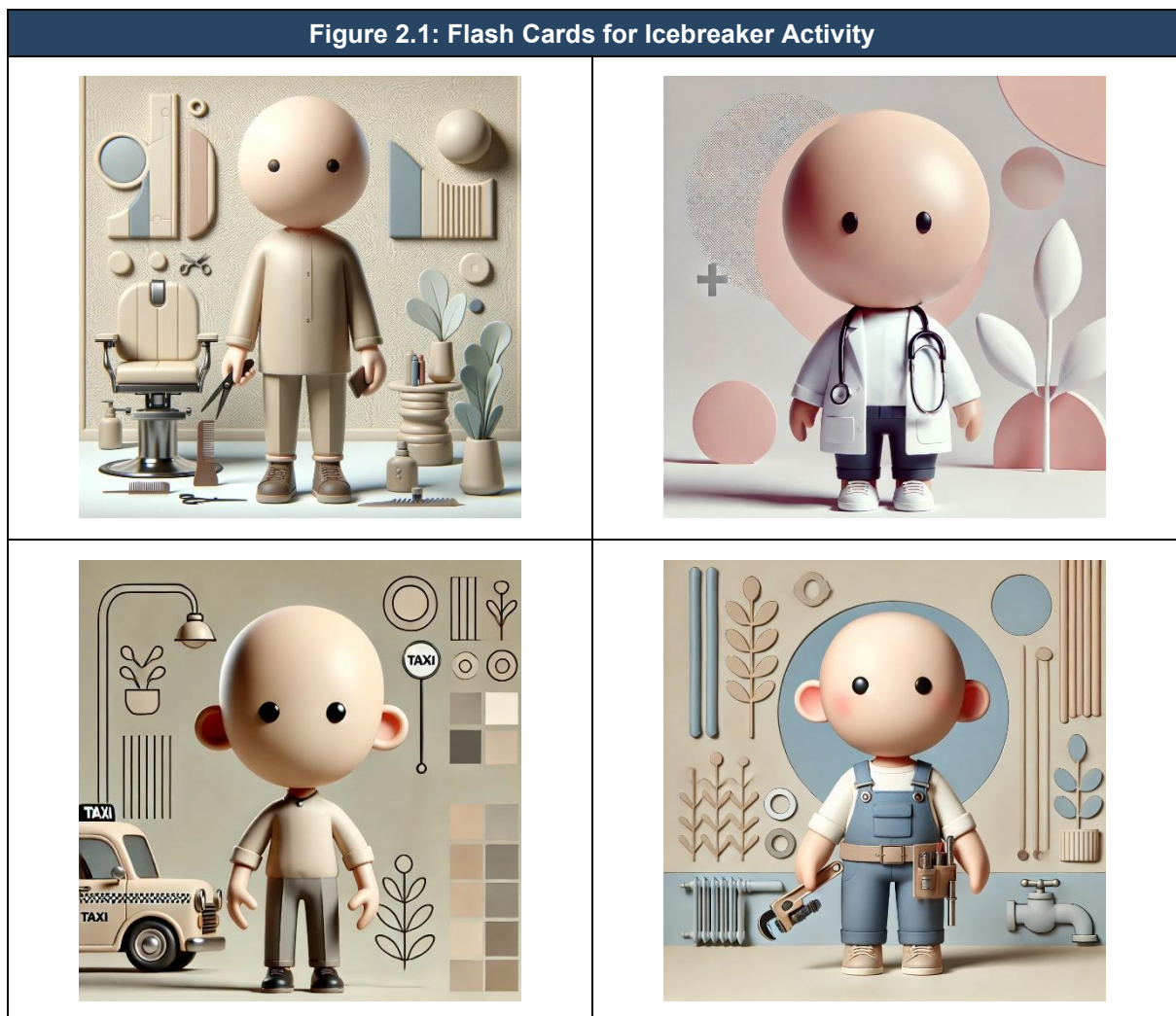


Figure 2.1: Flash Cards for Icebreaker Activity



2.2. Session 1: Understanding concepts of gender and intersectionality

2.2.1. Session Overview

- Key takeaways for participants
 - Hierarchy of social structures that unequally creates privileges and disadvantages in the society
 - Concept of gender inequalities and disadvantages faced by women
- **Methods:** Participatory exercise and presenting information
- **Materials:** Meta cards with character statements, Presentation in Annexure 1

2.2.2. Activity (60 minutes): Power Walk

Power Walk is a group exercise that facilitates participants to 'walk' in someone else's shoes and experience what it feels like to be powerless or powerful (based on gender, occupation, education level, disability, age, health, etc.) while facing different obstacles or challenges. It will help in understanding the hierarchical nature of social structures. Conduct the activity as follows:

- Congregate ten volunteers

- Ask the volunteers to pick a meta card with character statements and read out the role so that the other participants are aware
- Ask them to perform the role specified in their cards

Characters

(These are indicative characters, and trainer can decide the locally relevant or relatable characters)

Box 2.1: Characters for Power Walk Activity

- A married small-hold male farmer, living in a village with six children – 5 daughters and 1 son; only the son goes to school
- A Dalit woman sanitation worker, aged 30, widow and mother of two children
- An educated male local government officer in a senior position, aged 50
- A 10-year-old girl selling toys near traffic signals and living with her family on city streets
- An upper caste male bank manager, about to retire, living in a spacious house in a metro city
- A middle-aged educated housewife, belonging to upper caste family, and living in a city
- An 18-year-old transwoman from a disadvantaged background, living in urban slums, and collecting money in local trains for a living
- A young married woman, aged 25, compelled by her active politician father-in-law from a dominant caste to contest in next Panchayat election on a reserved seat
- An unemployed young man from a backward caste family, aged 20, living in a squatter settlement, with parents who are seasonal workers
- A 13-year-old boy with no formal schooling, working as a mechanic's apprentice in a small city

Source: TNUSSP, 2024

- Ask the other participants to observe the process and provide these further instructions:
- Request them to form a row facing the observers.
- Inform them that you will ask questions, common to all volunteers.
- They must respond to each question from the viewpoint of the character they are portraying.
- If the answer is yes, they should move forward one step. If the answer is no, they should take a step backward. They should respond to the next question from their new position (front or back).
- If they are unable to answer for some reason, they should remain where they are.
- Remind them that responses should be given from the perspective of the characters they have been given, and not from themselves.

Step 1:

Ask the following questions, give them time to think and move. Ensure that all participants have moved.

Box 2.2: Questions for Characters in Power Walk Activity

- I eat at least two full meals a day in all seasons.
- I can/could get an education as per my wish.
- I am comfortable talking in public and expressing my views.
- I have time and resources to be with my friends, play sports or take part in other recreational activities.
- I earn more than the minimum wage.
- I make decisions about major purchases in my household.
- I can go out at night.

Box 2.2: Questions for Characters in Power Walk Activity

- I feel safe while traveling in public transport.
- I can go to any temple any day.
- I have control over decisions about my life.
- I face discrimination or stigma while using public services.

Source: TNUSSP, 2024

Step 2:

After you finish the questions, move around the room, and ask the following questions to some of the characters.

- 1) Why did you end up at this place?
- 2) What are the factors related to this - caste, class, gender, age, and employment?

Enquire a few observers on which character they could relate to and whose position was like their own.

Ask the group about patterns observed:

- 1) What kinds of characters were left behind? Why?
- 2) What kinds of characters went ahead? Why?

Participants will talk about the advantages and disadvantages they felt due to the age, caste, class, gender, employment, and other sociocultural background of the character they played. Take this discussion ahead to explain the concept of intersectionality to understand social structures of power, such as caste, gender, and patriarchy.

Illustrate who has privileges and who faces disadvantages. This will help participants to understand how interlocking systems of power affect those who are marginalised in a society. Continue the discussion, focusing on patriarchy, gender, and how women's social standing makes them more vulnerable to violence.

(Refer Annexure 1, Session1 slide no.3-4, Privileges/disadvantages (Power walk))

2.3. Session 2: Harassment at workplace

2.3.1. Session Overview

- Key takeaways for participants
 - Understanding workplace and sexual harassment
 - PoSH Act and its major provisions
- **Methods:** Storytelling, discussion, and presenting information
- **Materials:** Case handouts, Presentation in Annexure 2

2.3.2. Activity 1 (15 minutes): Discussion on workplace harassment

Introduce workplace harassment using the following points.

- It encompasses a wide range of unwelcome behaviours, actions, or communication within a work environment.

- It is not confined to a single type of behaviour but includes a spectrum of actions that can degrade a healthy and respectful work atmosphere.

Briefly discuss some of these actions.

- 1) *Verbal Harassment*: This involves spoken or written communication that is offensive, demeaning, or threatening.
- 2) *Physical Harassment*: This includes any form of unwelcome physical contact or invasive actions, such as pushing, shoving, touching, or any behaviour that makes an individual feel physically threatened or unsafe.
- 3) *Psychological Harassment*: This refers to actions that manipulate or undermine an individual's emotional or mental well-being. Examples include constant criticism, isolation, psychological intimidation, or threats to job security.
- 4) *Cyberbullying*: This is the harassment or intimidation of colleagues through digital communication channels.
- 5) *Discrimination*: This involves treating employees unfairly based on their gender, caste, religion, or other protected characteristics.

Scenario for optional discussion

A woman working as a solid waste collector under a contractor faces frequent verbal abuse from her supervisor. He often makes derogatory remarks about her gender and work and assigns her the most strenuous tasks. He also threatens her with dismissal from job, if she complains. The continuous mistreatment not only affects her self-esteem but also makes her feel unsafe and unsupported in her workplace.

2.3.3. Activity 2 (30 minutes): Story telling

Introduce sexual harassment at workplace as a specific subset of workplace harassment and narrate the following story.

This is a real-life story that happened in a Rajasthani village, thirty years ago. Rajasthan was a state struggling with issues such as child marriage, early pregnancies, and poor maternal and child health. The state government assigned community workers with the responsibility of preventing child marriages, which occurred often. A female community worker, in the village of Bhatari, came to know about a child marriage planned in a dominant caste family. She intervened and stopped the marriage at that point of time; however, the family went somewhere else to marry off their 9-month-old daughter. The community worker and her family were troubled in many ways, and it culminated in raping her as a gang. With great effort, she filed a complaint with the police. As the Indian criminal legal system has many issues, her case is still pending in the Supreme Court, after 30 years of the alleged crime. However, social workers, and activists came together to support her, stating that the lady worker was sexually assaulted because she did her duties. The question they raised was 'who is responsible for her safety at work?' She had already informed the administration that she was troubled by the dominant caste family, but no steps were taken for her safety. Unsatisfied with the Rajasthan High Court's verdict, the social organisations moved the Supreme Court to seek guidance on women's safety at the workplace. In its 1997 landmark judgement, the Supreme Court issued guidelines to be followed at all workplaces and emphasised that the employer was responsible for safety of women employees at their workplace. Subsequently, Prevention of Sexual Harassment at the Workplace law was passed in 2013.

This is a story of how a law was passed by making lawmakers recognise the issue of sexual harassment at workplace. A female worker from Bhatari, despite justice eluding her so far, stood resolute for other women, and her battle shaped India's law against sexual harassment at workplace (Munial, 2023).

- Facilitate a discussion based on the story
- Prompts for discussion:
 - 1) Do women face such harassment?
 - 2) Have you heard or seen anything like unwanted touch, advances, or comments? What does an aggrieved woman do?
 - 3) Do such issues get resolved?
 - 4) Are women at fault?

Let the participants know that the woman in the story was at the forefront of the struggle to bring laws against sexual harassment at workplace and inform them that their grievances of workplace sexual harassment can be redressed at their workplace itself.

Provide an overview of the PoSH Act and highlight major provisions in the law.
(Refer Annexure 2, Session2 slide no.4-15, Sexual harassment of women at workplace)

2.4. Session 3: Roles and Responsibilities of Internal Committee

2.4.1. Session Overview

- Key takeaways for participants
 - Formation of IC, its constitution, roles and responsibilities
 - Detailed understanding of the inquiry process
- **Methods:** Discussion and presenting information
- **Materials:** Presentation in Annexure 3

2.4.2. Activity 1 (15 minutes): Open discussion

Ask the participants the following questions:

- Do you know what a workplace is supposed to do as per PoSH Act?
- What is the constitution of the committee as per law?
- Is there a committee in your ULB?
- What is the committee supposed to do?
- How is an inquiry conducted?

2.4.3. Activity 2 (45 minutes): Presentation

Provide a detailed presentation on:

- i) IC, formation process, its constitution, complaint procedure and timelines
- ii) Roles and Responsibilities of the committee
- iii) Detailed inquiry process and preparation of inquiry report
- iv) Checklist for the compliance of PoSH Act

(Refer Annexure 3, Session3 slide no. 2-7, Committees under this Law)

2.5. Session 4: Connecting the dots - Violence and Harassment

- Key takeaways for participants
 - Various manifestations of violence
 - Importance of recognising the type of violence
 - Linkages between violence and harassment
- **Methods:** Case reading, discussion, and presenting information
- **Materials:** Handout of case stories, presentation in Annexure 4

2.5.1. Activity (45 minutes): Case reading and discussion

- Divide participants into groups of 6-8 members.
- Depending on the number of groups, hand out one case story to each group.
- Ask the participants to read the story aloud to their group and have a discussion with each group, using the pointers provided, for 15 minutes.
- Ask them to nominate a presenter who can present the discussion to the bigger group in 2-3 minutes.
- Based on key discussion points explain violence against women and elucidate the following points,
 - Women are especially vulnerable to violence due to their socially disadvantaged position and can face violence in private (family) as well as public spheres such as sexual harassment in the workplace.
 - Violence against women is not recognised since it is trivialised, even normalised, in our society.
- Discuss the reasons why women tolerate violence.

Additional cases for sexual harassment, caste-based harassment, and material on the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 are also provided for reference and presentation is available in Annexure 5.

2.5.2. Case stories for group work

(These are indicative stories. Please feel free to develop locally relevant and relatable stories)

Box 2.3: Case stories

Nature of case story: Sexual

Revathi is 21 years old. She lives in a small village and commutes daily through a public bus to attend college in a nearby town. A group of male students from her college also travel by the same bus. A guy from that group approached her but Revathi kept her distance from them. But they have started stalking and making comments about her. Recently, she learnt that there are rumours claiming that she was having an affair with a student of the group. She fears that her parents might marry her off, if they hear about it.

Box 2.3: Case stories

Points for discussion

- What kind of harassment is Revathi going through? Do you think it is sexual harassment? What could be the impact of such harassment?
- What do you think she should do in this situation?
- Is there a legal provision for such a case? Do you think women file complaints easily?
- Can she file a complaint to the IC in her college as per the PoSH Act?

Inputs for the Trainer

- Revathi is certainly going through sexual harassment. The definition of sexual harassment in PoSH Act recognises any unwelcome act of sexual nature, physical, verbal, or non-verbal as sexual harassment.
- The effects of dropping out of education will last a lifetime. She will not be able to complete her education, without which she may not get a decent job. Rushing her into marriage could leave her vulnerable to her husband and in-laws.
- Ideally, a woman should file a complaint. However, we are aware of the difficulties in filing complaints such as fear of reprisal, social disapproval, and tendency to blame the victim for harassment. Lack of awareness on redressal system is also a reason.
- Since the perpetrators are also students of the same college, she can file a complaint with the PoSH committee of their college, established for protection of students under the PoSH Act.

Nature of case story: Sexual

Ashwini is a 27-year-old IT engineer. She works as a programmer in a renowned IT company. Vishal is employed in the same company. They were attracted to each other when they were working in the same team for a project and started dating each other. Although Ashwini was exploring the relationship, he acted as though they were engaged to each other. He would try to find out who she speaks with, constantly call her over the phone, and enquire her about what she does with her money. He also borrowed money from her. Ashwini realised that he was trying to control her and decided to break up with him. She was shocked as Vishal was infuriated and verbally abused her by hurling misogynistic expletives when she told him about her decision. Since then, he has been persuading her to continue the relationship.

Points for discussion

- What kind of harassment Ashwini is going through? Do you think it is sexual harassment? What could be the impact of such harassment?
- What do you think she should do in this situation?
- Can she file a complaint to the IC in her office as per PoSH Act?

Box 2.3: Case stories

Inputs for trainer

- Although they both were in a consensual relationship initially, she chose to end it, realising his tendency to dominate. She has therefore revoked her consent. The definition of sexual harassment in PoSH Act recognises any unwelcome act of sexual nature, physical, verbal, or non-verbal as sexual harassment. Thus, it is sexual harassment to pressure her to stay in a relationship, even after she declines.
- Impact of harassment includes trauma for the aggrieved, fear, distraction from work, invasion of privacy, and, in extreme cases, the potential loss of trained professional for the company if she decides to quit the job.
- Since they work at the same company, she can file a complaint with the PoSH committee. The committee should not take a moralistic stance assuming that since she consented, she cannot make a complaint. However, consenting once does not mean consent every time and for everything.

Nature of case story: Sexual

Selvi works as a sanitation worker. She is employed by a contractor who has been awarded a tender by the ULB to provide sanitation services. A supervisor, under the contractor, manages the accounts and pays the workers. Recently, Selvi found that he had paid more than the actual salary. Assuming that she might be wrong in her calculation, she let it go. But when it began to happen often, she confronted her supervisor, who offered to compensate her even more in exchange for sexual favours. She said no, but he has been after her since then. He keeps sending her romantic messages, images, and even porn clips. She does not like him at all, but she fears that if she says no, it may affect her work and payment.

Points for discussion

- What kind of harassment is Selvi going through? Do you think it is sexual harassment?
- What could be impact of such harassment?
- What do you think she should do in this situation?
- Can she file complaint under PoSH Act?

Inputs for trainer

- Selvi works as a contractual worker. She is being harassed by her supervisor. The definition of sexual harassment in PoSH Act recognises any unwelcome act of sexual nature, physical, verbal, or non-verbal as sexual harassment. Even after she declines, he continues to persuade her. Hence as per law, it is sexual harassment at workplace. By manipulating the salary and taking advantage of her financial necessity, he is misusing his power.
- **Impact:** Fear and trauma. She is traumatised by her unsafe work environment and fears losing her job, which would place her in a difficult situation.
- The PoSH Act provides for district level redressal mechanism for the unorganised sector. While ICs are constituted at workplaces having more than 10 employees, the law also provides for a district-level Local Committee (LC) for addressing concerns from the unorganised sector. Selvi is a contractual worker. In such situation, she can file the complaint with LC, if there is no IC.

Box 2.3: Case stories

Nature of case story: Sexual

Rupa was working as a HR executive in a company. Her colleague was making sexual advances towards her and sending her romantic messages, to which she responded negatively. But he was persuasive and trying to convince her. Once he held her hand and tried to kiss her in the basement parking of the company. Immediately after the incident, she filed a complaint with the PoSH committee. However, she was relieved from her job, with her inquiry pending. She believes that because she reported sexual harassment, she was the target of retaliation.

Points for discussion

- What do you think she should do in this situation?
- Can she file a complaint under PoSH Act against the employer for firing her?

Inputs for trainer

- The definition of sexual harassment in PoSH Act recognises any unwelcome act of sexual nature, physical, verbal, or non-verbal as sexual harassment. So, this is a case of sexual harassment at the workplace.
- Section 3 of the PoSH law prescribes that if in connection to sexual harassment at the workplace, the work environment is turned hostile against the aggrieved woman, or if she gets treatment that is detrimental to her employment, she can make a complaint.
- However, the IC at her workplace does not have this jurisdiction because the complaint will be against the employer who gave her detrimental treatment. The jurisdiction is with the district local committee. IC at any workplace is appointed by the employer and accountable to the employer. Hence the internal committee cannot deal with the complaints against the employer.
- As Rupa claims that she was dismissed because of speaking out against sexual harassment, she may lodge a grievance with the local committee at the district level.

Source: TNUSSP, 2024

2.5.3. Additional Cases:

Few more case stories on sexual harassment and caste-based harassment are given below.

Box 2.4: Additional Case Stories

Nature of case story: Sexual harassment and caste-based harassment

Prabha works as a sanitation worker in a huge housing society in a metro city. She works daily from 9 am to 5 pm, along with 15 other workers. Her work includes picking up waste from the door steps of residents. At one of the houses, she found a man staring at her. Then, he started talking to her under some pretext. Prabha ignored him and kept herself busy with work. She did not talk to anyone about this. Once, when she was about to finish her work in the underground parking, the man came close to her and asked whether she would accompany him. He further tried to hold her hand and touched her posterior. Prabha ran away screaming and told the security. She was talking loudly, when the man appeared and started abusing her verbally and hurled casteist slurs. He accused her of being a woman of loose character. She was further traumatised and left the place immediately.

Box 2.4: Additional Case Stories

Points for discussion

- What kind of harassment did Prabha faced? Do you think it is sexual harassment?
- What could be impact of such harassment?
- Is there any other harassment she faced?
- What do you think she should do in this situation?
- Can she file complaint under PoSH Act?
- Is any other legal remedy available to her? Do you know any?

Inputs for trainer

- Prabha is certainly facing sexual harassment while at work. The definition of sexual harassment in the PoSH Act recognises any unwelcome act of sexual nature, physical, verbal, or non-verbal as sexual harassment. Staring, asking for sexual favour, inappropriate touch are the acts of sexual harassment.
- **Impact:** Fear and trauma. She is traumatised by her unsafe work environment and fears losing her job, which would place her in a difficult situation.
- The PoSH Act provides for a district-level redressal mechanism for the unorganised sector. While ICs are constituted at workplaces having more than 10 employees, the law also provides for a district-level LCC for addressing concerns from the unorganised sector. Prabha is an informal worker employed by a contractor. In such a situation, she can file the complaint with LCC, if there is no IC. Additionally, Prabha also faced caste shaming and insult by the use of casteist slurs. Use of words, acts or gestures of a sexual nature towards a woman belonging to a Scheduled Caste/ Scheduled Tribe (SC/ST) knowing that she belongs to a SC/ST is a caste atrocity. She can also seek recourse through SC/ST Atrocities Law by filing a complaint with the police. Despite legal remedies, there are challenges in women availing it. Her contractor has a key role to play. If her employer supports her, it may be relatively easy for her to access justice, else there is a fear of loss of job.

Nature of case story: Sexual harassment and caste-based harassment

Durga is a 35-year-old woman. She has passed primary school. She lost her parents who were sanitation workers. She has no family. She started working as a cleaning staff member at an educational institute. Through her hard work, she was promoted to a supervisor. The organisation's founder is a well-known political figure with a good reputation in the society. He started making sexual advances towards Durga. He told Durga that he wouldn't use force and that it would only happen with her consent. He was courteous in his approach. Durga was flattered and obliged to his requests. But deep inside, she feared losing her job, which was her only means of support. He then began acting inappropriately towards her, demanding her presence anytime he called and abusing her if she did not answer. She was traumatised by his behaviour. If she tried to avoid him, he made offensive comments about her caste. She is finding it increasingly difficult to put up with this harassment.

Points for discussion

- What kind of harassment is Durga facing? Do you think it is sexual harassment?
- What could be impact of such harassment?
- Was there any other harassment she faced?
- What do you think she should do in this situation?
- Can she file complaint under PoSH Act?
- Is any other legal remedy available to her? Do you know any?

Box 2.4: Additional Case Stories

Inputs for trainer

- In this case, Durga complied to his demands for sexual advances. Hence, people generally presume that she has no right to file a complaint as such. However PoSH Act recognises 'Quid-pro-Quo' situation where the employer seeks sexual favours in promise of returning something. Since Durga has nothing else but this job, she was forced to comply his demands. Hence this amounts to sexual harassment at the workplace.
- **Impact:** Fear and trauma. She is traumatised by her unsafe work environment and fears losing her job, which would place her in a difficult situation.
- The PoSH Act provides for a district-level redressal where a complaint is against the employer. She can file a complaint with this committee.
- Additionally, Durga is facing caste shaming and insult by casteist remarks. Use of words, acts or gestures of a sexual nature towards a woman belonging to a SC/ST knowing that she belongs to a SC/ST is a caste atrocity. She can also seek recourse through SC/ST Atrocities Law and can file complaint to the police.
- Although legal remedies are available, we must understand the challenges women face to avail it, especially here, as the harasser is an influential person.

Source: TNUSSP, 2024

2.5.4. Activity (15 mins): Reflection

- Recall and recap the points discussed
- Handover material on grievance redressal processes and the support services, if any, to participants for reference
-

2.6. Actions for ULBs

- Constitution of ICs
- **Record-Keeping Standards:** Detailed documentation of all complaints, inquiries, and resolutions is vital for accountability and transparency.
- **Annual Reports:** ICs are mandated to submit annual reports each December, summarising complaints, inquiries, and outcomes. Non-compliance could result in penalties, including fines or licensing implications for certain industries.
- **Displaying Reporting Protocols:** Visible posters with IC contact information and reporting steps should be placed in all workplaces.
- **Accessible Complaint Boxes:** To encourage reporting, complaint boxes should be strategically located in private, accessible areas.
- **Awareness programmes:** Continuous awareness on respectful workplace behaviour, personal boundaries, and legal rights is essential.

Checklist for implementation by ULB is in Annexure 6. Templates for IEC and reporting are attached in Annexure 7 and 8

(Refer Annexure 4, Session4 slide no.2-22, Inquiry process – sexual harassment of women at workplace, Act 2013)

Appendix

Appendix

The term ‘intersectionality’, coined by Kimberlé Crenshaw in 1989, means that no one has a singular identity but various identity markers, that intersect each other. It is a sociological analytic framework for understanding how social and political identities of individuals and groups result in unique combinations of discrimination and privilege. Interlocking systems of power affect those who are the most marginalised in a society. Social structures are hierarchical in nature, giving privileges to some while many others face disadvantages (Crenshaw, 1991).

Intersecting and overlapping social identities may be both empowering and oppressing, such as discrimination based on gender, caste, sex, race, ethnicity, class, sexuality, and religion. In Indian society, along with gender, caste is an important category to understand intersectionality.

Gender

Although sex and gender are used synonymously, social sciences consider sex as a biological construct, i.e., the body we are born with, and gender as a social construct (Britta & Christopher, 2005).

- Bhasin (2000) quotes, “Gender refers to socio-cultural definition of man and woman, the way society distinguishes men and women and assigns them different roles.”
- Gender refers to socially given attributes. Gender identity determines how an individual is perceived and how they are expected to think and act as men and women (Wood & Eagly, 2009).

The main differences between the two concepts are listed in Table A1.1 below.

Table A1.1: Differences between Sex and Gender	
Sex	Gender
Biological	Social construction to a great extent
Form: Male and Female	Characteristic: Masculine and Feminine
Universal	Universal with cultural variation
Born with	Learned behaviour
Does not change, generally	Changes over time
Examples: <ul style="list-style-type: none"> • Women have menstrual periods. • Women can get pregnant and give birth. • Men have sperm. • Men have moustache and beard. 	Examples: <ul style="list-style-type: none"> • Women do housework. • Women wear saree. • Men can hang out at tea shops. • Men should be strong and aggressive. • Women should be gentle and kindhearted. • Men should be tall, dark, handsome. • Women should be fair and lovely.
<i>Source: Britta & Christopher, 2005</i>	

In the above discussion, gender is considered as a social construct rather than an identity (Judith, 2024). As we know, the gender identity spectrum goes beyond binary (man and woman) and embraces LGBTQIA+. But patriarchy recognises only two genders and looks down upon persons who do not fit into these categories.

Oakley (1985) states, “Gender is a matter of culture, it refers to the social classification of men and women into masculine and feminine.” As masculinity or femininity cannot be judged biologically, socio-cultural criteria have been formulated which differ with time and place. It means that there can be cultural variation across societies about gender norms. In other words, gender construct includes gender norms, gender roles and gendered division of labour.

Gender Norms

Gender norms are a set of socially accepted behaviors and attitudes, deemed appropriate or desirable for individuals according to their specific sex (John Money, 1955). It is based on societal expectations regarding how each person should behave, interact with others and express themselves. Based on these norms, individuals are assigned their gender roles, usually centred on the concepts of masculinity and femininity, although there are exceptions and variations. Masculinity and femininity refer to the qualities traditionally associated with men and women, respectively.

- **Masculinity** – confident, full of vigour, strong, etc.
- **Femininity** – gentle, caring, compassionate, obedient, etc. (Arvindguptatoys, 2024)

Gender Roles

The gender role of an individual is dictated by specific social norms and begins from the child’s birth. After a baby is born, the first question is, “Is it a boy or a girl?”. It is not a momentary question but the one that encapsulates the entire life of the baby. The difference in gender roles is ingrained right from the child’s toys and clothes. Girls are often given dolls and kitchen sets, while boys are given cars, guns, and He-Man/Spiderman figurines (UNICEF, 2024; EMOLU, 2014), based on the pre-conceived notion that girls and boys enjoy playing with those respective toys only. If you pay close attention, you will notice that children are taught gender-specific behaviour from a young age.

Gendered division of labour

Gender roles include specific work designated for men and women and is usually referred to as the gender division of labour. It is often argued that the gender division of labour is a result of biological traits, but it is not true since in some societies women perform tasks and jobs that are traditionally considered men’s work in other societies, and vice versa. Hence, the division of labour has much to do with what each society perceives as appropriate for both sexes.

In most countries, household chores, including housework and sustaining the household, are typically women’s or girls’ tasks. On the other hand, more technical tasks, like dealing with electrical or mechanic equipment, are considered as jobs for men. The definition of work in the capitalist society does not recognise housework or unpaid work, which is essentially carried out by women, on par with paid work generally carried out by men (Petrongolo, 2023).

Even if a woman has a paid job outside home, housework is seen as primary responsibility and she is expected to give priority to her family (Elgarte, 2008).

Most of the unpaid work, often invisible and disregarded, is entrusted to women. Moreover, the labour market (as well as education and training) is heavily segregated along gender lines. Women are concentrated in the occupations that are extension of the housework such as teachers, care givers, support staff, cooks, and domestic workers. Hence, this is not a simple or equal division of labour. Women carry heavier burden of labour and work longer than men in a day as they have to take care of household chores, in addition to paid work. However, the gendered division of labour is a patriarchal construct, which has been so deeply internalised that individuals consider that it is the natural way of organising the society.

Patriarchy

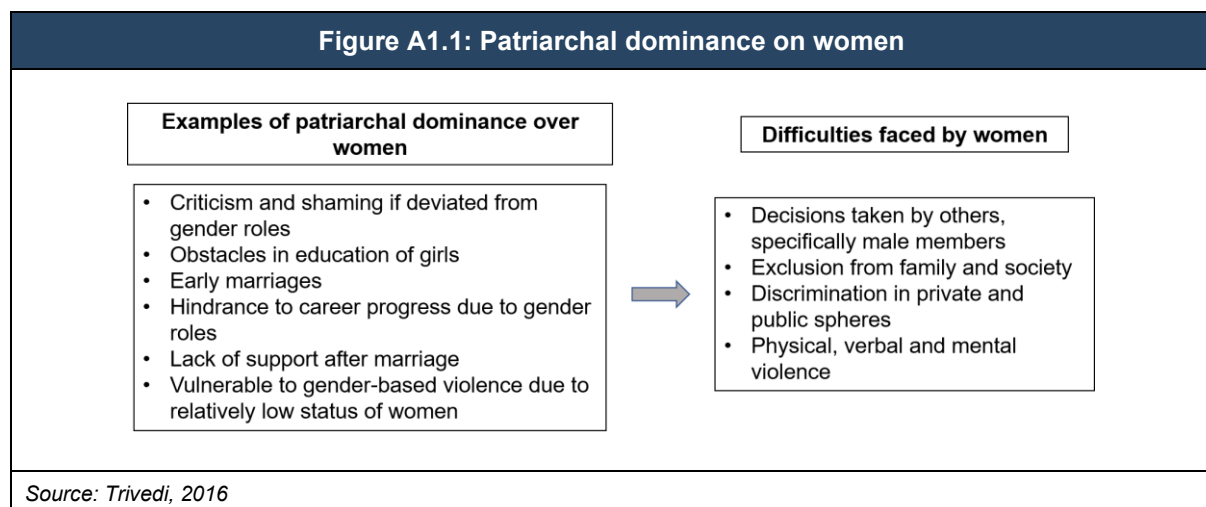
Patriarchy is associated with a set of ideas that justify male dominance based on biological differences in men and women. The word patriarchy literally means the rule of the father or the patriarch. In Indian language, the term used is *pitrusatta*. Now, patriarchy is used more generally to refer to male domination, power relationships by which men dominate women, and a system where women are kept subordinate in several ways (PRIA, 2021).

The various forms that patriarchy enforces male dominance are as below:

- Dominance in financial and material ownership
 - Men own and control financial and material resources, such as bank accounts and other assets.
- Dominance in family structure
 - Patriliney – Lineage is recognised through a male heir. Hence, there exists a prevalent attitude of preferring male children, and women are harassed for not bearing sons.
 - Patriarchal family system – Girls are married away, and their residence and identity change after marriage.
 - Male attributes in family, kinship and caste - Heads of family are always men, and caste or community councils are dominated by men.
 - Decision making - Men are the decision-makers in private (family) as well as social spheres.
- Dominance in religion and cultural beliefs
 - Men are considered superior, as women are deemed impure in certain situations such as menstruation.
 - Status of women depends on her relationship with a man. Married women with sons have the highest prestige whereas single women, whether unmarried, widow, divorcee, are discriminated.

Restrictions on women

The patriarchal gender division is not simple and equitable, but dichotomous and gives power to men over women. Non-adherence to gender roles may result in violence against women, which is trivialised, or even normalised, to the extent that women are unable to recognise the violence. Patriarchy thrives on women's labour and many restrictions on women/girls are in place to sustain their marginalisation.



Inputs for the trainer to highlight following aspects of the PoSH Act

- Vishakha guidelines, and the subsequent PoSH law, are the results of efforts of the women's movement.
- The PoSH Act is a civil law that ensures decentralisation of justice, according to which a woman facing sexual harassment at the workplace can get her grievance redressed at the workplace itself.
- Prevention, prohibition and speedy redressal are three major purposes of the law. Hence developing a workplace policy on the issue, holding awareness sessions and appointment of the IC is mandatory at all workplaces.
- The law recognises that such harassment occurs in a situation of power relations.
- As women are at a socially disadvantageous status wherein violence against women is normalised, this gender specific law came into force.
- The impact of action is important and not the intention.
- The definition of sexual harassment is comprehensive, which gives words to the experiences of women. It also recognises two situations - 'Quid pro Quo' and creating hostile work environment against the aggrieved woman.
- The law also has a provision for conciliation.
- IC must handle the complaints sensitively and complete the inquiry within the stipulated timelines, keeping with the spirit of the law, which is speedy redressal.
- For unorganised sector workers, the redressal forum is a district level committee constituted by the district administration.

Table A1.2: Sexual Harassment - Myths and Facts	
Myth/ Misconception	Fact
Sexual harassment is not an employment-related issue but between the two individuals.	It is an employment issue as it can lead to low productivity, increased absenteeism, low workplace morale and the possibility of loss of trained personnel.
This is a new phenomenon, and talking about it will lead to increase in the sexual harassment.	It is not new, but has always been present. Earlier, survivors did not speak up due to fear and absence of proper mechanism. In fact, talking about it formally, making a policy sends a clear message about zero tolerance of sexual harassment.
Women who complain have no sense of humour. They need to be a sport as it is done for fun.	To be subjected to unwanted/ offensive behaviour is not fun. It is humiliating, generates stress and affects working conditions (National Library of Medicine, 2018).
The law is against men.	No, it is not against men. It is against the sexual harassment. Definition of respondent is gender neutral.

Table A1.2: Sexual Harassment - Myths and Facts

Myth/ Misconception	Fact
It is not a sexual harassment but a way to give compliments.	Compliment is when a person feels good on getting it; sexual harassment makes women uncomfortable. It is the recipient who defines what it was and not the perpetrator.
Women are to blame for sexual harassment. The way they dress invites harassment.	This is not an excuse, one should not judge other people with their moral standards, as it is very subjective. Not following one's moral standards does not give anyone the right to harass. Sexual harassment cannot be justified as it occurs irrespective of what a person wears. In fact, this excuse admits the inability to control one's own behaviour.
Women actually enjoy it as it is natural for men and women to be attracted to each other.	Sexual harassment should not be confused with attraction. Attraction is by consent, whereas harassment is unwanted and an unwelcome behaviour.
If you ignore, it will stop.	No, it does not. Not confronting sexual harassment, in fact, gives more courage to the perpetrator or pretext that she did not say no because she likes it, as silence is often considered as consent.
<i>Source: TNUSSP, 2024</i>	

For Further reading

- Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 – Bare Act ([Access here](#))
- [Handbook on Sexual Harassment of Women at the Workplace](#) – Women and Child Development Ministry, Government of India

Annexures

Annexures

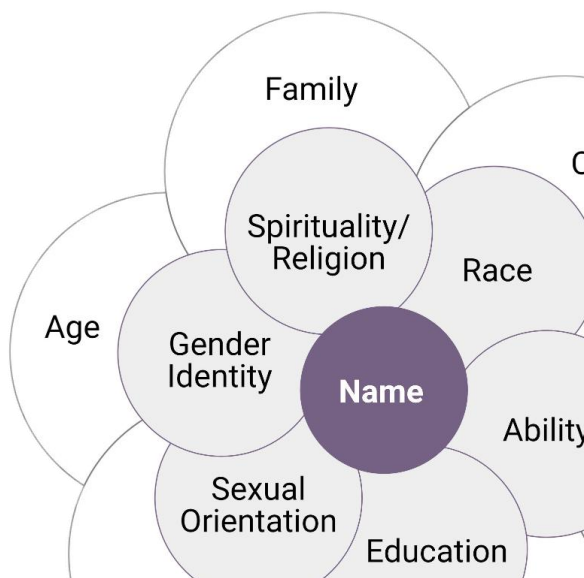
Annexure 1

Presentation for session 1



The slide features a dark blue background. At the top left is the 'iihs' logo (Indian Institute for Human Settlements). To its right are three small logos: 'TN', 'US', and 'SP'. Further right is the 'crea' logo. The main title 'Important Concepts' is written in large white font, with 'Session - 1' below it in a smaller white font.

Intersectionality



- Any person has more than one identity markers:
 - Caste
 - Religion
 - Class
 - Gender
 - Region
 -
 -
 -

Session 1-slide1

Intersectionality

- Birth decides caste, religion, gender
- These are social strata, hierarchical in nature
- Interlocking systems of power
- Some enjoy privileges
- Some face disadvantages



Session 1-slide2

Privileges/ disadvantages (Power Walk)

- What did we see in Power walk?
- Who could go ahead?
- Who could not
- In other words, who has favourable environment to progress and who faces challenges
- It depends on person's place in social strata

Session 1- slide3

Who was at advantage in power walk

- A man
- An upper caste man
- Upper caste educated man
- Upper caste educated man doing well paid job
- ..
- ..

Who faced disadvantage in power walk

- Dalit woman
- A widow
- 10 year old girl
- ..
- ..

Session1 - slide 4

Intersectionality

- **Intersectionality** is a sociological analytical framework for understanding how groups' and individuals' social and political identities result in unique combinations of discrimination and privilege.
- **Intersectionality** – coined by Krimble Crenshaw (Black Feminist) - She describes how interlocking systems of power affect those who are most marginalized in society
- Examples of these factors include gender, sex, race, ethnicity, class, sexuality and so on.

Session1- Slide 5

Gender

- One of the identity markers – Gender
- What do you mean by Gender? –
- Please see statements in the next slide and tell whether you agree or disagree



Session1 - slide6

Gender

- Girls are more emotional than boys.
- Cooking is a woman's job.
- Men are better decision makers than women.
- Bride must be less educated than the groom.
- Child rearing is done better by women.
- Women are weak, so they are not able to handle Management Jobs.
- Boys should not weep.
- Men grow beard
- Restrictions on girls are for their safety.
- Women have wombs.

Gender difference

- Biological?
- Social?

Session1 - slide 7

Sex and Gender

Sex – Biological

Male – Female

- Women have menstrual periods
- Women can get pregnant and give birth
- Men have sperms
- Men have moustache and beard

Gender – Social

Masculine – Feminine

- Women do housework
- Women wear saree
- Men can hang on at the tea shop
- Men should be strong, aggressive
- Women should be gentle, kind hearted
- Men should be tall, dark, handsome
- Women should be fair and lovely

Session1 - slide8

Sex and Gender

Sex is

- Biological
- Universal
- Born with
- Generally, does not change

Gender is

- Social construction to a great extent
- Universal with cultural variation
- Learned behavior
- Changes over time



Session1 -Slide 9

Gender Construction



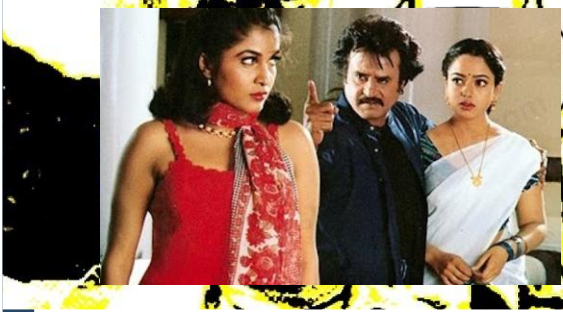
Gender is a learned behaviour

- Clothes, toys
- Story we listen
- Songs we sing
- Movies, shows we see

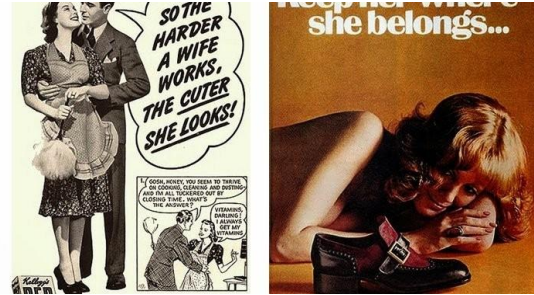
Reinforces gender in society
Socialisation is gender biased



Session1 - slide 10




“பொம்பளை நா.. பொறுமை வேணும்,
கோபப்பட கூடாது, அடக்கம் வேணும்,
அவசரப்பட கூடாது, அமைதி வேணும்,
ஆத்திரப்படக்கூடாது, கட்டுபடு வேணும்,
இப்படி கத்த கூடது, பயபக்தியா
இருக்கணும்,
பஜாரித்தனம் பண்ண கூடாது.
மொதத்துல பொம்பள, பொம்பளையா
இருக்கணும்.”



Session1 - Slide11

Patriarchy

- Gender Norms
 - Gender roles
 - Gendered division of labour
- 
- Patriarchy is a social system in which men hold primary power
 - Patriarchy literally means rule of father, a senior male member of family, clan, community
 - An ideology which justifies dominance of men and attributes it to natural differences between men and women
 - Sociologists see it as a social product and not a natural order
 - Most of the patriarchal societies are patrilineal; lineage is recognized through male heir, property inherited by men

Session1 - slide12

What is Patriarchy?

- Patriarchy justifies male dominance;
 1. Material (Control over resources, property ownership by men)
 2. Social structure (Family, Kinship, Caste attributes importance to men – head of family,
 3. Religious and cultural sanction– Men are considered superior– Status of women depends upon her relationship with a man– married woman and a mother of sons enjoy better position, widows, divorcee, single women face disadvantages

Session1 - slide13

Gender, Patriarchy, Consequences...

- Gender means relative status of men and women in a given society
- At systemic level, comparatively men enjoy better status;
 - Patriline - Names
 - Residence of a bride changes after marriage
 - Men have more control over money and assets
 - Decision making
- Gender systems are often dichotomous and hierarchical giving more social power to men

Gender power relations result in gender inequality

- Sex Ratio in India – 933 women (Per 1000 men)
- Female literacy rate is 65% as against male literacy rate 82%
- Incidence of child marriage – 30%
- Disparity in accessing higher education
- Disparity in wages – women get 27% lower than men

Session1 - slide14

Consequences of gender inequality on women

Women face

- Violence
- Exclusion
- Discrimination
- Marginalization



Violation of Fundamental rights

- Equality
- Freedom
- Right to life
- Right to work

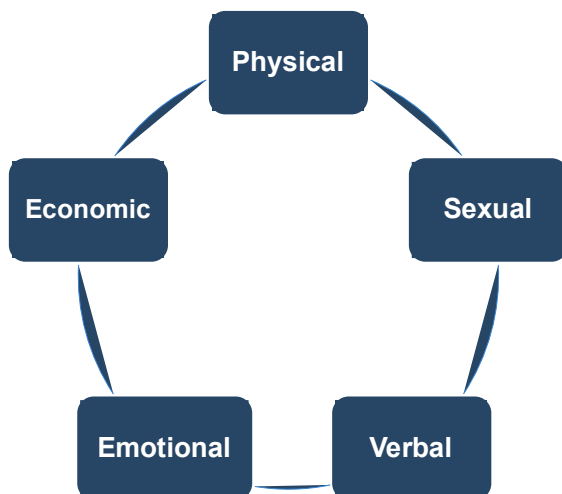
Session1 - slide15

Consequences

- The United Nations defines violence against women as any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Session1 - slide 16

Violence against women

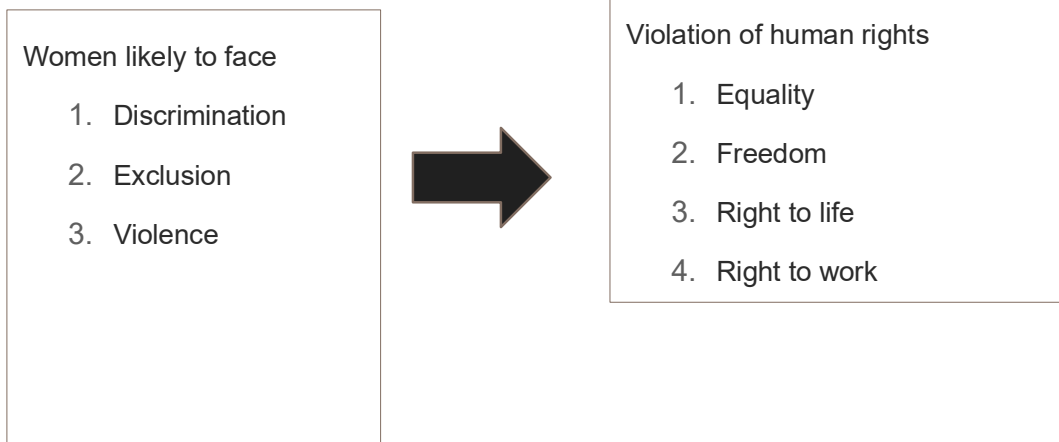


Life Cycle of a woman – Susceptibility to violence at different stages in life

- Sex selective abortions
- Neglect of a girl child, child marriage
- Domestic violence – dowry harassment, harassment due to son preference attitude, addiction of husband and so on
- Dependency in old age
- Violence at public places, sexual harassment at the workplace

Session1 - slide 17

Gender inequality leads to



Session1- Slide 18

Types of inequalities (often faced by women)

- Longer hours of work (Paid and unpaid)
- Control on women – Mobility, labour, sexuality and reproduction
- Gender gap in wages
- Gender gap in property ownership
- Discrimination – education, health
- Violence

Session1 -slide19

Challenges for women

- Expectation to prioritise gender roles
- Safety concerns
- Severity depends on location of a woman
- Thus, violence against women is a social issue, a result of powerlessness



Session1 -slide20

Annexure 2

Presentation for session 2



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

Session - 2

Do you know?

- 2023 marks 10 years of PoSH Act
- And 25+ years of Vishakha Guidelines
- This law gave language to the 'sexual harassment' experiences which were difficult to tell due to shame, social pressure and fear
- Preventive efforts – gender sensitization, pinpoint casual sexism, gender bias, gender role spill over
- Important provision to ensure gender equality
- That harassment is not fun.....

Session2 -slide1

Do you know?

- Sexual harassment of women at workplace is a form of gender based violence
- Because women are more vulnerable to sexual harassment, this special law (PoSH) came in to being.
- Our society, social surrounding, social conditioning trivialises sexual violence by blaming violence survivor, even normalises VAW to some extent
- Consequences of sexual harassment are much severe for women – on their personal life, family life, professional life.

Session2 - Slide 2

Background to the ACT

- Law recognises patriarchal power relations and vulnerability of women to violence, particularly sexual harassment at workplace
- Rajasthan – Bhatari village case
- Vishakha Guidelines, 1997 – shift from criminal law to remedy in civil law
- Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013



Session2 -slide3

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

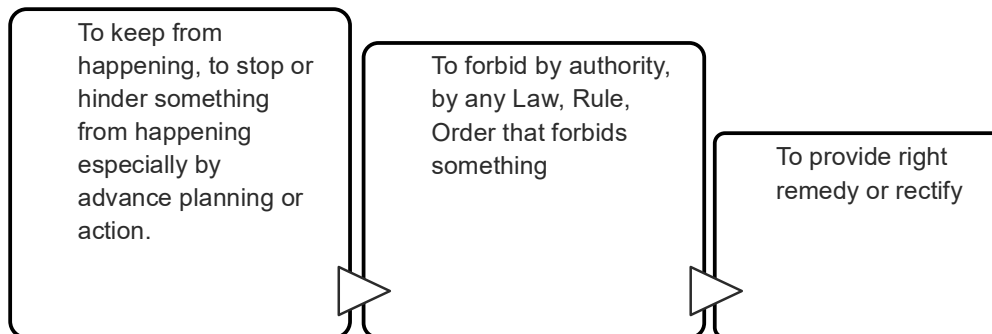
Strengths of the Act

- Recognises sexual harassment at workplace as workplace issue
- Recognises Power relations at the workplace
- Civil law – social legislation – decentralisation of justice
- Timebound procedure
- Probability based
- Responsibility of providing safe workplace is with the management
- Impact is important, not the intent
- Improvement oriented law, not punishment oriented
- Preventive efforts are mandatory

Session2 - slide 4

Purpose of the Act

- To provide protection against sexual harassment of women at work place and for the prevention and redressal of complaints of sexual harassment and for the matters connected therewith of thereto



Session2 -slide5

What is sexual harassment?

Sexual Harassment means any one or more of the following unwelcome acts or behavior whether directly or impliedly :

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

Whether directly or by implication



Session2 -slide6

Types of Harassment

Quid pro quo

- Employer/person in authority seeks sexual favors in return for promise to raise salary

Hostile work environment

- Derogatory terms with sexual connotations
- Sexist remarks
- Dirty jokes at workplace where all employees can hear them
- Intimidating work environment

Session2 -slide7

Some forms of Sexual Harassment (SH)

- Physical contact and advances;
- A demand or request for sexual favours;
- Sexually coloured remarks;
- Showing pornography;
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;
- Implied or explicit promise of preferential treatment in employment;
- Implied or explicit threat of detrimental treatment in employment;
- Interference with work or creating an intimidating or offensive or hostile work environment;
- Humiliating treatment likely to affect health or safety.



Sexual Harassment can manifest itself as a repetitive pattern of such acts or behaviour or can also be a single incident that is serious enough to be considered sexual harassment.

Session2 -slide8

Sexual Harassment

- Unwelcome behaviour is behaviour that is unsolicited and unwanted by the offended person.
- Intent is not relevant in determining whether the behaviour is sexual harassment.
- All that matters is the perception or impact of the behaviour.
- Even if behaviours are not directed at someone specific, they can still create an offensive environment.
- Sexual harassment may be overt or subtle.
- Sexual harassment could occur at the workplace or at the extended workplace (for example team outings, external events, office cab, party at colleague's residence where other colleagues are invited and so on)



Session2 -slide9

If a woman doesn't want this, this may amount to sexual harassment

- Standing too close, slipping an arm around her waist, or whispering sexual comments
- Remarks made about her clothing or appearance that are sexual in nature
- Requests to meet alone after work, or threats of reprisal if she doesn't show up
- Repeatedly talking about their sexual experiences with her, or asking about her own sexual experiences
- Displaying sexually suggestive or offensive pictures
- Using crude language or offensive gestures
- Continuously pursuit/stalking even if she says no



Session2 - slide10

Other definitions

Who can make a complaint? - In relation to a workplace, a woman of any age whether Employed or not Who alleges to have been subjected to any act of sexual harassment by the respondent

- Employed (fulltime, part-time, contractual worker, consultant)
- Unemployed (visitor, customer, any woman if harassed at a workplace)
- Students of all genders

What is a Workplace: Any department/group of organizations; any place employee visits in relation to a work, campus, working relations, virtual workplaces, online harassment arising out of workplace relations

Internal Committee: internal complaints mechanism constituted by the workplace management

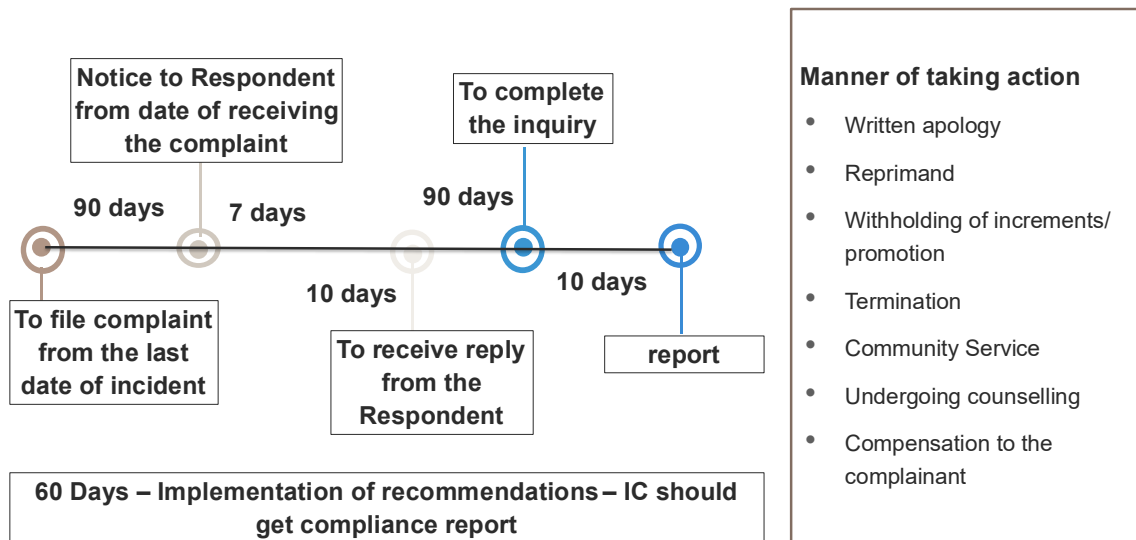
Session2 -slide11

Internal Committee

- **Purpose of the committee:** creating a healthy and safe work environment among men and women staff members of the organization.
- **Preventive and Proactive role** in creating awareness for prevention of Sexual Harassment and proactive role for creating healthy environment in the organization.
- **Addressing complaints** of sexual harassment - in case of such complaint; take immediate cognizance and adopt appropriate measures.
- **Constitution of the committee** – minimum 4 members – Term is of three years
 - > Senior lady worker as a Presiding Officer
 - > Two members from the employees
 - > One external member

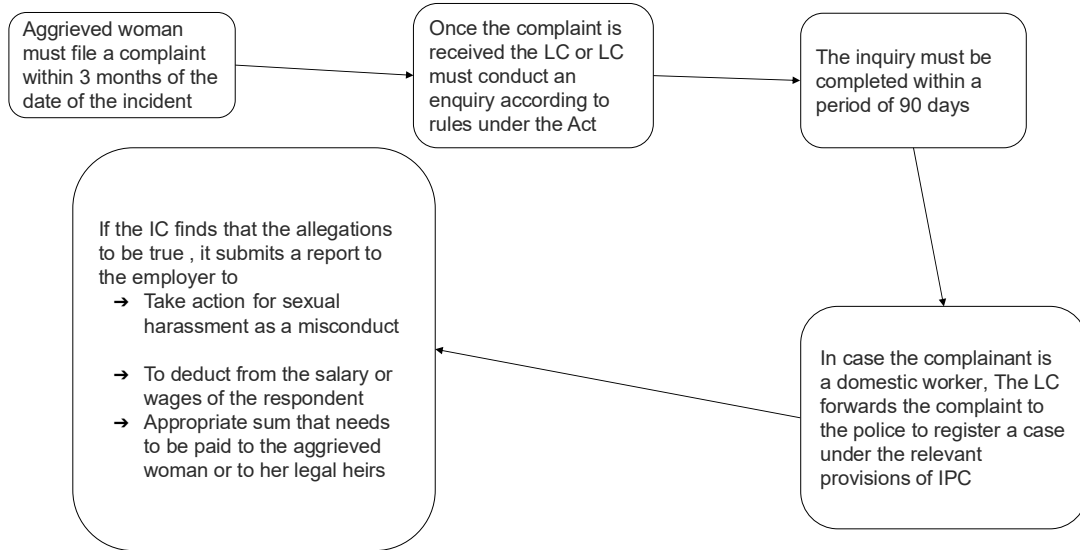
Session2 - slide 12

Timelines



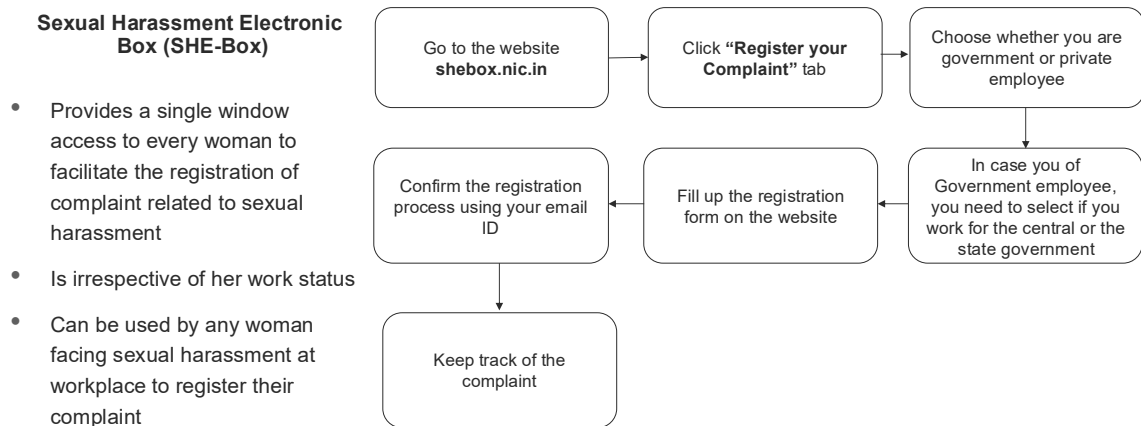
Session2 -slide13

POSH Complaint Procedure



Session2 - slide 14

SHE-BOX Complaint Procedure



Session2 -slide15

Be Sensitive and Aware

If your behaviour offends any member, stop that behaviour.

Ask yourself:

- Could your behaviour offend or hurt people at your workplace?
- Could your behaviour be interpreted by another as harassment?
- Would you like your behaviour to be discussed by others?

Reporting an Incident:

Members can report within 3 months from occurrence of the last incident to any of the following:

- Internal committee or any Local committee member
- Your supervisor
- HR Department



Session2 -slide 16

Do's and Don'ts

Do's



- Always maintain professional code of conduct.
- Be specific about what you find disrespectful, insensitive or harassing.
- Maintain a documented record of the date, time and nature of the incident(s) and the names of witnesses if any.
- Keep it confidential

Don't's



- Do not remain silent. Do tell the person what you find offensive/uncomfortable and request to stop the behaviour. Say "No".
- Do not blame yourself for other's bad behaviour.
- Do not ignore unprofessional behaviour.
- Don't publicise an alleged harassment without following the reporting procedure.

Non-Retaliation – IC/LC has a zero tolerance towards sexual harassment so that all members feel comfortable reporting such incidents.

Session2 -slide17

Repercussions

If the allegation is true

- Disciplinary action in accordance with service rules/Company guidelines.
- If no service rules are applicable, the following actions can be taken: a counselling session, demanding a written apology, issuing a warning, reprimand or censure, withholding of promotion, withholding of pay rise or increments or bonus etc up to termination from employment.

If the allegation is malicious

- Disciplinary action against the in accordance with service rules/Company guidelines.
- If the investigation panel concludes during the enquiry that complainant or any witness has given false evidence or produced forged or misleading documents, action for misconduct, including up to termination can be recommended against such witness/complainant.

Session2 - slide 18

Myths and facts

Myth/Misconception	Fact
Sexual harassment is not an employment issue but something between the two persons	It is an employment issue, it can lead to low productivity, increased absenteeism, low workplace moral and possibility of loss of trained personnel
This is a new phenomenon, talking about will lead to increase in the sexual harassment	It's not new, always present but survivors did not talk due to fear and absence of proper mechanism. In fact talking about it formally, making a policy sends a clear message about zero tolerance of SH
Women who complaint have no sense of humour, they need to be sporty. Its fun	To be subjected to unwanted/ offensive behaviour is not a fun. It's humiliating, generates stress and affect working conditions
The Law is against men.	No, it is not against men. It is against the sexual harassment. Definition of respondent is gender neutral.

Session2 -slide19

Myths and facts

Myth/ Misconception	Fact
It's not a sexual harassment but a way to give compliment	Compliment is when a person feels good on getting it, SH makes women uncomfortable, it is the recipient who defines what it was and not the perpetrator
Women are to blame for SH, the way they dress invites it	This is not an excuse, don't judge other people with your moral standards, those are very subjective. Not following those does not give anyone right to harass, it can not be justified. SH occurs irrespective of personal wares. In fact it is admitting to being unable to control one's own behaviour.
Women actually enjoy it, its nature, men and women will be attracted to each other	SH not to confuse with attraction, it is by consent, SH is unwanted and unwelcome behaviour
If you ignore, it will stop	No it doesn't, not confronting in fact gives more courage to perpetrator or pretext that she did not say no, silence is often seen as consent

Session2 - slide 20

Sexual assault/violence at workplace and Atrocities Act

- In India, patriarchy and caste are two major social systems of power
- Caste hegemonies are enforced by putting restrictions on so-called lower castes, caste oppression is historical in India
- Many researchers argue that Dalit women face graded violence; patriarchal oppression at home and violence in public places, they are vulnerable to crimes such as naked parading, public shaming, and gang rape which are committed to maintaining caste hegemonies
- Various studies show that because Dalit women experience socioeconomic deprivation, gender bias, and caste discrimination all at once, their difficulties are special. Nearly 70% of women workers in the unorganised sector belong to scheduled castes, scheduled tribes, and other backward classes.
- This criminal law can be invoked if sexual harassment is coupled with caste-based shaming
- Complaints under the Atrocities Act can be filed with the Police or the nearest Magistrate

Session2 -slide21

Assault or sexual exploitation of SC/ST woman

- Assaulting or sexual exploiting an SC or ST woman is an offence under the Atrocities Act - The Amendment Act adds that: (a) intentionally touching an SC or ST woman in a sexual manner without her consent, or (b) using words, acts or gestures of a sexual nature, or (c) dedicating an SC or ST woman as a devadasi to a temple, or any similar practice will also be considered an offence.
- Use of words, acts or gestures of a sexual nature towards a woman belonging to a SC/ST knowing that she belongs to a SC/ST.
- If it is happening in connection to a workplace, it will amount to sexual harassment at workplace. In such situation, Atrocities Act can be invoked if need be
- Atrocities Act came into force to deal with atrocities rooted in the caste system

Session2 - slide 22

Why refer atrocity act in case of women belonging to SC/ST faces sexual harassment at work place?

- Many of the cases of sexual violence faced by women belonging to SC/ST arise as caste-based violence committed in the form of sexual violence.
- The POSH Act guarantees justice through various committees formed internally and externally. The Act provides various measures for redressal including conciliation, settlement between the parties, filing a police complaint, or pursuing civil remedies.
- Whereas under Atrocity Act, an immediate FIR can be filed and the proceedings can start in the court. An aggrieved woman can take action against perpetrator in either or both laws based on her own judgement and severity of crime.

Session2- slide23



Session2- slide24

Annexure 3

Presentation for session 3



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Role of Internal Committee Sexual Harassment of Women at Workplace (PPR), Act -2013

Session - 3

Committees under this Law

- Internal Committee – Section 4 – Redressal mechanism at the workplace
 - Internal Committees are mandatory for all the workplaces having more than 10 employees
- Local Committee – Section 6 – Redressal mechanism at the district level
- The workplaces where there is no IC because of having less than 10 employees
- Where the complaints are against the employer (Even where ICs are in place)

Session3 -slide1

Internal Committee

- ICs are mandatory for all the workplaces having more than 10 employees
- Management/Employer has to constitute the IC
- If there are branches/units of the workplace, IC has to be constituted at all branches
- The term of the IC is for three years
- IC – Equivalent to the Civil court

Session3 - slide 2

Constitution of IC

Member	Eligibility
Presiding Officer	Senior lady officer at the workplace, can be appointed from other branches/units of the workplace
Two members (Minimum)	To be appointed from the employees, preferably having awareness/knowledge of social/women's issues
External Member	NGO representative or a person having experience of working on sexual harassment
Minimum 50% members should be women	

Session3 -slide3

Local Committee

- District officer nominated under this law appoints the committee
- Nodal officers to be appointed at ward/block level so that complaints can reach to LC through them
- Entire district is a jurisdiction of LC
- The term of the IC is for three years

Session3 -slide4

Constitution of Local Committee

Member	Eligibility
Chairperson	To be nominated from amongst the eminent women in the field of social work, committed to the cause of women
One member	From amongst the women working in block, municipality ward
Two members (at least one woman – SC/ST/Minorities)	From amongst the NGOs committed to the cause of women Should have knowledge of law
Ex officio Member	Concerned officer from social welfare or WCD in the district

Session3 -slide5

Powers to IC

IC shall have same powers as vested in a civil code;

- Summoning and enforcing attendance of any person and examining them
- Discovery of documents as per requirement in connection to the inquiry

Session3 -slide6

Responsibilities of IC members

- Be vigilant about the implementation of the law at the workplace
- Develop a policy for prevention, prohibition and redressal of sexual harassment of women at the workplace
- In case of inquiries – handling the cases, conducting inquiry as per procedure, sensitive approach
- Proper response to any concerns raised in this regard
- Organising awareness sessions at the workplace
- Submission of annual report

Session3 -slide7

Responsibilities of Presiding Officer

- Should preside all the proceedings of the IC
- Ensure that meetings are planned as per requirement
- To preside over the meetings/inquiry proceedings as per the procedure
- Inquiry quorum – not complete without the Presiding officer

Session3 -slide8

Ineligibility of member/PO can be removed

- Contravenes the provisions of section 16 - Breach of confidentiality
- If convicted of an offence or inquiry in an offence being pending
- Has been found guilty in any disciplinary matter
- In case of abuse of the position
- In such situations, member/PO can be removed from the IC

Session3 -slide9

Role of external member

- External member is an independent and impartial person
- External member provision has come about from work done by women's groups during Vishakha
- External member – support the complainant and ensure bias free and sensitive handling
- Develop gender lens to be able to interpret law with gender sensitive perspective

Session3 -slide10

Annexure 4

Presentation for session 4



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Inquiry Process – Sexual Harassment of women at Workplace, Act 2013

Session - 4

Inquiry under POSH Act

- Any woman (whether employed or not) can make a complaint to the Internal Committee as per section 9 of the POSH Act
- IC shall have same powers as vested in a civil code;
- Summoning and enforcing attendance of any person and examining them
- Discovery of documents as per requirement in connection to the inquiry

Session4 -slide1

Filing the Complaint

- **Who can make a complaint** – Any woman in connection to a workplace who alleges to have been subjected to any act of sexual harassment by the respondent
 - Can be filed by the aggrieved woman or her friends, family, legal heirs or any other person
- Compliant must be in a written form.
- It can not be anonymous.
- It must be filed within 90 days from the last incident. (Discretion of the IC – to extend the time limit for three months in case of valid reason.

Session4 -slide2

What next?

- Send a notice to the Respondent within 7 days of receiving the complaint
- The Respondent gets 10 days to give their reply
- Give interim recommendation at the request of the Aggrieved Woman
- Copy of the complaint must be given to the Respondent

Session4 -slide3

Conciliation

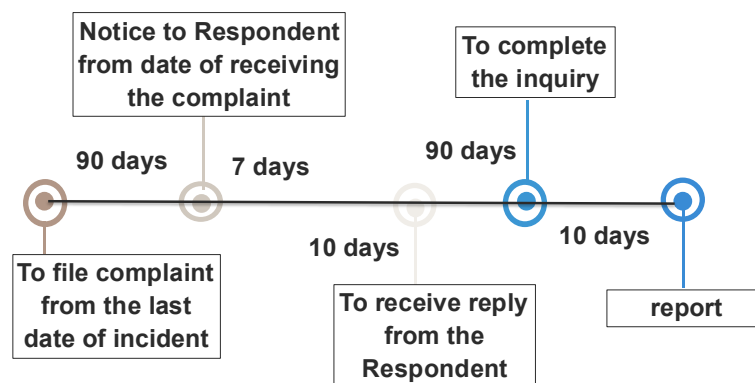
- Can be initiated at the request of the Aggrieved woman only – before inquiry (complainant's prerogative)
- Settlement on mutually agreed terms
- Both parties must get report based on terms of settlement – IC needs to ensure – no monetary exchange or pressure



In case of no such request, IC shall proceed for inquiry

Session4 -slide4

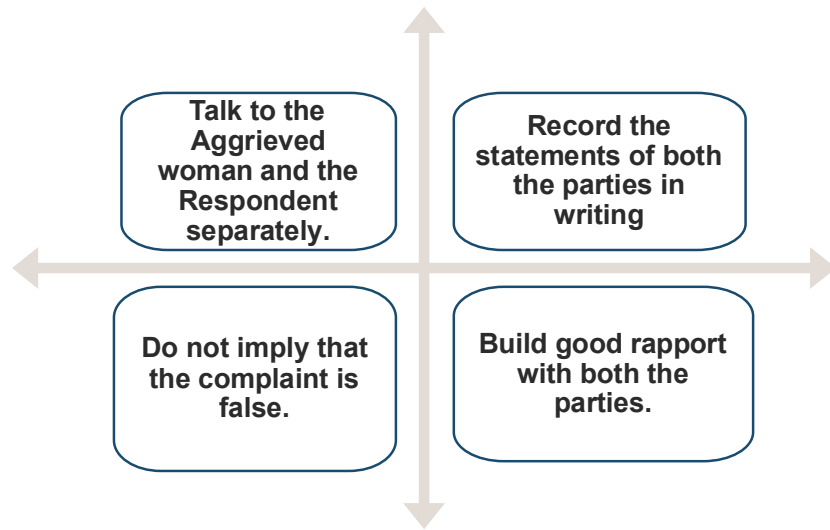
Timelines



60 Days –To act on the recommendations – IC should get compliance report

Session4 -slide5

Inquiry process



Session4 -slide6

Process

- Complainant may inform on phone.
- Encourage and support the complainant to register a written complaint; E-mail will do.
- Complainant should also give the evidence if available or name of witness if any.
- IC should undertake Inquiry as per principles of natural justice

Session4 -slide7

Principles of fair hearing

- Principles of natural justice implies fairness, reasonableness, equity and equality
 - No bias
 - As incorporated in the Constitution of India
 - Article 14: Equality before law
 - Article 15 (3): Social equality; no discrimination on the basis of gender
 - Article 19: Right to freedom
- No person can be a judge of his/her own cause
- No persons shall be condemn unheard: Rule of fair hearing

Session4 -slide8

Principles of fair hearing

General Procedure (grievance redressal)	Procedure under the Act
Notice	√
Right to produce evidence	√
Right to legal representation	NO
Opportunity to cross examine	Not directly, through IC
One who decides must hear and reason	√
Decision	√

Session4 -slide9

Handling the complaint

- If a woman finds anybody's behavior of unwelcome sexual nature, she has a right to complain to IC
- Encourage and support if a woman employee has such complaint, don't discourage
- Support her, provide help if necessary to write a complaint
- Try to understand her perspective (Don't be judgmental for example it is a general misbehavior and not sexual harassment etc.), look at definition of sexual harassment
- Don't ask offending questions to complainant as well as respondent

Session4 -slide10

Handling the complaint

- Confidentiality: Don't disclose names of the persons
- A complainant should not be looked as a 'trouble maker'
- Respondent should not be branded as a 'criminal'
- In the inquiry procedures many other issues also come forth, consider only those having direct correlation with the complaint, don't mess up with irrelevant administrative issues
- If you find any administrative issue worth cognizance, refer that to the concerned authorities for further action (same can be mentioned in the report)

Session4 -slide11

Inquiry Process - Quorum

- Minimum 3 persons of IC including presiding officer shall be present for inquiry (But don't make it a practice)
- IC should listen both the sides and examine
- Should inspect evidence (if any) and examine the witness
- Chief and cross examination of the both the parties and the witnesses
- Chief examination - let the person gives his/her account
- Cross examination - ask relevant questions as IC and on behalf of opposite party

Session4 -slide12

Evidence

- One can record general statements of reporting authorities of the concerned parties to know their overall conduct
- If there is no direct evidence; look for circumstantial evidence
- IC can refer employment record if necessary

Direct Evidence

Circumstantial Evidence

Session4 -slide13

Evidence

- Direct Evidence – Eye witnesses, Recording (CCTV footage, call recording), objectionable messages/emails/images etc.
- Circumstantial evidence – any corroborating evidence you need to examine – examining that both the persons were present at the time of alleged incident, statements of the relevant persons (such as the one the complainant shared her experience or the reporting officer to know general conduct of the respondent) employment history, appraisals, any other

Session4 -slide14

Examining evidence

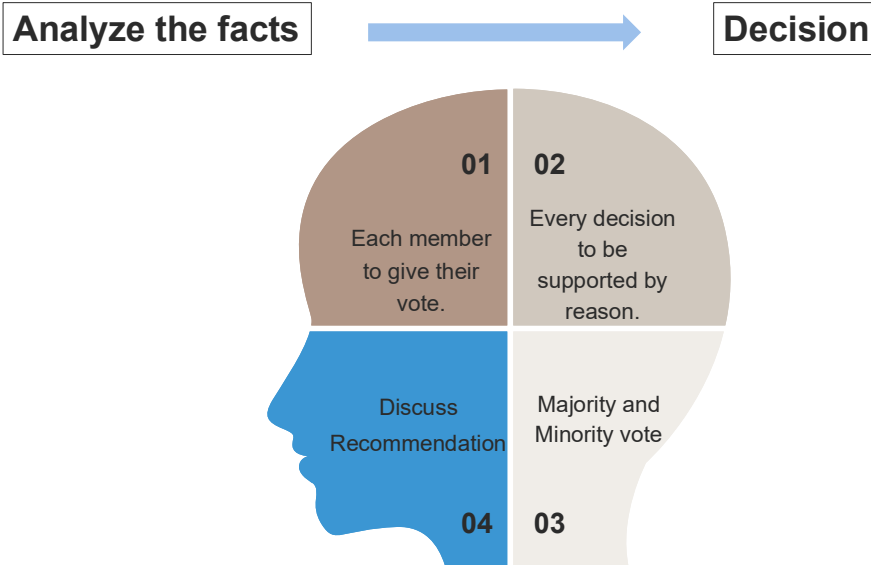
- Collect detailed accounts of the incident from the complainant and the respondent.
- Verify whether the parties were present at the location when the incident happened.
- Speak to those who were in the proximity when the incident occurred. They might have inferred something from the facial expressions of the parties.

Session4 -slide15

Examining evidence

- Interview those employees to whom the two parties spoke about the incident and try to understand what they think about it.
- If investigation could not substantiate the case, no recommendation will be given and case will closed
- If investigation establishes probability of alleged behavior, recommendation for action to be given based on the impact on the complainant

Session4 -slide16



Session4 -slide17

If either party does not appear

Termination of inquiry

- Terminate Inquiry if Aggrieved woman does not appear even after giving ample opportunity

Ex-Parte decision

- Exparte decision if Respondent does not appear even after giving ample opportunity

Ex parte means 'by or for one party'. An **ex parte** decision can be given in case of the non-appearance of the opposition.

Session4 -slide18

16

Documentation



Session4 -slide19

16

Documents

- Compliant
- Reply
- Documentation of mutually agreed terms in case of conciliation
- Inquiry - Attendance for hearing
- Proceedings (should be recorded and signed by the concerned person)
- Evidences – numbering, taking on record
- Statements of all the concerned
- Inquiry report – annexure – complaint, reply, proceedings and exhibit (evidence)

Session4 -slide20

Inquiry Report

Title	Report of the inquiry by IC As per section 11 of the 'Sexual harassment of women at workplace (Prevention, Prohibition and Redressal) Act' 2013, on the complaint made by _____ (Name and designation) against _____ (Name and designation)
Introduction	complaint made on date, reply sought on date, inquiry starting-closing date etc
Details of the procedure	<ul style="list-style-type: none">➤ Name of the Institution➤ IC members present➤ Evidences and/or witnesses: by complainant and respondent

Session4 -slide21

Inquiry Report

Findings of the committee	State the charges as mentioned in a complaint or additional charges if made during statement by the complainant Ø Major Observations
Conclusions	State whether charges are proved/not proved/probability established, state it with reference to definition of sexual harassment in the Act
Clear Recommendations	Ø For Action Ø For preventive Measures

Session4 -slide22

Do's

- Make comfortable sitting arrangement, (Arrange water, tea, food as per requirement)
- Talk separately with both the parties
- Arrange inquiry in a separate room away from the staff. If such arrangement is not possible in office, arrange at another place if possible
- Before starting inquiry, please discuss and develop strategy for questioning
- Give ample time for hearing, going through documents/evidence etc.
- You may need to counsel the complainant regarding the trauma
- You may need to counsel both the parties regarding inquiry procedure

Session4 -slide23

Don'ts

- Don't gossip with anybody about this, don't disclose any details
- Don't hush up the matter
- Don't ask offending questions
- Don't decide action in advance
- Don't be biased - be mindful of unconscious bias

Session4 -slide24


Bias

- Unconscious bias
 - Why didn't she make compliant immediately?
 - She didn't look scared.
 - Why did she take 'appropriate' step – screaming, running away, calling someone?
 - Assuming that complaint is false
 - Assuming that respondent is habitual offender/predator
 - Assumptions about how a complainant and respondent should behave

Responses of Victim

- Fight
- Flight
- Freeze
- Fawn
- Faint
- Flop

Session4 -slide25



**Zero tolerance towards Sexual
Harassment of women at workplace**

Session4 -slide26

Annexure 5

Presentation on Scheduled Caste and Scheduled Tribe (Prevention of Atrocities)



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The scheduled castes and the Scheduled tribes (Prevention of atrocities) Amendment Act, 2015

What is SC/ST Atrocity act?

- The Indian Constitution aimed to ensure equality and end untouchability but faced challenges in implementation.
- In 1955, the Untouchability (Offenses) Act was introduced to address these issues but had flaws and loopholes.
- Subsequently, the Act was revised and renamed as the Protection of Civil Rights Act.
- The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 was enacted to protect marginalized communities from discrimination and atrocities.

Slide 1

What is SC/ST Atrocity act?

- This Act, commonly referred to as the SC/ST Act, became law on September 9, 1989, with accompanying rules notified on March 31, 1995, aiming to safeguard the rights and dignity of people belonging to Schedule caste and scheduled tribes in India.
- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 seeks to ensure more stringent provisions for prevention of Atrocities against Scheduled Castes and the Scheduled Tribes. The Act is an amendment to the Principal Act, namely, the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) (PoA) Act, 1989 and is being enforced with effect from January 26, 2016.

Slide 2

Meaning of atrocities

- Before the Atrocities Act of 1989, the term "atrocities" had never been used. The term "atrocities" is widely used to describe crimes committed against members of the SC and ST communities. It describes someone who is brutal and harsh. The term 'crime,' on the other hand, refers to an illegal act. It also refers to crimes that include elements of pain in one way or another.
- It identifies what acts constitute "atrocities" and all offences listed in the Act are cognizable. The police can arrest the offender without a warrant and start an investigation into the case without taking any orders from the court.

Slide 3

Offences listed under the Act

- The Act defines 22 offences linked to various patterns or behaviors that result in criminal offences and violate the SC/ST community's self-respect and esteem.
- All the offenses implied against the person's will; (B) without the person's consent; (C) with the person's consent, where such consent has been obtained by putting the person, or any other person in whom the person is interested in fear of death or of hurt

Slide 4

Offences listed under the Act

- Institutes false, malicious or vexatious suit or criminal or other legal proceedings against a member of a Scheduled Caste or a Scheduled Tribe.
- Gives any false or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled Tribe;
- Intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;
- Assaults or uses force to any woman belonging to a Scheduled Caste or a Scheduled Tribe with intent to dishonour or outrage her modesty.

Slide 5

Offences listed under the Act

- Being in a position to dominate the will of a woman belonging to a Scheduled Caste or a Scheduled Tribe and uses that position to exploit her sexually to which she would not have otherwise agreed;
- Forcibly removing clothes, parading naked or with painted face/body, or any similar act derogatory to human dignity.
- Destroys, damages or defiles any object generally known to be held sacred or in high esteem by members of the Scheduled Castes or the Scheduled Tribes
- Explanation.—For the purposes of this clause, the expression “object” means and includes statue, photograph and portrait;

Slide 6

Offences listed under the Act

- By words either written or spoken or by any other means disrespects any person held in high esteem by members of the Scheduled Castes or the Scheduled Tribes; abuses any member of a Scheduled Caste or a Scheduled Tribe by caste name in any place within public view;
- Entering any place of worship which is open to the public or other persons professing the same religion or taking part in, or taking out, any religious, social or cultural processions including jatras;
- Entering any educational institution, hospital, dispensary, primary health centre, shop or place of public entertainment or any other public place; or using any utensils or articles meant for public use in any place open to the public;
- Practicing any profession or the carrying on of any occupation, trade or business or employment in any job which other members of the public, or any section thereof, have a right to use or have access to;

Slide 7

Offences listed under the Act

- Causes physical harm or mental agony of a member of a Scheduled Caste or a Scheduled Tribe on the allegation of practicing witchcraft or being a witch;
- Imposes or threatens a social or economic boycott of any person or a family or a group belonging to a Scheduled Caste or a Scheduled Tribe,
- Assaulting or sexual exploiting an SC or ST woman is an offence under the Act - The Amendment Act adds that: (a) intentionally touching an SC or ST woman in a sexual manner without her consent, or (b) using words, acts or gestures of a sexual nature, or (c) dedicating an SC or ST women as a devadasi to a temple, or any similar practice will also be considered an offence. Consent is defined as a voluntary agreement through verbal or non-verbal communication.

Slide 8

A sexual nature and is without the recipient's consent;

- Uses words, acts or gestures of a sexual nature towards a woman belonging to a Scheduled Caste or a Scheduled Tribe, knowing that she belongs to a Scheduled Caste or a Scheduled Tribe.
- The expression "consent" means an unequivocal voluntary agreement when the person by words, gestures, or any form of non-verbal communication, communicates willingness to participate in the specific act:
- Provided that a woman belonging to a Scheduled Caste or a Scheduled Tribe who does not offer physical resistance to any act of a sexual nature is not by reason only of that fact, is to be regarded as consenting to the sexual activity:
- Provided further that a woman's sexual history, including with the offender shall not imply consent or mitigate the offence;

Slide 9

A sexual nature and is without the recipient's consent;

- It provides the punishment for willful neglect of duties by non-SC/ST public servants. Whoever, being a public servant but not being a member of a Scheduled Caste or a Scheduled Tribe, wilfully neglects his duties required to be performed by him /her under this Act and the rules made thereunder, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to one year.
- It is implemented by the State Governments and Union Territory Administrations, which are provided due central assistance.
- Section 18A states that - For the Prevention of Atrocities Act, the preliminary enquiry shall not be required for registration of a First Information Report against any person.
- The provision of section 438 (pre-arrest bail) of the Code of Criminal Procedure (CrPC) shall not apply to a case under the Act, notwithstanding any judgment or order or direction of any Court.
- Shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.

Slide 10

Punishment for giving or fabricating false evidence against members of Scheduled Castes or Scheduled Tribes in India:

1. Capital Offense: If false evidence is given to cause a member of a Scheduled Caste or Scheduled Tribe to be convicted of a capital offense (punishable by death), the person giving or fabricating such evidence:

- Shall be punished with imprisonment for life and fine.
- If an innocent member is wrongly convicted and executed due to this false evidence, the person shall be punished with death.

Slide 11

Punishment for giving or fabricating false evidence against members of Scheduled Castes or Scheduled Tribes in India:

2. Non-Capital Offense: If false evidence is given to cause a member of a Scheduled Caste or Scheduled Tribe to be convicted of an offense punishable with imprisonment for seven years or more (but not capital), the person:

- Shall be punished with imprisonment for a term of not less than six months and may extend to seven years or more, along with a fine.
- This law aims to prevent wrongful convictions and severe injustices against Scheduled Castes and Scheduled Tribes through stringent punishments for those who fabricate or provide false evidence leading to their conviction.

Slide12

Rights of Survivors and Witness

- The state must protect Survivors, their dependents, and witnesses from intimidation or violence.
- Survivors are entitled to fair treatment, respect, and dignity, considering their age, gender, education, or poverty.
- Survivors have the right to timely notice of court proceedings and the right to participate in these proceedings.
- Survivors can request the court to summon parties, produce documents, or examine witnesses.
- Survivors can voice their views on bail, discharge, conviction, or sentencing.

Slide 13

Rights of Survivors and Witness

- Special courts must ensure protection, cover expenses, and facilitate rehabilitation of Survivors and witnesses.
- The court should conceal witness identities if necessary and promptly address harassment complaints.
- Investigators must record complaints promptly, and all proceedings must be video recorded.
- States must implement schemes providing free copies of reports, immediate relief, and necessary protections to Survivors and witnesses.
- Survivors can seek assistance from NGOs, social workers, or advocates throughout legal proceedings.

Slide 14

Duty of the State to specify plans to ensure the implementation of the following rights and entitlements of victims and witnesses :

- FIR That is, the police should give a copy of the complaint for free.
- Provide immediate relief in the form of cash or kind
- Provide necessary security
- Provide relief in respect of death or injury or damage to property
- Provide food, water, clothing, shelter, medical aid, transportation facilities or daily allowance to the victims.
- Provide maintenance expenses to the victims
- Provide information to torture victims about their rights while making complaints and filing FIRs.
- Take precautions during medical examination;

Slide 15

Why refer atrocity act in case of women belonging to SC/ST faces sexual harassment at workplace?

- Dalit women face discrimination based on caste, religion, and untouchability in addition to gender and economic hardship, which results in the denial of their social, economic, cultural, and political rights. Various studies show that because Dalit women experience socioeconomic deprivation, gender bias, and caste discrimination all at once, their difficulties are special and different in many ways. Because of their gender and caste, they are regarded as being vulnerable to sexual violence and exploitation.
- Many of the cases of sexual violence faced by women belonging to SC/ST arise as caste based violence committed in the form of sexual violence. POSH act guarantees justice through various committees formed internally and externally. The Act provides for various measures for redressal including conciliation, settlement between the parties, filing of a police complaint, or pursuing civil remedies. Whereas under Atrocity act an immediate FIR can be made and the proceedings can start in the court. Women can take action against perpetrator in either act based on her own judgement and severity of crime.

Slide 16

Annexure 6

Checklist for implementation (Session 5)



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Checklist for Implementation

Session - 5

A checklist for the implementation of the Act

The Act, Policy, display	Yes	No
Workplace Policy, making it accessible to all the concerned		
Sexual harassment specified under acts of misbehaviour		
Display of notices on workplace stance on Sexual harassment at workplace		
Display of information of IC members, accessible to all employees		
Awareness sessions for all concerned persons		

Session 5 - slide 1

A checklist for the implementation of the Act

The Act, Policy, display	Yes	No
Appointment of IC as per the law		
Whether capacity and skill building trainings are done for IC members to handle the complaints?		
In case of inquiry, has IC submitted inquiry report containing necessary details of proceedings and recommendations?		
Whether appropriate action was taken by employer on the recommendations of the committee?		
Whether compliance report on the same was sent to IC?		
Whether annual report is submitted?		

Session5 -slide2

Note: For editable presentations, please write to us.

பணியிடங்களில் பெண்களுக்கு எதிரான பாலியல் தொந்தரவு (தடுப்பு, தண்டனை மற்றும் தீர்வு) சட்டம், 2013-இன் கீழ் துன்புறுத்தலைத் தடுக்கும் 5 முக்கிய நடவடிக்கைகள்

படி 1:

பாலியல் துன்புறுத்தலுக்கு எதிரான கொள்கை உருவாக்கமும் செயல்படுத்தலும்



படி 2:

உள் புகார் குழுவை அமைத்து, திறமையாக செயல்பட அவர்களுக்கு தேவையான பயிற்சி அளிதல்



படி 3:

பணியாளர்களுக்கு விழிப்புணர்வு ஏற்படுத்துதல் மற்றும் உதவுதல்



படி 4:

சுவரொட்டிகள் மற்றும் அறிவிப்புகள் மூலம் விழிப்புணர்வு ஏற்படுத்துதல்



படி 5:

சட்டப்பூர்வ வருடாந்திர அறிக்கை தாக்கல் செய்தல்

Annexure 8

Template for Annual Report

ULB Letter Head

INTERNAL COMMITTEE OF _____ (ULB Name) FORMED UNDER SECTION 4 OF THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION, AND REDRESSAL) ACT, 2013

___ January (Year)

To,
The District Collector
ADDRESS

Subject: Annual Report under The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 for the year 1 January 20xx - 31 December 20xx

Dear Sir/Ma'am,

Please find enclosed herewith the Annual Report mandated under Section 21 of The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013, and corresponding provisions in The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Rules, 2013 for the year 1 January 20XX - 31 December 20XX.

Thanking You,

Yours faithfully,

Presiding Officer- Internal Committee
For _____ (ULB Name)

Municipality Letter Head

Annual Report of the Internal Committee in respect of complaints received during January 1, 20XX– December 31, 20XX under The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules framed there under as per Section 21 of the Act

Details of the IC Committee

IC Committee Constituted on _____

S. No.	Name	Designation	Role in the IC
1			Presiding Officer
2			Member
3			Member
4			Member
5			External Member

No. of complaints received during the year	
No. of complaints disposed of during the year	
No. of cases pending for more than 90 days	
Number of awareness programmes conducted to create awareness on sexual harassment at the workplace from 1 st January 20XX- 31 st December 20XX	
Number of employees who attended sessions conducted to create awareness about sexual harassment at the workplace from 1 st January 20XX- 31 st December 20XX	

Summary of the action taken on Complaints of Sexual Harassment

S No.	Complaint No.	Complainant	Respondent	Disciplinary Action
1				

Presiding Officer- Internal Committee
For _____ (ULB Name)

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Tamil Nadu Urban Sanitation Support Programme (TNUSSP) supports the Government of Tamil Nadu and cities in making improvements along the entire urban sanitation chain.

IIHS, CHENNAI

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