

RESEARCH STUDY REPORT

**A RESEARCH STUDY ON THE NATURE,
INCIDENCE, EXTENT AND IMPACT OF SEXUAL
HARASSMENT OF WOMEN AT WORK PLACE IN
THE STATE OF MAHARASHTRA**

**SUBMITTED TO
DEPARTMENT OF WOMEN & CHILD DEVELOPMENT,
MINISTRY OF HUMAN RESOURCE DEVELOPMENT,
GOVERNMENT OF INDIA
NEW DELHI**

**BY
YUGANTAR EDUCATION SOCIETY
CIVIL LINES, SADAR, NAGPUR – 440 001**

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A STUDY ON NATURE, INCIDENCE, EXTENT AND IMPACT OF SEXUAL HARASSMENT OF WOMEN AT WORK PLACE IN THE STATE OF MAHARASHTRA

EXECUTIVE SUMMARY

The present study on the Nature, Incidence, Extent and Impact of Sexual Harassment of Women at Work Place in the State of Maharashtra was undertaken in the backdrop of the increasing number of reports relating to the cases of sexual harassment of women in government and private offices and in other establishments and institutions. A research study proposal was, then, submitted to the Department of Women and Child Development, Ministry of Human Resource Development, Government of India which was approved.

The study was undertaken keeping in view the following objectives -

1. To study the nature, extent, incidence and impact of sexual harassment of women at work place.
2. To identify the correlates of sexual harassment used against women.
3. To examine the psychological and physical effects of sexual harassment on the personal and family life of the victims.
4. To study the impact of sexual harassment on the work, productivity and morale of the women.
5. To examine the impact of sexual harassment of women on work environment.
6. To examine the sufficiency or otherwise of the existing laws to provide safety and protection to women at work place.
7. To trace the reasons for which the sexually harassed women continue to work in hostile work environment with abusive relationship.
8. To suggest measures to prevent, control and minimize the incidence of sexual harassment at work place.

The study was conducted in the State of Maharashtra. A sample of 600 working women was drawn from the universe of women employed in organised and unorganised sector in four regions of the state giving proper representation to women from urban and rural areas. Out of 35 districts in the State spread over Vidarbha, Marathwada, Konkan and Rest of Maharashtra, 10 district were selected at random. The selection of blocks, towns and villages was done on random sampling basis. However, the selection of establishments was done using stratified random sampling method.

In addition to a sample of 600 working women a sample of 100 employers and 100 NGOs / Social activists was drawn from the universe of employers and NGOs from the 10 districts of Maharashtra which were selected at random.

For collection of primary data following instruments were used –

1. Interview Schedule for Working Women.
2. Interview Schedule for employers
3. Interview Schedule for NGOs.
4. Observation Schedule for investigators

Data Collection was done by the trained lady investigators. For collecting supporting data from employers, NGOs and social activists male investigators were deputed. The work of data collection was done between 1st July, 2003 and 31st October 2003. The data processing and analysis was over by 29th Feb., 2004.

Following are the major findings of the study –

A large number of working women respondents out of 600 both from organised and unorganised sectors and from urban and rural areas of the state were in the age-range of 23 to 43 years. About 63 per cent of them were married and 20 per cent unmarried.

Out of 600 about 20 per cent of the working women were illiterate. About 18, 5, 14 and 13 per cent of the respondents were educated up to primary, middle school, S.S.C. and H.S.S.C. level respectively. About 19 per cent of them were graduates and about 9 per cent post-graduates. It is observed that majority of illiterate women were employed in unorganised sector both in urban and rural areas, those with primary education were mostly found in unorganised sector both in rural and urban areas. Women with S.S.C. and H.S.C. qualifications were engaged in organised and unorganised sectors but majority of them were in urban areas. Women with graduate or post-graduate qualification were mostly from urban areas and were engaged in organised sector.

Nearly two-third of the women respondents were Hindus, 17 per cent were Boudhas and about 11 per cent were Muslims. The member of respondents following other religions was nominal.

Communitywise distribution of respondents disclosed that respondents from backward class communities were in majority i.e. SC (28 per cent), ST (13 per cent), VJNT (96 per cent) and OBC (28 per cent). Respondents of Advanced Communities were only 25 per cent.

Majority of 59 per cent of the respondents had their place of residence in cities and towns and 41 per cent in villages. About 62 per cent of them were having nuclear families, 34 per cent had joint families and about 4 per cent were living alone. About 10 per cent of the respondents were not living with the family as they were employed at distant place.

The 600 women respondents were working in different type of organisations. About 25 per cent of them were working in Government offices and 4 per cent in public enterprises. Nearly 28 per cent women respondents were employed in private offices, business establishments, service

establishments and industrial houses. About 28 per cent women were working as labourers in construction industry, factories, agricultural operations and other activities.

The analysis of job status revealed that only about 4 per cent of the respondents each were placed in managerial cadre and Supervisory cadre, 17 per cent in clerical cadre, 8 per cent in class IV cadre and 35 per cent as labourers. About 11 per cent respondents were in teaching profession and around 6 per cent in health services. Nearly 10 per cent of the women respondents were domestic workers i.e. maid servants.

Nearly 30 per cent of the respondents had less than 5 years service to their credit and remaining 70 per cent were in employment for 5 or more than 5 years.

Majority (about 94 per cent) of the working women had their working hours during day-time and about 4 per cent had to work after midnight.

Out of 600 working women about 62 per cent had a feeling of safety and security at work place. Majority (about 60 per cent) had good relations with their male coworkers.

For the purpose of this study the sexual harassment of women at work place has been defined as any unwelcome sexually determined behaviour like (a) physical contact (b) demand or request for sexual favour (c) sexually coloured remarks (d) showing pornography and (e) verbal or non-verbal conduct of sexual nature.

When respondents (working women) perception of the nature of sexual harassment was inquired into it was revealed that majority of the respondents (66 per cent) described it as physical contact and advances of

sexual nature while 58 per cent regarded it as request or demand for sexual favour. Others described sexual harassment to include sexually coloured remarks showing pornography, verbal and non-verbal sexual conduct and unwelcome physical conduct of sexual nature.

Out of 600 women respondents 224 (about 37 per cent) reported that they were victims of sexual harassment at work place. Out of these 224 victims, majority was from the age group of 18-23 years as against 4 per cent in the age group of 38-43 years. Thus the incidence of sexual harassment at work place was at higher rate in women of younger age group as compared to elder age-group. Negative association was observed between the age of the women employees and the chances of their sexual harassment at work place.

The incidence of sexual harassment at work place was observed at higher rate among the educated women as compared to uneducated one. Out of 224 victims of sexual harassment 43 per cent were graduates or post-graduates, 28 per cent were S.S.C. or H.S.S.C. passed, 10 per cent were educated up to primary or middle school level and 18 per cent were illiterate. The results of this study, thus, contradict the general contention that women with lower educational status or those who are illiterate run a higher risk of sexual harassment at work place.

It was also observed that the incidence of sexual harassment at work place was at higher rate in married women as compared with other categories like unmarried, widows, divorced and separated. It is because of the fact that flirting with married women is treated safe by the perpetrators. Out of 224 victims 129 (about 58 per cent) were married women.

Nature of organisations / establishments and the work place also encourages or discourages the intentions of perpetrators to harass the women employees. Women employed in factories, construction industry, agricultural

operations and maid servants employed in homes are more prone to sexual harassment as compared to those working in offices, schools and colleges and hospitals. The data analysis however turned down this myth as out of 224 victims about 75 per cent were employed in Government and Private Offices and business and service centres.

Efforts were also made to find out association between job status and sexual harassment. The analysis revealed that sexual harassment of women took place irrespective of their job status. However, the extent of sexual harassment and its rate of incidence varied from cadre to cadre. Out of 224 victims of sexual harassment at work place 30 per cent were factory workers, farm labour and casual labourers, 13 per cent were construction labourers, 13 per cent teachers, health caretakers, and 10 per cent maid servants. About one per cent victims were holding high positions like managers and superintendents.

Co-workers (17%) and immediate bosses (7%) were reported as the perpetrators of sexual harassment by maximum number of victims.

About 6 per cent of the respondents out of 600 were sexually harassed for the last so many years, those who were being harassed for the last one year or so were about 34 per cent. Majority of about 22 per cent of the respondents were sexually abused during working hours in the premises of the establishments.

The victims of sexual harassment at work place reported that they neglected (about 22 per cent), objected (7 per cent), resisted (7 per cent) and tolerated (about 2 per cent) the first attempt of the perpetrators to sexually abuse them. Thus maximum numbers of respondents neglected the first incident of sexual harassment which turned to be an encouragement for further harassment.

Out of 224 victims of harassment only 41 per cent stated that co-workers present at the time of harassment intervened and came down for their help. However when it came to give evidence against the perpetrators only 48

per cent out of 91 co-workers who had intervened came forward to give evidence against perpetrators. The rest refused to do so on one pretext or the other.

The immediate reaction to sexual harassment at work place was reported in different forms by the victims i.e. anger (43%), shock (14%), nervousness and helplessness (13% each), resistance (10%) and trauma (3%).

Only 65 per cent out of 224 victims of sexual harassment openly spoke about the incidents of sexual harassment to their friends, co-workers or higher authorities to seek their guidance and advice. A majority of 38 per cent of them were advised to simply give a strong warning to the perpetrators, around 21 per cent each were asked to lodge a complaint with higher authorities, and 12 per cent were asked to report the matter to police. In about 21 per cent of the cases the victims were told to neglect the perpetrator and his behaviour totally.

Out 224 victims 91 (41 per cent) only filed written complaints to the higher authorities. Out of these higher authorities did not take any action against the perpetrators in 22 per cent of the cases and only strong warning was given to the perpetrators in 63 per cent of the cases. Nearly 44 per cent of the victims were not satisfied with the action taken by the higher authorities against the perpetrators.

Only 17 per cent of the respondents were aware of the guidelines issued by the Supreme Court in respect of sexual harassment of women at work place. Out of these 101 respondents only 44 stated that a Complaints Committee was constituted in their establishments as per guideline of the Supreme Court. Most of these respondents were from organised sector in urban areas. Thus out of 600 organisations in which the respondents were employed the Complaints Committees were constituted in about 5 per cent of the organisations in organised sector. Thus Supreme Court directives have not been implemented in about 95 per cent of the establishments in which the respondents were employed.

Out of 44 victims of sexual harassment in whose establishments Complaint Committees were constituted as per Supreme Court directives only 21 (about 48 per cent) lodged the complaints with these committees. It is observed

that out of 21 cases of complaints no action was taken against the perpetrators in 8 cases, disciplinary action was taken in 2 cases, strong warning was issued in 9 cases and 2 cases were recommended for police action against the perpetrators. About 81 per cent of the victims were not satisfied with the action taken by the Complaints Committees and 71 per cent felt that the perpetrators were not sufficiently punished. Thus, a large majority of respondents expressed their dissatisfaction over the functioning of the Complaints Committees.

The research team also examined the physical, psychological, social and economic impact of sexual harassment at work place on the life of the victims. Some of the victims were so much disturbed that they were scared of every male around them. The victims also developed a feeling that their life was meaningless. Nearly one-third of the victims developed depression as their relatives tried to avoid them. A change was also observed in the relations with family members. The husbands and inlaws suspected their character and they were kept at a distance by their husbands. The victims were hesitant in attending social functions, mixing with relatives and friends. At work place, they were having constant tension and were unable to concentrate on job, their efficiency and productivity was adversely affected and their moral was down. A number of victims thought of resigning the job due to continuous sexual harassment.

The study team interviewed 100 employers (50 each from organised and unorganised sector) and recorded their views on sexual harassment at work place. It was observed that 48 out of 100 employers were unaware of the guidelines issued by the Supreme Court of India in respect of sexual harassment of women at work place. Out of the remaining 52 employers only 14 (about 27 per cent) constituted Complaint Committees in their establishments to deal with the cases of sexual harassment. Only 10 out of these 14 complaints committees were functioning and the rest were only on paper. The working of the functioning committees was also not satisfactory.

The employers brought to the notice of the investigating team that they had adopted certain measures to control and prohibit sexual harassment at work place, principal among which were (i) constitution of complaints committees (27%), exhibition of notice / warning prohibiting sexual harassment at work place (15%), awareness programmes for employees (4%) and arrangements for safety and security of women workers (27%). It was, however, observed that about 62 per cent of the employers did nothing for prohibiting or controlling sexual harassment of women at work place.

Out of 100, only 29 per cent of the employers were of the opinion that employers should be held responsible for sexual harassment of women at work place. However, 45 per cent of them held women workers responsible for their sexual harassment.

Nearabout 68 per cent of the employers reported that the morale, trust and productivity of the women was adversely affected as a result of sexual harassment.

No employer covered by the study had framed Prevention Policy for sexual harassment at work place. Most of them felt that having a policy on paper has no meaning unless it is effectively implemented.

The employers suggested a number of measures for preventing and reducing the cases of sexual harassment of women at work place. In their opinion, (i) women should not be posted on jobs which are carried out at lonely and secluded places (80%), (ii) no woman should be given duties after midnight (83%) and (iii) heavy punishment should be given to the perpetrators of sexual harassment for even minor offence.

The research team also evaluated the role of NGOs and Social Activists in providing support and guidance to the victims of sexual harassment at work place. It is surprising to note that only 34 per cent of the 100 NGOs and

Social Activists contacted have taken cognisance of the problem of sexual harassment of women at work place since long. Moreover, about 27 per cent of them started taking interest in this field very recently. The remaining 39 per cent have not taken any active part in providing support services to the victims of sexual harassment. Thus, the NGOs and Social Activists do not seem to be very serious about this problem. Our opinion is supported by the data returned from the field which indicated that nearly 57 per cent of them were not worried about the increasing trend of work place sexual harassment.

A large number of NGOs admitted that they could play a very significant role in preventing and curbing sexual harassment at work place by organising awareness programmes (71%), providing immediate social and psychological support to the victims (72%) and by giving guidance and legal help to them (57%).

As far as intervention by the NGOs and Social Activists in the cases of sexual harassment at work place was concerned, they stated that they intervened when the victims directly approached them (62%), on the basis of complaints lodged with the police (15%), on the calls from employers (11%) and sometimes on the basis of reports appearing in media.

A large majority (93%) of NGOs / Social Activists held the employers responsible for sexual harassment of women at work place.

The NGOs provided a number of services to the victims which included (i) social, psychological and moral support (85%) (ii) Counselling (75%) and guidance for taking proper action against the perpetrators (47%).

A number of measures were suggested by the NGOs / Social Activists for prevention and control of the incidence of sexual harassment of women at work place. Some of the important remedies suggested by them

include (i) sexual harassment awareness programmes for employers and employees (69%), Counselling centres at work places (56%), a separate law on sexual harassment (87%) and providing proper security and protection to women at work places.

On the basis of the data collected from employed women, employers , NGOs and social activists and major findings derived from data analysis the study team could draw certain conclusions which are reported as under –

1. The field of employment, both in organised and unorganised sectors, is dominated by married women.
2. Nearly 20 percent of the working women are illiterate and are equitably found in organised and unorganised sectors.
3. Illiterate women and women with lower educational qualifications are mostly given the jobs at places which are not safe and secured.
4. About 33 percent of the women are given jobs at places, which are not safe and secured.
5. A large number of working women are found ignorant about the precipitating factors of sexual harassment as well as the various forms of harassment.
6. The incidence of sexual harassment of women at work place is observed to be 17 percent in organised sector and 20 percent in unorganised sector, which seem to be very high.
7. The general contention that illiterate women and women with lower educational status are more prone to the risk of sexual harassment at work place is neglected by the findings of this study because the data collected revealed that even highly educated women were also the victims of sexual harassment at work place.

8. The incidence of sexual harassment of women at work place is higher among the married women as compared to other categories of women .
9. The general presumption that women employed for jobs of lower status in agriculture, construction industry, factories and at homes are more exposed to sexual harassment at work place as compared to those posted at jobs of higher status in government and private offices, business and industrial houses and educational institutions, is not supported by the findings of this study as the incidence and extent of sexual harassment of women is equitably noticed in all the establishments and organizations irrespective of their nature.
10. Employers, managers, supervisors and co-workers were all found involved in sexual harassment of women at work places. However, co-workers and supervisors are identified as principal perpetrators of harassment.
11. The sexual harassment of women at work place is a slow poisoning process, starting from simple actions through body language and, if not checked, reaching to the stages of sexual advances and assaults, physical contacts of sexual nature and demand for sexual favours. It is observed from the data analysis that the perpetrators were found involved in actions like verbal and non-verbal conduct of sexual nature, sexually coloured remarks, touching objectionable parts of a woman's body, showing pornography and forced intercourse.
12. It is observed that when an incident of sexual harassment of a woman was taking place other employees present on the spot did

not intervene in majority of the cases. Not only this many of those who intervened did not come forward to give witness against the perpetrators.

13. A large number of cases of victims of sexual harassment of women at work places remain undetected and unreported. The reasons are threats by perpetrators, false promises of promotions and better placement and fear of false allegations on character. As a result only 41 per cent of the 224 victims lodged a complaint to the higher authorities. Even in these cases the employers were not serious as in 22 per cent of the cases a clean chit was given to the perpetrators and no action was taken against them. Only one complaint out of 91 was referred to complaints committee and in 62 per cent of the cases only strong warning was given to the perpetrators.
14. Only a limited number of working women both in organised and unorganised sectors were found aware of the guidelines issued by the Supreme Court for prevention and control of sexual harassment at work-place. A very large majority (83%) of them was totally ignorant about such guidelines. Thus, the government, the employers, NGOs and social activists, failed to create awareness on this issue.
15. The functioning of complaint committees constituted under the directives of the Supreme Court or otherwise were not functioning to the satisfaction of the women employees as 83 per cent of them recorded their grievances against the working of these committees.
16. The study team examined the physical, psychological, social and economic impact of sexual harassment at work place on the

personal and family life of working women and came to the conclusion that the sexual harassment of women at work place adversely affected their personal and family life in all respects.

17. The study team, after going through the analysis of data collected from the employers, observed that the Indian employers have not, so far, realised their responsibility in relation to sexual harassment of women at work place. Nearly 50 per cent of them were totally unaware of the guidelines issued by the Supreme Court in this regard. Those having knowledge also failed to implement the directives of the Supreme Court in their establishments, in many cases. Some of them constituted complaints committees but, as reported by working women, such committees were either on paper or were not functioning properly.

18. Some of the employers, however, adopted certain measures to prevent sexual harassment of women at work place, but, these measures are found inadequate and ineffective in a number of cases.

19. The role of NGOs and Social Activists in preventing and controlling sexual harassment of women at work place was also evaluated by the study team by contacting 100 respondents from different parts of Maharashtra. It was observed that even the NGOs exclusively working for the empowerment and welfare of women have not, so far, taken the problem seriously. We came across only 34 NGOs / Social Activists who were actually working in this field but they too were not very active and were working only on ad-hoc basis and that too when the victims on their own approached them for help.

20. Some of the NGOs, however, have done some constructive work like organising sexual harassment awareness programmes for employers and employees, support services to victims and counselling to perpetrators. These efforts are, however, not sufficient and, therefore, there is a need for massive campaign against sexual harassment at work place.

21. The NGOs / Social Activists have identified some precipitating factors for sexual harassment of women at work place. Principal among these factors are attitude of men to treat women as objects of sex, over smart behaviour and make-up of women creating attraction for them in the minds of men and the impact of sexy scene in T.V. serials, movies, and media.

On the basis of the findings of the study and the conclusions drawn the study team would like to make the following recommendations. –

1. The Supreme Court Guidelines issued in 1997 prohibiting sexual harassment at work place, though legally binding on all employers, are not implemented in a large number of establishments and institutions. The Central and State Governments, therefore, should launch a drive to identify the defaulting employers, impose punishment on them and compel them to implement the provisions of Supreme Court Guidelines in their establishments.
2. Though the directives issued by the Supreme Court of India are given the status of law till a separate legislation is passed, these guidelines are not honestly implemented. Hence, it is the need of the hour to have an independent law on sexual harassment of women at work place. The study team, therefore, would like to recommend that the required legislation be enacted as early as possible.

3. The employers have, apart from legal, a moral responsibility to protect the rights, interests and dignity of women employed in their establishments. The study team would like to recommend certain steps to be taken by the employers to ensure that every woman employee in the establishment gets due security and protection so that her dignity as woman is not tarnished in any way. Every employer must, therefore, design and strictly implement Sexual Harassment Prevention and Control Policy which must be made public and each employee should be provided a copy thereof at the time of his / her appointment.
4. There is a sufficiently large number of NGOs working in the field of empowerment and welfare of women. They have long experience in the field and have earned good reputation. Such NGOs should be involved in the preventive activities related to sexual harassment of women at work places. They should also be provided with sufficient funds to carry out these activities.
5. Sex education should be included in the curriculum of school and college education so that the youngsters are acquainted with the possible consequences of sex abuse.
6. The sexual harassment at work place should form a part of standing orders and a very clear policy of removal, dismissal and suspension on the ground of sexual harassment of women at work place should be included in standing orders.
7. There should be no objection if the women employees are social and mix freely with the male members of the team at work place. However, they should keep restraint on their behaviour pattern so as to avoid the possibility of sexual harassment at work place.

8. A number of times initial attempts of sexual harassers are neglected or tolerated by the women. This instead of stopping the activities of the perpetrators, encourages them for further activities till they reach their target. Hence, the study team suggest that the employers should give proper guidance to their women employees and ask them to report even the minor incidence of sexual harassment by lodging a complaint against the perpetrator.
9. Some of the perpetrators are persons with disorganised personality with sex perversion. It is necessary to identify such employees in the establishments, institutions and organisations. Therefore all the existing employees should be referred to the psychiatrics. Those with abnormal behaviour should be given proper treatment and counselling.
10. As at present the statistics of reported crimes against women are available with states and central government. However, there is no proper classification of the available data and there is no separate category as sexual harassment at work place. Moreover, a number of cases of sexual harassment of women at work places remain unreported to the police. As a result the available data do not reflect the realities in the field. Hence the study team would like to suggest that the N.S.S.O. should be assigned the responsibility of collecting, classifying and presentation of statistics relating to sexual harassment of women at work places.
11. Last but not the least is the promotion of research work on regular basis in the area of sexual harassment of women at work place. In USA, UK and Australia continuous research work is undertaken by government and private research organisations. We, in India, should immediately undertake research in this new field to understand the problem and to adopt measures to control the present trend which may pose a danger in future.

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CHAPTER – I

INTRODUCTION

The philosophers and Lawmakers of ancient time gave authenticity to inferior status of women through their writings and preaching. All over the world the women belonged to a class, which is by and large exploited. If we go through the history of mankind we find those different and desperate cultures, through distant in time and space, have one thing common and that is contempt for women. This contempt manifests itself in the form of crime against women which has escalated the world over. In India too, women remained neglected through generations.

Women constitute about half the population of India. But, no efforts were made to elevate the status of women till independence. It was only after we achieved freedom that efforts were made to remove their social and economic disabilities by providing them opportunities to develop and legal protection. As a result women in India are getting gainful employment outside the home. It will be agreed that the levels of economic equality and independence are the true indicators to determine the status of women. Employment of women, therefore, is a necessary corollary to achieve gender equality and gender justice. The constitution of India grants equality to women and the Government of India has brought out specific legislations to protect and safeguard their rights and interests. The Government of India has further proposed to strengthen the process of empowerment of women in the 10th Five – Year Plan.

As at present, millions of women are engaged for employment in the agriculture, industry and services. They are found in both organised and unorganised sectors of Indian economy. The women employed in organised sector have some, though not enough, legal protection to safeguard their rights and interests. However, those working in unorganised sector are exposed to a number of problems related to their employment and working conditions. Serious

among these problems faced by women at workplace is that of harassment in general and sexual harassment in particular. Sexual harassment is the main problem, now a day, being faced by a substantially large number of women at work place. The origin of this problem dates back to the entry of women in the field of employment, however, this problem is reported and caught attention of the public and the government only recently. Even today this problem is not being seriously taken by the social scientists, the employers and the policy-makers and no effective measures have been adopted to prevent or at least reduce the incidence of sexual harassment at work-place.

Definition of Sexual Harassment at Work Place

Sexual harassment of a woman at workplace violates her right to job, security and equal opportunity. It can create working conditions that are hazardous to the psychological and physical well being of women workers. It also creates a poisoned work atmosphere that disempower and demoralise women employees. When ignored sexual harassment exacts high cost to the organisations in terms of loss of productivity, high rate of absentism among affected women workers, disruptions of work from long-term sick leaves and low morale. It may also tarnish the public image of the organisations.

Sexual harassment at workplace may be defined, as any unwanted sexual attention that is explicitly or implicitly made a condition for favourable decisions affecting a woman's employment or that, which creates an intimidating, hostile or offensive work environment. It is a specific form of harassment, which occurs all over the world. At times regarded as harmless flirting, it is increasingly recognised that whatever the intent of the perpetrator, it can demean and damage the victim.

The unwelcome sexual advance, request for sexual favours, and other verbal or physical conduct of sexual nature constitutes sexual harassment when –

1. Submission to such conduct is made either explicitly or implicitly a condition of an individual's employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decision affecting such individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating or hostile or offensive working environment.

The following factors should be considered to determine whether the environment is hostile –

1. Whether the conduct was verbal or physical or both?
2. How frequently it was repeated?
3. Whether the conduct was hostile or potentially offensive?
4. Whether the alleged harasser was a co-worker or supervisor?
5. Whether others joined in perpetrating the harassment?
6. Whether the harassment was directed at more than one individual?

The Supreme Court of India in its judgement of 14th Aug., 1997 defined sexual harassment to include such unwelcome sexually determined behaviour such as –

- a) Physical contact
- b) Demand or request for sexual favour
- c) Sexually coloured remarks
- d) Showing pornography and
- e) Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

For the first time, behaviour that can be considered as sexual harassment has been explicitly legally defined by the Supreme Court of India. The Supreme Court judgement has, for the first time, identified sexual harassment as a separate category of legally prohibitive behaviour. Sexual harassment should be taken as a separate legal offence not because it is less serious but because it is considered less seriously.

Unwelcomeness of the behaviour is identified as the critical factor in sexual harassment. Thus, it is the impact of behaviour on the recipient, rather than the intent of the perpetrator, which is to be considered. By doing so, we conform to the intentionally accepted standards for sexual harassment. Also notable is the fact that the Supreme Court has, in accordance with the international standards, identified sexual harassment as a question of power exerted by the perpetrator on the victim. Further, sexual harassment is a violation of the right to safe working conditions and also a violation of women's right to equal opportunity in the work place.

Prevention Policy

In a work-place the employers needs to make the working environment safe and sexual harassment free by eliminating or lessening all odds for occurrences between opposite sexes in the organisation. For this the employer has to design and implemented a 'Prevention Policy' to ensure all women employees a safe, and protected working environment. The employers should frame a comprehensive prevention programme to prevent sexual harassment of women at work place. The prevention policy framed by the employer should include the following steps to be taken by the employer –

1. Educating all employees on sexual harassment.
2. Expressing strong disapproval of any act of sexual harassment.
3. Informing employees about their right to raise and the way to raise the issue of sexual harassment.

4. Developing methods to handle the issue of sexual harassment.

An effective prevention policy needs to be written, accurate and readable. It should also include the following for insuring prevention –

1. Zero Tolerance Statement proclaiming that sexual harassment is strictly prohibited and will not be tolerated in any form.
2. Definition of Sexual Harassment explaining clearly all conducts of sexual harassment with or between co-workers or other managers.
3. Every policy must give clear examples of unallowable conduct.
4. The policy must state that every person in the organisation has the duty to report questionable sexual conduct promptly, to not to engage in sexual harassment and has an obligation to ensure that others do not engage in such conduct.
5. There need to be a firm statement against relation for employees who report inappropriate sexual conduct or assist in its prevention.
6. The policy also needs to have the complaint procedure explained for employees.
7. Individuals need to know what will happen after a sexual harassment complaint have been made.
8. The policy must state the persons found to have engaged in sexual harassment will be disciplined promptly. The policy should also state that the victim will be informed of the outcome of the investigation and any disciplinary action taken against the perpetrator. This will ensure the victim and the perpetrator that the action will be taken.
9. An effective sexual harassment prevention policy cannot be practiced without giving the employees involved certain assurances about confidentiality.
10. The prevention policy should also include training requirements for prevention of sexual harassment at work place.

The Supreme Court of India in its judgement on sexual harassment at workplace delivered in August, 1997, gave guide-lines to prevent sexual harassment which include the following steps to be undertaken by the employer or any other responsible authorities in public or private sectors –

- a) Express prohibition of sexual harassment at workplace should be notified and circulated among the employees in the organisation.
- b) Prohibition of sexual harassment should be included in the rules and regulations of Government and Public Sector Bodies.
- c) Private Sector employers should include prohibition of sexual Harassment in the standing orders under the Industrial Employment (Standing Orders) Act, 1946.
- d) Appropriate work conditions should be provided for work, leisure, Health and hygiene to further ensure that there is no hostile environment towards women at work places and no woman employee should have reasonable grounds to believe that she is disadvantaged in connection with her employment.

Who can be sexual harasser?

The sexual harasser can be victim's co-worker, supervisor, an agent of the employer, a supervisor in another area or a non-employee.

Can a single incidence constitutes sexual harassment?

In 'quid pro quo' cases a single sexual advance may constitute sexual harassment if it is linked to the granting or denial of employment or employment benefits. Unless a conduct is quite severe a single incident or isolated incidents of offensive sexual conduct or remarks generally do not create a hostile environment. A hostile environment claim usually requires a showing of pattern of offensive conduct. However, a single, usually a severe incident of harassment may be sufficient to constitute a claim. The more severe the harassment, the less need to show a repetitive series of incidents. This is particularly true when harassment is physical. For example, the unwelcome,

intentional touching woman's intimate body area is sufficiently offensive to alter the condition of her working environment.

The verbal remarks also constitute sexual harassment. For this we have to evaluate the totality of the circumstances to ascertain the nature, frequency, context and intended target of the remarks. Relevant factors may include –

- i) Whether the remarks were hostile and derogatory,
- ii) Whether the harasser singled out the woman,
- iii) Whether the woman participated in the exchange, and
- iv) The relationship between the woman and the harasser.

Employers' Liability :

In United State the recent rulings of the Supreme Court made it clear that organisations can be held liable for supervisors' behaviour even if they have no knowledge of that behaviour. It is not enough for an organisation to draft policy against sexual harassment. Organisations today must ensure that all their leaders are practically working to create and lead a respectful workplace, one free from sexual harassment.

The managers and supervisors should be trained on how to prevent and resolve the claims of sexual harassment, which will guide them through the investigative process including interviewing complainant, alleged behaviour and witness. The manager should promote a safe working environment that encourages employees to openly talk about potential problems and will help eliminate sexual harassment in work place.

The guidelines issued by the Supreme Court of India clearly mention that it is the duty of the employer or other responsible persons in work places or other institutions to prevent sexual harassment and to provide procedures for resolution of complaints. The employers must provide procedures

for resolution of complaints. The employers must provide a Complaint Committee headed by a woman and not less than half of its members should be women. The Committee should include an NGO or other organisation that is familiar with the issue of sexual harassment. Complaint Procedure should be time – bound. Confidentiality of the complaint has to be maintained. Complainants or witnesses should not be victimised or discriminated against while dealing with complaints. The committee should submit an annual report to the government department concerned.

The country has approximately 50 crore women, but ironically, there are no statutory laws on sexual harassment of women. Right now, the guidelines passed by the Supreme Court of India are declared to be the law of the land and binding to all concerned until a comprehensive legislation is enacted for the purpose. Legal experts say that the guidelines prescribed by the apex court have not been totally effective in handling main problem is that the judicial judgement has not been converted into a parliamentary legislation. Therefore, even now, several people do not look upon sexual harassment as a crime, but only as a non-cognisable offence. Hence, the legal experts stress on the need for a comprehensive legislation which should provide for specialised tribunals, preferably manned by women to try cases of sexual harassment and for imposition of stringent penalties.



Chapter II

Methodology

The status of women in India was viewed by reformers of 20th century as one of the indices by which to measure the extent of modernization and transitionalism of a nation was measured. The women constitute almost half the population of India. Many of them are engaged for employment in factories, mines, construction industry, agricultural activities, private organisations and government offices. They are found in both organised and unorganised sectors of employment. Majority of them are facing a number of problems. One of the serious problems faced by women at work place is the sexual harassment at work place by co-workers, supervisors, managers, senior officers and also the principal employers. The problem has assumed a serious form after 1970 and today it has become a disease in all establishments. No official statistics are available on the incidence, extent and impact of sexual harassment of women at work place. The present study is undertaken in the backdrop of this situation. It is however, limited to the State of Maharashtra.

Objectives of the Study

The present study mainly aims at finding out the nature, incidence, extent and impact of sexual harassment of women at work place in the State of Maharashtra. More specifically the main objectives of study are :

1. To study the nature, extent and incidence of sexual harassment of women at work-place.
2. To identify the correlates of sexual harassment used against women.
3. To examine the physical and psychological effects of sexual harassment on the personal and family life of the victims.

4. To study the impact of sexual harassment on the work, productivity and morale of the working women.
5. To examine the impact of sexual harassment of women on the work environment.
6. To examine the sufficiency or otherwise of the provisions of law to provide safety and protection to women at work.
7. To trace the reasons for which the sexually harassed women continue to work in hostile work environment and with abusive relationships.
8. To suggest measures to control, minimize and if possible eliminate the element of sexual harassment of women at work place.

Sampling Design

The universe for the study constituted all the working women employed gainfully either in regular scale or on daily wages in organised and unorganised sector of employment in the State of Maharashtra. The working women may or may not be the victims of sexual harassment. The sample of 600 working women was drawn from organised and unorganised sectors of employment in the State of Maharashtra, giving equitable representation to the subjects from different categories of establishments. The sample of 600 working women respondents were drawn randomly from urban and rural areas. Thus the sampling design was based on stratified sampling method. The selection of districts, towns and villages was done on the basis of random sampling which was also used in choosing establishments from organised and unorganised sector.

There are 35 districts in the State of Maharashtra. Out of these the following 10 Districts were selected at random and a sample of 60 working women (30 each from organised sectors) was also drawn on random sampling basis giving equal representation to urban and rural areas. The following table gives the details of sampling distribution.

District	Number of Respondents						Total
	Organised Sector			Unorganised Sector			
	Urban	Rural	Total	Urban	Rural	Total	O+UO
1. Amravati	15	15	30	15	15	30	60
2. Aurangabad	15	15	30	15	15	30	60
3. Chandrapur	15	15	30	15	15	30	60
4. Jalgaon	15	15	30	15	15	30	60
5. Kolhapur	15	15	30	15	15	30	60
6. Nagpur	15	15	30	15	15	30	60
7. Nashik	15	15	30	15	15	30	60
8. Nanded	15	15	30	15	15	30	60
9. Pune	15	15	30	15	15	30	60
10. Thane	15	15	30	15	15	30	60
Total	150	150	300	150	150	300	600

For collection of supporting data from employers and NGO/Social activists a sample of 100 establishments and 100 NGOs/Social activists was drawn on purposive sampling basis from the respective districts.

Tools and Methods of Data Collection

The Interview Schedule was the principal instrument used for collection of primary. It was designed as a semi-structured tool with combination of diffused and open-ended questions. The following tools and techniques were used –

1. Interview Schedules for Working Women.
2. Interview Schedule for Employers.
3. Interview Schedule for NGOs and Social Activists.
4. Observation Sheet for Investigators

Based on the major variables and parameters the Interview Schedules were drafted and extensively discussed at different levels. The items

of interview schedules were pre-coded so that the respondent could check only one or more of them. They were also pre-tasted on 5 per cent of the respondents from each category before they were used in the field with required modifications.

Data Processing

For collecting primary data from working women female-investigators were trained and sent in different districts of the State of Maharashtra. Male-Investigators were deputed for collecting data from the employers and NGOs/Social Activists. The work of data collection was carried out under the supervision and guidance of Coordinator and Research Officer. The work of data collection was over by the end of October, 2003.

The work of data processing was then taken up. On the basis of the filled in interview schedules the master chart was designed and filled.

The data analysis plan was designed in such a way that all possible errors during data processing would be excluded. The entire 800 interview schedules (600 of Working Women, 100 of Employers and 100 of NGOs and Social Activists) were edited and checked for ambiguities and inconsistencies. Numerical symbols were assigned to the responses in the interview schedules yielding a total of 83 variables. The codes were verified and rechecked for each and every case during processing of data.

Computers were used for data processing and statistical analysis of data. In the first instance sorting was done to generate frequency table for each independent variable. The significance of the frequency of variable was checked by assuming 5 per cent error.

The report that follows incorporates the data, the analysis, the interpretation and the inference drawn are compared with the inferences drawn by other researchers who had undertaken studies in India and also in other countries.

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CHAPTER III

Personal Profile & Employment Status of Respondents

The present chapter informs the personal profile and employment status of women respondents spread over the entire state of Maharashtra. The important variables about which the information is collected are age of the respondent, marital status, education, religion, community, place of residence, type of family, size of family, nature of job, nature of work place, working hours safety at work place and relations with co-workers. This information was found necessary to find out any association between these variable and the sexual harassment at work place.

Age of Respondents

The age of the women is an important factor in sexual harassment of women. The general understanding is that the women of younger age group are more likely to be sexually harassed as compared with the women belonging to elder age-group. In order to test this presumption and to find out any association between the age of the women and sexual harassment at work place the data was collected which is presented in the following table –

Table No. 3.1
Age of Respondents

Age in Year s	<u>Organised Sector</u>			<u>Unorganised Sector</u>			<u>Total (Org + Unorg. Sector)</u>		
	Urban	Rural	Total	Urban	Rural	Total	Urban	Rural	Total
18-23 %	21 (3.50)	09 (1.50)	30 (5.00)	23 (3.83)	26 (4.33)	49 (8.17)	44 (7.33)	35 (5.83)	79 (13.17)
23-28 %	25 (4.16)	32 (5.33)	57 (9.50)	35 (5.83)	34 (5.67)	69 (11.50)	60 (10.00)	66 (11.00)	126 (21.00)
28-33 %	30 (5.00)	32 (5.33)	62 (10.33)	27 (4.50)	28 (4.67)	55 (9.17)	57 (9.50)	60 (10.00)	117 (19.50)
33-38	28	28	56	27	27	54	55	55	110

%	(4.67)	(4.67)	(9.33)	(4.50)	(4.50)	(9.00)	(9.17)	(9.50)	(18.33)
38-43 %	30 (5.00)	30 (5.00)	60 (10.00)	23 (3.83)	23 (3.83)	46 (7.66)	53 (8.83)	53 (8.83)	106 (17.67)
43 & Above	16 (2.67)	19 (3.17)	35 (5.84)	15 (2.50)	12 (2.00)	27 (4.50)	31 (5.17)	31 (5.17)	62 (10.33)
Total (%)	150 (25)	150 (25)	300 (50)	150 (25)	150 (25)	300 (50)	300 (50)	300 (50)	600 (50)

The tabulated data reveals that out of 600 respondent majority of the respondents (21 percent) were from the age group of 23-38 years, followed by 20 percent from 28-33 years. 18 percent each from 33-38 years and 38-43 years age groups. Only about 10 percent of the respondents were of the age of 43 years and more.

Sectorwise analysis of data revealed that –

- a) In organised sector majority of the respondents (about 10 Percent) were found in the age group of 28-33 years.
- b) In unorganised sector majority of the respondents (about 12 percent) were in the age group of 23-38 years.

Areawise analysis of data disclosed that majority of the respondents from urban area (10 percent) and rural area (11 percent) were in the age group of 23-43 years.

In conclusion we can say that a large number of respondents both from urban and rural areas of organised and unorganised sector were in the age range of 23 to 43 years.

Marital Status

Marital Status of an employee is one of the significant factors in instance of sexual harassment at work place. Since marriage gives protection and provides security cover married women employees run lesser risk of sexual

harassment as compared with deserted, divorced, widowed and unmarried women. The data relating to marital status can be used for finding out the association, if any, between the marital status of a women employee and her sexual harassment at work place. The table given below shows the marital status of women employees engaged in organised and unorganised sectors in urban and rural areas of the state of Maharashtra.

Marital Status	<u>Organised Sector</u>			<u>Unorganised Sector</u>			<u>Total (Org + Unorg. Sector)</u>		
	Urban	Rural	Total	Urban	Rural	Total	Urban	Rural	Total
Married (%)	42 (7.00)	107 (17.83)	199 (33.17)	84 (14.00)	94 (15.67)	178 (29.67)	176 (29.33)	201 (33.50)	377 (62.83)
Unmarried (%)	44 (7.33)	21 (3.50)	65 (10.83)	25 (4.17)	28 (4.67)	53 (8.83)	69 (11.50)	49 (8.17)	118 (19.67)
Widow (%)	08 (1.33)	15 (2.50)	23 (3.83)	19 (3.17)	23 (3.83)	42 (7.00)	27 (4.5)	38 (6.33)	65 (10.83)
Divorced (%)	03 (0.05)	04 (0.67)	07 (1.67)	13 (2.16)	02 (0.33)	15 (2.50)	16 (2.67)	06 (1.00)	22 (3.67)
Separated (%)	03 (0.05)	03 (0.05)	06 (1.00)	09 (1.50)	03 (0.50)	12 (2.00)	12 (2.00)	06 (1.00)	18 (3.00)
Total (%)	150 (25)	150 (25)	300 (50)	150 (25)	150 (25)	300 (50)	300 (50)	300 (50)	600 (100)

The tabulated data shown that about two-third (about 63 percent) of the total 600 respondents were married, as against about 20 percent who were unmarried. About 11 percent of the respondents were widows, about 4 percent divorced and about 3 percent separated. Majority of the respondents engaged in organised sector (33 percent) and unorganised sector (30 percent) were married. Similarly majority of the respondents from urban area (29) percent and rural area (34 percent) were married. The percentage of respondents who were unmarried was 11 in organised sector and 9 in unorganised sector. About 12 percent respondents from urban area about 8 percent from rural area were unmarried.

In conclusion we can say that about two-third of the respondents are married and they equitably spread over organised and unorganised sectors in urban and rural areas.

Educational Status

Formal education helps a women to know what is happening in immediate surroundings and outside. It also empowers her to protect her rights and interests and fight against injustice done to her. Education women, therefore, will not tolerate their exploitation and harassment. A few studies indicate that less educated or uneducated women employees are sexually harassed and exploited by the employers, supervisors and co-workers.

The data on educational status is collected to study the co-relation between the educational level of women workers and their sexual harassment at work place in relation to educational status of women workers. The following table throws light on the educational status of respondents –

Table No. 3.3
Educational Status of Respondents

Educational Status	<u>Organised Sector</u>			<u>Unorganised Sector</u>			<u>Total (org+Unorg.Sector)</u>		
	Urban	Rural	Total	Urban	Rural	Total	Urban	Rural	Total
Illiterate (%)	05	06	11 (1.83)	51	59	110 (18.33)	58 (9.33)	65 (10.83)	121 (20.17)
Primary (%)	08	18	26 (4.33)	38	43	81 (13.50)	46 (7.67)	61 (10.17)	107 (17.83)
Middle (%)	04	09	13 (2.17)	11	11	22 (3.67)	15 (2.50)	20 (3.33)	35 (5.83)
S.S.C. (%)	27	18	45 (7.50)	23	17	40 (6.67)	50 (8.33)	35 (5.83)	85 (14.17)
H.S.S.C. (%)	21	33	54 (9.00)	14	08	22 (3.67)	35 (4.83)	41 (6.83)	76 (12.67)
Graduate (%)	51	43	94 (15.67)	09	09	18 (3.00)	60 (10.00)	52 (8.67)	112 (18.67)
Post Graduate (%)	30	20	50 (8.33)	01	02	03 (0.50)	31 (5.17)	22 (3.67)	53 (8.83)
Any Other (%)	04	03	07 (1.17)	03	01	04 (0.67)	07 (1.17)	04 (0.67)	11 (1.83)
Total (%)	150	150	300 (50)	150	150	300 (50)	300 (50)	300 (50)	600 (100)

The data presented in the table shows that out of 600 respondents about 20 percent were illiterate of which about 2 percent were engaged in organised sector and about 18 percent in unorganised sector. Areawise distribution of respondents on the basis of educational status indicates that about 11 percent respondents from rural areas (organised & unorganised sector) were illiterate as against 9 percent from urban areas.

About 18 percent of the total respondents had education up to primary level of which about 4 percent were from organised sector and 14 percent from unorganised sector. Similarly, 8 percent of the respondents were from urban areas and 10 percent from rural areas.

Nearly 6 percent of the total respondents were education up to middle school level and of them 2 percent were from organised sector and 4 percent from unorganised sector. They were equitably spread over urban area and rural areas.

Only about 13 percent of the total 600 respondents had education up to H.S.S.C. level and of them 9 percent were employed in organised sector and 4 percent in unorganised sector. Areawise distribution indicated that 5 percent of them were in urban areas and 8 percent in rural areas.

Only 19 percent of the respondents were graduates in different disciplines and of these 16 percent were engaged in organised sector and 3 percent in unorganised sector. They were equitably spread over urban and rural areas of organised and unorganised sectors.

Nearly 2 percent of the respondents had educational qualifications like Certificate, Diploma etc. They were mostly located in organised sector. The following conclusions could be drawn from the analysis of data –

- i) Majority of the illiterate women get employment in unorganised sector both in urban and rural areas.
- ii) Women educated up to primary level are mostly engaged in unorganised sector and majority of them are in rural areas.
- iii) Women having education up to middle school and S.S.C. level are equitably employed in organised and unorganised sector from urban and rural areas.
- iv) Women having H.S.S.C. Degree and post-graduate Degree qualifications are largely engaged in organised sector and that too in urban areas.

Religion of Respondents

Religion is an important factor which instills a particular philosophy of life in an individual. The women in particular are influenced by religious values. Hence their outlook and behaviour pattern are likely to be influenced by the religious belief system. The religious values provide a moral strength and courage to a women to resist the attempts of sexual harassment at workplace and to fight to project herself from such instances. To find out the impact of religious on the victims of sexual harassment at work place the data about the religious background of the respondents were collected. The information about religion of the respondents is given in the following table.-

Table No. 3.4

Religion of Respondents

Religion	<u>Organisd Sector</u>			<u>Unorganised Sector</u>			<u>Total (org+ Unorg.Sector)</u>		
	Urban	Rural	Total	Urban	Rural	Total	Urban	Rural	Total
Hindu (%)	103 (17.17)	110 (18.33)	213 (35.50)	82 (13.67)	104 (17.33)	186 (31.00)	185 (30.83)	214 (35.67)	399 (66.50)
Muslim %	09 (1.5)	10 (1.67)	19 (3.15)	33 (5.50)	09 (1.5)	42 (7.00)	42 (7.67)	19 (3.17)	61 (10.17)
Christian (%)	05 (0.83)	05 (0.83)	10 (1.67)	03 (0.50)	04 (0.67)	07 (1.17)	08 (1.33)	09 (1.5)	17 (2.3 2)
Boudha (%)	25 (4.17)	24 (4.00)	49 (8.17)	31 (5.17)	22 (3.67)	53 (8.83)	56 (9.337)	46 (7.67)	102 (17.00)
Jain (%)	06 (1.00)	01 (0.17)	07 (1.17)	01 (0.17)	10 (1.67)	11 (1.83)	07 (1.17)	11 (1.83)	18 (3.00)

Sikh (%)	02 (0.33)	00 00	02 (0.33)	00 00	01 (0.17)	01 (0.17)	02 (0.33)	01 (0.17)	03 (0.05)
Any other (%)	00 00	00 00	00 00	00 00	00 00	00 00	00 00	00 00	00 00
Total (%)	150	150	300	150	150	300	300	300	600

The tabulated data revealed that about two-third (66.5%) respondents, out of a total of 600 belonged to Hindu religion of which about 35 percent were engaged in organised sector as against 31 percent in unorganised sector. About 31 percent of them were in urban areas and 35 percent in rural areas.

Next to them were Boudhas and Muslims who constituted about 17 percent and 10 percent respectively. Boudhas were equitably engaged in organised and unorganised sectors in urban and rural areas ; however, Muslims were mostly employed in organised sector and they are found in majority in urban areas. Christians and Jains were only 3 percent each and Sikhs only 0.5 percent.

To conclude majority of the respondents were Hindus and they were engaged equitably in organised and unorganised sector both In urban and rural areas.

Community to Which Respondents Belong

Whether sexual harassment at work place has any relation with community of the victim? Whether the respondents belonging to some specific communities are more prone to sexual harassment at work place as compared to other communities? To find out the answer to such questions it was thought necessary to collect information about the community to which the respondents covered by the study belong. The general presumption is that women from advanced communities run lesser risk of being sexually harassed at work place

as compared with women belonging to backward communities. The following table given information about the community of respondents.

Table No. 3.5
Community of Respondents

Comm- unity	<u>Organised Sector</u>			<u>Unorganised Sector</u>			<u>Total (Org+Unorg.Sector)</u>		
	Urban	Rural	Total	Urban	Rural	Total	Urban	Rural	Total
Schedule (%)	41 (6.83)	41 (6.83)	82 (13.67)	41 (6.83)	47 (7.83)	88 (14.67)	88 (13.67)	88 (14.67)	170 (28.33)
Schedule (%)	14 (2.33)	18 (3.00)	32 (5.33)	14 (2.33)	34 (5.67)	48 (8.00)	28 (4.67)	52 (8.67)	80 (13.33)
V.J.N.T. (%)	06 (1.00)	09 (1.5)	15 (2.50)	13 (2.17)	06 (1.00)	19 (3.17)	19 (3.17)	15 (2.50)	34 (5.67)
O.B.C. (%)	35 (5.83)	35 (5.83)	70 (10.67)	50 (8.33)	46 (7.67)	96 (16.00)	85 (14.17)	81 (13.50)	166 (27.67)
Advanced	54 (9.00)	47 (7.83)	101 (16.83)	32 (5.33)	17 (2.83)	49 (8.17)	86 (14.34)	64 (10.67)	150 (25.00)
Total (%)	150 (25%)	150 (125%)	300 (50%)	150 (25%)	150 (25%)	300 (50%)	300 (50%)	300 (50%)	600 (100%)

The data presented in the above table revealed that about 28 percent of the respondents each belonged to the scheduled castes and other backward class communities. The respondents belonging to s.c. were equally found in organised and unorganised sectors as well as in urban and rural areas but the OBCs were found in majority in unorganised sector. Followed by these were the respondents belonging to advanced communities who were 25 percent of the total respondents. Two third of the respondents belonged to Scheduled Tribes and they were employed nearly in equal numbers in organised and unorganised sectors but most of them were in rural areas. Only 5 percent respondents were from V.J.N.T. communities.

Place of Residence

The data about the place of the residence of the respondent was collected with a view to test the general contention that women residing in rural areas or villages in the vicinity of towns and cities are more likely to be sexually

harassed at work place. The place of residence was divided into three categories only i.e. village, town and city. The following table informs this information.

Table No. 3.6

Place of Residence

Place of Residence	Organised Sector	Unorganised Sector	Total
Village (%)	116 (19.33%)	132 (22.00%)	248 (41.33%)
Town (%)	50 (8.33%)	39 (6.50%)	89 (14.83%)
City (%)	134 (22.33%)	129 (21.50%)	263 (43.84)
Total (%)	300 (50%)	300 (50%)	600 (100%)

The analysis of data shows that about 44 percent of the respondents had their place of residence in cities and about 22 percent each were engaged in organised and unorganised sector. About 41 percent of the total respondents were living in villages, 19 percent of them were working in organised sector and 22 percent in unorganised sector. Only about 15 percent of the total respondents had their places of residence in towns, 8 percent of them were in organised sector and 7 percent in unorganised sector.

The analysis leads to the conclusion that respondents engaged in organised sector had their place of residence mostly in towns and villages. It is because of the fact that in majority of the cases organised sector units are located in cities or industrial areas outside the cities, which are close to the villages. In the case of unorganised sector also most of the workers are drawn from villages and slum areas of the cities. The towns do not have these advantages and hence most of the workers try to find out place of residence in cities or nearby villages close to cities and towns.

Type of Family

Family provides shelter, support and protection to a women. A women in a joint family feels secured at the work place due to family support and protection in comparison with a women living alone in a single family. The women living alone runs a greater risk of sexual harassment at work place because the perpetrators know that there is no one to project and support her. The data pertaining to the type of family of the respondents was collected to test this premise. The following table given this information.

Table No. 3.7

Type of Family to which the Respondents belong

Family Type	Organised Sector	Unorganised Sector	Total
Nuclear (%)	116 (19.33%)	132 (22.00%)	248 (41.33%)
Joint (%)	50 (8.33%)	39 (6.50%)	89 (14.83%)
Single (%)	134 (22.33%)	129 (21.50%)	263 (43.84)
Total (%)	300 (50%)	300 (50%)	600 (100%)

The data tabulated above revealed that majority of about 62 percent out of the total 600 respondents were living with nuclear families out of which about 32 percent were engaged in organised sector and about 30 percent in unorganised sector. About 34 percent of the total respondents had joint families; 16 percent of them were employed in organised sector as against 18 percent in unorganised sector. Only 25 (4%) respondents had single family and majority of them (16) were engaged in respondents had joint families; 16 percent of them were employed in organised sector as against 18 percent in unorganised sector. Only 25 (4%) respondents has single family and majority of them (16) were engaged in unorganised sector. To sum up majority of the respondents had nuclear families.

Size of Family

The following table given the information about the total number of members in the family of the respondents –

Table 3.8
Size of Family

Size of Family	Organised Sector	Unorganised Sector	Total
One	09 (1.50%)	16 (2.67%)	25 (4.16%)
Two	24 (4.00%)	27 (4.5%)	51 (8.50%)
Three	60 (10.00%)	43 (7.17%)	103 (17.17%)
Four	70 (11.67%)	62 (10.33%)	132 (22.00%)
Five	62 (10.33%)	52 (8.17%)	114 (19.00%)
Six	36 (6.00%)	49 (8.17%)	85 (14.17%)
More than Six	39 (6.50%)	51 (8.50%)	90 (15.00%)
Total	300 (50%)	300 (50%)	600 (100%)

The data presented in the above table indicate that thought in majority, only 22 percent of the respondents out of 600 were having 4 members in their family as against 19 percent having 5 members, 17 percent having 3 members and 14 percent having 6 members. The percentage of respondents having more than 6 members in the family was 15 as against 8 percent in which case the respondents were having families with 2 members. About 25 respondents were living alone and had no other member in their family.

It is interesting to note that all the women respondents were not living with their families. There were 55 respondents out of 600 who were not

living with their families. There may be other too who had families but due to employment could not live with their families. IN such cases the chances of sexual harassment at work place, are likely to be more. In order to ascertain the reality or otherwise of this premise the respondents were asked to state whether they were living with their families or elsewhere. The following table throws light on this situation.

Table No. 3.9

Whether living with Family ?

	Organised Sector	Unorganised sector	Total
Yes (%)	265 (44.17%)	280 (46.67%)	545 (4.16%)
No (%)	35 (5.83%)	20 (3.33%)	55 (9.16%)
Total (%)	300 (50%)	300 (50%)	600 (100%)

The data presented in the above table shows that majority the respondents (about 91 percent) were living with their families and only 55 respondents (about 9 percent) were living elsewhere. These include 25 respondents who did not have family and therefore only 30 (5 percent) respondents having their own families were not living with the families.

The following table shown the place of stay of the respondents who were not living with their families but elsewhere.-

Table No. 3.10

Where Living	Organised Sector	Unorganised Sector	Total
Working Women's Hostels(%)	12 (2.00%)	10 (1.67%)	22 (3.67%)
Privaate Girls Hostel (%)	06 (1.00%)	01 (0.17%)	07 (1.17%)
Paying Guest. (%)	05 (5.83%)	01 (0.17%)	06 (1.00%)
With Relatives (%)	12 (2.00%)	08 (1.33%)	20 (3.33%)
Not Applicable (%)	265	280	545

	(44.16%)	(46.66%)	(90.84%)
Total (%)	300 (50%)	300 (50%)	600 (50%)

The analysis of tabulated data shown that 22 (about 4%) respondents were living in working women's hostels and 20 (about 3 percent) were living with relatives. Only 7 respondents (about 1 percent) were living in private girls hostels and 6 (1 percent) as paying guests with other families. Majority of the respondents both from organised and unorganised sector were living in working women's hostels or with relatives. Except 25 respondents who did not have family, all those respondents who were living outside their families were compelled to do so as their place of employment was in the city. Town or village where they were employed.

Table No. 3.11

Type of Organisation Engaged In

Some organisations are safe and secured for working women while others are not; similarly, the women feel more secured in established in establishments in organised sector as compared to those in unorganised sector. It is also a general feeling that women workers in unorganised sector in rural areas are more prone to sexual harassment. To test this and other related contentions it was thought necessary to collect information about the type of organisations in which the respondents were employed. The following table given the detail –

Table No.3.11

Type of Organisation Engaged In

Type of Organisation	Organised sector	Unorganised Sector	Total
Govt. Department (%)	146 (19.33%)	00 -	146 (25.83%)
Private office (%)	07 (1.16%)	10 (1.67%)	17 (1.33%)
Business Establishment (%)	18 (3.0%)	30 (5.00%)	48 (8.00%)
Service	27	49	76

Establishment (%)	(4.5%)	(8.17%)	(12.67%)
Public Enterprises (%)	18 (3.00%)	08 (1.33%)	26 (4.33%)
Private industry (%)	14 (2.33%)	23 (3.83%)	37 (5.83%)
Educational Organisation (%)	68 (11.33%)	12 (2.00%)	80 (13.33%)
Construction work (%)	02 (0.33%)	78 (13.00%)	80 (13.33%)
Agriculture & Farming (%)	00 -	90 (15.00%)	90 (15.00%)
Total	300 (50%)	300 (50%)	600 (100%)

The data presented in the above table shown that out of 600 respondent about 26 percent (majority) were engaged in Government Department followed by about 115 percent in agriculture and farming activities. About 13 per cent each of the respondents were employed in service establishment, Educational Institutions and Construction activities, about 8 percent in private Industries, about 4 percent in public Enterprises and one percent in private offices.

To conclude majority of the respondents were employed in Government Department and Agricultural Activities.

Nature of Job

Security is related to job. The women workers are safe and secured in certain job while exposed to the risk of sexual harassment in other jobs. Is there any association between the nature of job and the sexual harassment of a women employee was the question before the study team. Hence the relevant data was collected and the same is following table –

Nature of Job	Organised Sector	Unorganised Sector	Total
Managerial (%)	146 (19.33%)	00 -	146 (25.83%)
Supervisory (%)	07 (1.16%)	10 (1.67%)	17 (1.33%)
Clerical (%)	18 (3.0%)	30 (5.00%)	48 (8.00%)
Class IV	27	49	76

(%)	(4.5%)	(8.17%)	(12.67%)
Casual Labour (%)	18 (3.00%)	08 (1.33%)	26 (4.33%)
Contract Labour (%)	14 (2.33%)	23 (3.83%)	37 (5.83%)
Teaching (%)	68 (11.33%)	12 (2.00%)	80 (13.33%)
Nurse /Health Cure Care (%)	38 (6.33%)	00 -	38 (6.33%)

Sales Girls (%)	02 (0.33%)	15 (2.50%)	17 (2.83%)
Domestic Workers (%)	00 -	68 (11.33%)	68 (11.33%)
Factory Workers (%)	09 (1.50%)	00 -	09 (1.50%)
Farm Labour (%)	00 -	82 (13.67%)	82 (13.67%)
Total	300 (50%)	300 (50%)	600 (100%)

The tabulated data revealed that out of 600 respondents a majority of about 17 percent respondents were employed for clerical work followed by about 14 percent engaged as farm labour. About 11 percent of the respondents were in teaching profession and about equal number were working as domestic workers. Nearly 11 percent of the respondents again were working as casual labourers and about 9 percent as contract labourers. About 8 percent of the respondents were class IV employees. Very few respondents were engaged in job of higher status; about 3 percent were occupying managerial positions and about 4 percent supervisory. About 6 percent were nurses or health-care-assistants.

In conclusion we can say that most of the respondents had job of lower status like clerical posts in organised sector and farm and construction labour in unorganised sector.

Length of Service

The data relating to length of services is collected to examine the association, if any, between the length of services and the incidence of sexual harassment at work place. It is a general contention that the sexual harassment takes place when a woman needs a job, when she is done a favour for giving a job of her choice, for making transfer from one job to the other, for transfer from one place to the other and for giving promotion. There seems to be no relation between the length of service and the sexual harassment as women with long service have been sexually harassed. The information about the length of service of the respondents is given in the following table –

Table No. 3.13
Length of Service

Length of Service (in years)	Organised Sector	Unorganised Sector	Total
Less than One year	33 (5.50%)	55 (9.17%)	88 (14.67%)
1 – 3 Years	56 (9.33%)	85 (14.17%)	141 (23.5%)
3 – 5 Years	39 (6.50%)	54 (9.00%)	93 (15.5%)
5 – 7 Years	48 (8.00%)	32 (5.33%)	80 (13.33%)
7 – 9 Years	41 (6.83%)	25 (4.17%)	66 (11.00%)
9 – 11 Years	27 (4.50%)	18 (3.00%)	45 (7.5%)
11 Years & More	56 (9.33%)	31 (5.17%)	87 (14.5%)
Total	300	300	600

	(50%)	(50%)	(100%)
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The data analysis indicated that a majority of 24 percent of the respondent Were in service for the last 1 to 3 years followed by about 16 percent who had 3 to 5 years service to their credit. About 15 percent of the respondents were employed for less than one year. The length of service of about 13 percent of the respondents was between 5 to 7 years as against 7 to 9 years in the case of 11 percent of the respondents and 9 to 11 years in the case of about 8 percent of the respondents. Only 15 percent of the respondent had service period of 11 or more years to their credit. To conclude about 38 percent of the respondent had service length of less than 3 years, about 29 percent between 3 to 7 years and about 19 percent in the range of 7 to 11 years. There was no significant difference in the trend in organised and unorganised sectors.

Description of work – place by Respondents

The sexual harassment of women is triggered by the physical location of the women i.e. their work place. Again such a location may be by choice or of necessity. The adulterous relations that go in public or private officers are result of the contingent location of the women. The women are there by choice in getting those particular jobs in those particular places and getting those particular places and getting those jobs is a necessity. The male bosses and colleagues often exploit their presence by turning them into objects of their passion. Hence, the type of work place is very important from the viewpoint of protecting women from sexual harassment. The respondents were, therefore, asked to describe their work place to find out whether the work place was free from sexual harassment environment. Their responses are recorded in the following table -

Work Place	No. of Respondents		
	Organised Sector	Unorganised Sector	Total
Solitary	30 (5.00%)	42 (7.00%)	72 (12.00%)
Separate	110 (18.33%)	91 (15.17%)	201 (33.50%)
Joint6	120 (20.00%)	104 (17.33%)	224 (37.33%)

Clusstered	36 (6.00%)	59 (9.83%)	95 (15.83%)
Any other	04 (0.67%)	04 (0.67%)	08 (1.34%)
Total	300 (50%)	300 (50%)	600 (100%)

Out of 600 respondents majority (about 37 percent) stated that their work place was joint and there were other employees working alongwith them, followed by about 34 per cent of the respondents who were having separate work place. The work place was described as clustered by about 16 per cent of the respondents and as solitary by 12 percent. About 1 per cent of the respondents could not describe the work-place in precise terms.

The work-place of respondent from organised and unorganised sector did not indicate any mark difference from general (common) trend.

Schedule of working Hours

It is the general contention that women working outside the home during day time are more safe and secured from the point of view of sexual harassment as compared to the women whose working hours are during night. However, majority of the reported cases indicate that most of the incidents of sexual harassment occurred during day time. In order to find out the reality the research team thought it proper to collect information about the Schedule of working hours of the respondents. The collected data is presented in the following table –

Table No. 3.15

Schedule of working Hours

Working Hours	NO. of Respondents		
	Organsied Sector	Unorganised Sector	Total

Morning to Afternoon (6 a.m. to 2 p.m.)	78 (13.00%)	77 (12.87%)	155 (25.87%)
During Day Time (10 a.m. to 6 p.m.)	209 (34.87%)	203 (33.87%)	412 (68.17%)
Evening to Midnight (4 p.m. to 12 m.n.)	10 (1.67%)	02 (0.33%)	12 (2.00%)
After Midnight 12 M.N. to 8 a.m.	03 (0.50%)	18 (3.00%)	21 (3.50%)
Total	300 (50%)	300 (50%)	600 (100%)

Out of 600, a large majority of about 68 per cent of the respondents reported that their working hours were scheduled between 10.00 a.m. and 6.00 p.m. About 35 per cent of these respondents were from organised sector and 34 per cent from unorganised sector. All these respondents were employed in offices in organised sector or labour in unorganised sector. Nearly 26 per cent of the respondents stated their schedule of working hours between 6.00 a.m. to 2.00 p.m. of which 111113 per cent respondents were from organised sector and also about 13 per cent from unorganised sector. About 2 per cent of the respondents were having their working hours between 4.00.m. to 12.00 M.N. of which majority were in organised sector. The respondents whose working hours were after midnight (12.00 M.N. to 8.00 A.M.) were 3 per cent of the total lot and majority of them were employed in unorganised sector.

Thus most of the respondents both from organised and unorganised sectors had to work during day time only.

Safety & Security at Work Place

The employed is responsible for providing safety and security to women employees at their work places. Most of the employers do boast of

having provided a safe and secured work place to women employees in their organisation. But these claims have been proved to be false in reported cases of sexual harassment at work-place. To know the real situation in the field the respondents were asked to express their opinion about the safety and security at work place. Their responses are recorded in the following table –

Table No. 3.16

Feeling of Safety & security at Work Place

Feeling of Safety & Security	Organised Sector	Unorganised Sector	Total
Yes (%)	204 (34.00%)	165 (27.50%)	369 (25.87%)
No (%)	44 (7.33%)	(10.87%)	10965 (18.16%)
Can't Say (%)	52 (8.67%)	70 (11.67%)	122 (20.34%)
Total	300 (50.00%)	300 (50.00%)	600 (100%)

A large majority of about 62 percent of the respondents out of 600 stated that they felt safe and secured at work place during working hours. This included 34 percent respondents from organised sector and 28 percent from unorganised sector. About 18 percent respondents did not feel secured and safe during working hours and majority of these were from unorganised sector. Nearly 20 percent of the respondents could not express their feeling in exact terms but it was clear from their emotions that they too were not sure of safely and security at work-place during working hours. In short about 40 per cent of the respondents had a feeling of insecurity during working hours.

Relations with Co-workers

Relations of an individual with other members in the working team is an important element in the quality of work environment. If the relations are

cordial and healthy there is less possibility of a women in the working team being sexually harassed by any male co-worker may create misunderstanding leading to sexual harassment. The research team, therefore, thought it necessary to examine the quality of personal relations of women workers with male members in the group and the sexual harassment of women at work place. Hence the data relating were graded as good, cordial, some-what good, not-so-good and conflicting. The responses are recorded in the following table-

Table No. 3.17
Relations with Male Co-workers

Relations	Organised Sector	Unorganised Sector	Total
Cordially (%)	25 (4.17%)	25 (4.17%)	50 (8.34%)
Good (%)	179 (29.83%)	180 (30.00%)	359 (59.83%)
Some whaat Good (%)	81 (13.50%)	69 (11.50%)	150 (25.00%)
Not So Good (%)	09 (1.50%)	19 (3.16%)	28 (4.66%)
Conflicting (%)	06 (1.00%)	07 (1.17%)	13 (2.17%)
Total	300 (50.00%)	300 (50.00%)	600 (100%)

The tabulated data revealed that out of 600 respondents a large majority of about 60 percent reported good relations with male co-workers, followed y about 25 percent describing their relations as some what good. Those having cordial relations with male coworkers were about 8 percent and not so good relations about 5 percent. Only about 2 percent of the respondents had conflicting relations with co-workers. Thus majority of the respondents had good, some what good and cordial relations with male members of the working team.



CHAPTER IV

Sexual Harassment of Women at Work Place

The present chapter deals with the problem of sexual harassment of women at work place. It examines the incidence and extent of sexual harassment in organised and unorganised sectors of employment as well as in urban and rural areas of the State of Maharashtra.

Sexual harassment at work place is not just a private problem between harasser and victim; it is an issue, which has implications for all employees and management at the work place. Sexual Harassment at workplace covers a wide diversity of behaviours ranging from flirting, verbal remarks to physical contact and sexual advances. Women workers faced with highest risk of sexual harassment at work place are those working in care giving institutions, working at night, working alone, working as industrial and agricultural labour, shop workers and domestic workers. Sexual harassment at workplace can take the form of a power display, intimidation or abuse from a superior or co-workers. The contemned segregation of women in low-paid, low status and precarious jobs contributes to this problem. Moreover the perception in different contexts and cultures of what constitutes sexual harassment at work place is extremely diverse. In general, the orientation of a culture or shared beliefs within a sub-cultural helps define the limits of tolerable behaviour. To the extent a society does tolerate unwelcome sexual conduct of male members, the values of individuals within that society will develop accordingly. Attitudes of gender inequality are deeply embaded in many cultures and sexual harassment of women at work place can be viewed as a violent expression of the cultural norm. Discrimination against women and gender stereotypes carried in workplace tend to perpetuate sexual harassment of women at work place.

Respondent's Perception of Sexual Harassment

The perception of Sexual Harassment may be different for different individuals. Some may take the negligible and minor unwelcome behaviour very seriously and brand it as sexual harassment while other may neglect even a serious unwelcome behaviour and take it lightly. It was, therefore, necessary to know as to what exactly was the perception of sexual harassment as far as the respondents were concerned.

The Supreme Court of India for the first time tried to give the legal definition of sexual harassment of women at work place in its judgement in 1997. This definition is no doubt, exhaustive but not a final work about the nature of sexual harassment. The Supreme Court has defined sexual harassment at work place to include such unwelcome sexually determined behaviour such as (a) physical contact, (b) demand or request for sexual favour, (c) sexually coloured remarks (e) showing pornography and (e) any other unwelcome physical, verbal or non-verbal conduct of a sexual nature. Unwelcomeness of the behaviour is identified as a critical factor in sexual harassment. Thus, it is the impact of the behaviour on the recipient, rather than the intent of the perpetrator, which is to be considered.

In the backdrop of this situation that the respondents were asked to state their perception about the nature of sexual harassment. They were given the following options and were asked to record their opinion by selecting one or more –

<u>Code No.</u>	<u>Details</u>
01	Physical Contact & Advances of Sexual Nature.
02	Request or demand for sexual favours.
03	Sexually coloured remarks.
04	Showing Pornography
05	Unwelcome physical conduct of Sexual nature.
06	Unwelcome verbal or nonverbal conduct of sexual nature.

The responses of the respondents are recorded in the following table -

Table No. 4.1

Nature of Sexual Harassment

Nature Code	Organised Sector	Unorganised Sector	Total
01 (%)	200 (33.33%)	193 (32.17%)	393 (65.50%)
02 (%)	177 (29.50%)	170 (28.33%)	347 (57.83%)
03 (%)	144 (24.00%)	121 (20.17%)	265 (44.17%)
04 (%)	111 (18.50%)	90 (15.00%)	201 (33.50%)
05 (%)	133 (22.17%)	111 (18.50%)	244 (40.67%)
06 (%)	177 (29.50%)	134 (22.33%)	311 (51.83%)

- The question is of multiple choice. Hence no total can be given.

The data analysis revealed that a large majority of about 66 percent of the respondents out of 600 had perceived sexual harassment as physical contact and advances of sexual nature; these respondents were equally distributed in organised and unorganised sector. Why the remaining 34% of the respondents did not treat such behaviour of male members in the working team as sexual harassment was the question before the research team. The search for answer led to the conclusion that the nature of work of these respondents was such that physical contact with male co-workers and bosses could not be avoided and it was difficult for women workers to identify the intention of the co-workers and to charge them as harassers.

About 58 percent of the respondents (30 percent from organised sector and 28 percent from unorganised sector) stated that demand or request for sexual favour was what they understood by sexual harassment if it was repeatedly made and was made a condition for doing some favour to the respondents. The remaining 42 percent of the respondents did not treat such request or demand as sexual harassment because it was up to them to respond the same positively or

negatively. No body could force them to such demands or requests. When men and women work together this type of behaviour on the part of men, they thought, was natural and it was up to the women to tolerate or not to tolerate it.

The respondents who perceived sexual harassment in the form of sexually coloured remarks were about 44 percent (24 percent from organised and 20 percent from unorganised sector). Others did not take it seriously stating that this was a common thing in the modern life style and it happens everywhere, too, not only at work places.

Showing pornography was also treated as sexual harassment by nearly 19 percent of the respondents from organised sector and about 15 percent from unorganised sector making at total of about 34 percent. The remaining respondents did not treat showing pornography as sexual harassment on the ground that no one could compel the women to see the pictures with sexual postures. Some of these respondents were ignorant about the team pornography and hence could not express their opinion on this point.

Unwelcome physical conduct of sexual nature was reported to be the perception of sexual harassment of about 41 percent of the respondents who were distributed between organised unorganised sector as 22 percent and 19 percent respectively. Rest of the respondents could not identify such conduct and hence preferred to abstain from giving any reply. It was also noted that women from urban areas were more frank and bold in expressing their views on this issue.

About 52 percent of the total respondents perceived sexual harassment as unwelcome verbal or non-verbal behaviour of sexual nature. About 30 percent of these respondents were from organised sector and remaining 22 percent from unorganised sector. Remaining 48 percent respondents did not perceived such behaviour as sexual harassment on the ground that it was due to personality

disorder of some individuals and there may not be any intention of sexual harassment in their behaviour.

In conclusion, majority of the respondents described sexual harassment as (a) physical contact and advances of sexual nature, (b) request or demand for sexual favour, (c) sexually coloured remarks, (d) showing pornography (e) unwelcome physical conduct and (f) unwelcome verbal or non-verbal behaviour of sexual nature. The perception of respondents matches with the legal definition of sexual harassment.

Incidence of Sexual Harassment at Work Place

The respondents were asked as to whether any person had ever tried to sexually harass them at work place. It was a straight question and they were asked to reply in terms of Yes No. The intention behind this was to know the extent of sexual harassment at work place in organised and unorganised sectors of urban and rural areas. The responses are presented in the following table –

Table No. 4.2

Incidence of Sexual Harassment at Work Place

	Organised Sector			Unorganised Sector			Total (Org.+Unorg. Sector)		
	Urban	Rural	Total	Urban	Rural	Total	Urban	Rural	Total
Yes	56	49	105	66	53	119	122	102	224
(%)	(9.33)	(8.17)	(17.50)	(11.00)	(8.83)	(19.83)	(20.33)	(17.00)	(37.33)
No	94	101	195	84	97	181	178	198	376
(%)	(15.67)	(16.83)	(32.50)	(14.00)	(16.17)	(30.17)	(29.67)	(33.00)	(62.67)
Total	150	150	300	150	150	300	300	300	600
(%)	(25%)	(25%)	(50%)	(25%)	(25%)	(50%)	(50%)	(50%)	(100%)

The tabulated data revealed that about 37 percent of the respondents out of 600 reported that they had been sexually harassed at work place. Out of these about 20 percent were from organised sector and 17 percent from unorganised sector; similarly 20 percent from urban and 17 percent from rural area. This indicates that the incidence and extent of sexual harassment was more in organised sector and urban area as compared with unorganised sector and rural area.

Further analysis of these 224 victims of sexual harassment at work place revealed the following –

- (a) Out of 224 victims 63 (about 28 percent) were from the age group of 18-23 years and 59 (about 26 percent) were from 23 to 28 years age group. 51 victims (about 23 percent) were from the age group of 28 to 33 years and 37 (about 17 percent) from 33 to 38 years. Nearly 4 percent (10) victims were from 38-43 years age group and only 2 victims were 43 years or more in age. Thus the incidence of sexual harassment at work place was more in women workers of younger age as compared with women workers of elders age. There seems to be negative association between the age of the women employees and the chances of their being sexually harassed at work place.
- (b) Out of 224 victims of sexual harassment 97 (43.3%) were graduates or post-graduates, 63 (28.13%) were either S.S.C. or H.S.S.C., 41 (18.83%) were illiterate and 23 (10.26%) were educated only up to primary level. It is therefore very clear that a large majority of victims of sexual harassment at work place were highly educated. Thus the incidence of sexual harassment was found at higher degree among highly educated women workers as compared with women workers having lower educational status. The results of this study, thus, contradict the general contention that women with lower educational status run a higher risk of sexual harassment at work place. Secondly a large number of these victims were employed in organised sector and in urban areas.
- (c) Analysis of cases of sexual harassment on the basis of marital status of respondents disclosed that out of 224 victims 129 (57.58%) were married, 38 (16.96%) were unmarried, 31 (13.83%) were widows, 17 (7.58%) were divorced and 9 (4.02%) were separated. Thus the incidence of sexual harassment was comparatively more in case of married women as compared to other categories. The main reason of such a situation is that flirting with married women is safe from the view point of perpetrators as

the married women tolerate such instances to protect their social status and marriage in most of the cases.

- (d) Nature of organisation also encourages or discourages the incidence of sexual harassment. It is generally agreed that women workers in construction activity and agricultural farm workers are likely to be sexually exploited. Similarly women in Government Offices, Corporate Offices and Private Industrial Offices are also exposed to the risk of sexual harassment at work place. The data analysis of 224 victims of sexual harassment revealed that this contention is partially true, Out of 224 victims 73 (32.58%) were employed in government offices, 11(4.9%) in private offices, 24 (10.7%) in business establishments, 36 (16%) in service establishments, 10 (1.67%) in public enterprises, 20 (9.0%) in educational establishments 40 (17.85%) in construction activity and 30 (13.39%) in agricultural forms. Thus the sexual harassment of women takes place in all types of organisations.
- (e) Respondents who were placed at higher position in the organisations rarely faced the problem of sexual harassment. It is generally the employees working on jobs of lower status or no status that are exposed to sexual harassment at work place. However, our analysis shows that incidence of sexual harassment has taken place, irrespective of the job-status of employees, though the extent of harassment varied between cadres. Out of 224 victims of sexual harassment at work place only 2 (2.89%) were holding high positions (One manager and one supervisor), 43 (19.19%) were from clerical cadre, 29 (12.95%) were from class IV cadre, 67 (29.9%) were labourers (Casual labour, factory workers and farm labour), 29 (12.95%) were construction labour, 30 (13.39%) were teachers, nurses, health caretakers, and 24(4%) were domestic workers. Thus victims of sexual harassment were found in every category of women employees.

Perception of Sexual Harassment

Perpetrators of sexual harassment at work place may be any of the senior personnel like managers and supervisors, immediate boss, co-worker, compatriot (a person from the same organisation), client or frequent visitor. The 224 respondents who were sexually harassed were asked to state the official designation of the harasser. It was very difficult for the investigators to collect information on this point as the respondents were hesitating to disclose the identity of the perpetrators due to fear of further consequences. However, when they were assured of keeping the information strictly confidential they could disclose the identity of the perpetrators. The information provided by the respondents is presented in the following table –

Table No. 4.3

Perpetrators of Sexual Harassment at Work Place

Perpetrator	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Immediate Boss (Manager, Supervisor etc.)	17 (2.83%)	27 (4.50%)	44 (7.33%)
Co-worker (%)	48 (8.00%)	556 (9.33%)	104 (17.33%)
Competitor (%)	06 (1.00%)	00 (00)	06 (1.00%)
Compatriot (%) (a person from the same org.)	02 (0.33%)	02 (0.33%)	04 (0.67%)
Client (%)	17 (2.50%)	23 (3.83%)	38 (6.33%)
Frequent Visitor (%)	15 (4.50%)	18 (3.00%)	45 (7.5%)
Not Applicable	195 (32.50%)	181 (30.17%)	376 (62.67%)
Total	300 (50%)	300 (50%)	600 (100%)

The data presented in the above table disclosed that majority of 17 percent of the 600 respondents were sexually harassed at work-place by their co-workers, followed by about 7 percent respondents by their immediate bosses (managers, supervisors, head clerks or employers). Around 5 percent of the respondents were sexually harassed by client of the organisations (2.83 percent from organised and 1.83 percent from unorganised sector). About 6 percent of the total respondents were victims of sexual harassment by frequent visitors to the establishments and about 1 percent were sexually harassed by compatriots (persons within the organisation but posted in different workplaces). Those who were sexually harassed by their competitors within the organisation were about 1 percent of the total respondents. This question was not applicable to 376 respondents because they were not sexually harassed at work place.

From the analysis of data it can be concluded that the co-workers, followed by immediate bosses were the principal role-players in sexual harassment at work place. Secondly, the incidence and extent of sexual harassment was comparatively more in lower cadre than in higher cadre.

Since How Long the Harassment was going on?

It is in the nature of Indian Women to tolerate injustice and exploitation in every walk of life for a very long time. This is also true in the matter of sexual harassment at work place. The women employees do not openly come out to resist the unwelcome behaviour of the co-workers, bosses and employers. On the other hand they continue tolerating it till it becomes a serious problem. Most of the perpetrators of sexual harassment take advantage of this weakness of women employees and keep on harassing them for long. In order to know how long the victims of sexual harassment were suffering they were asked to state as to how long they were sexually harassed by the perpetrators. Their responses are recorded in the following table –

Table No. 4.4

Since how long being harassed?

Period Since	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Last few days	30 (5.00%)	38 (6.33%)	68 (11.33%)
Last few months	31 (5.17%)	43 (7.17%)	74 (12.33%)
Last one year or so	23 (3.83%)	21 (3.50%)	44 (12.34%)
Last so many years	21 (3.50%)	17 (2.83%)	38 (6.33%)
Not Applicable	195 (32.50%)	181 (30.17%)	376 (62.67%)
Total	300 (50%)	300 (50%)	600 (100%)

Analysis of data shows that about 12 percent of the respondents out of 600 were being harassed sexually since last few months, followed by about 11 percent who were being harassed for the last few days. Nearly 7 percent of the respondents were undergoing sexual harassed at work place since last one year or so and about 6 percent since last so many years.

To conclude it can be said that a majority of 14 percent of the respondents were sexually harassed at work place by their co-workers, seniors or employers since more than a year or so.

Normal Timings of Harassment

The respondents who were sexually harassed were asked to state as to when the perpetrators normally harassed them. They were provided with the following options with multiple choice –

Option Code

Time of Harassment

- (A) : On way to office / workplace
- (B) : During Working hours
- (C) : During lunch time
- (D) : After working hours in the premises

- (E) : Before working hours in the premises of the work place.
 (F) : On way to home from work place / office
 (G) : Not Applicable

The following table presents the responses of the victims of sexual harassment –

Table No. 4.5

Timings during Which Harassed?

Code	Organised Sector	Unorganised Sector	Total
(A)	20 (3.33%)	25 (4.17%)	45 (7.50%)
(B)	70 (11.67%)	60 (10.00%)	130 (21.67%)
(C)	06 (1.00%)	14 (2.33%)	20 (3.33%)
(D)	11 (1.83%)	10 (1.67%)	21 (3.50%)
(E)	01 (0.17%)	05 (0.83%)	06 (1.00%)
(F)	19 (3.17%)	35 (5.83%)	54 (9.00%)
(G)	195 (32.50%)	181 (30.17%)	376 (62.67%)
Total	300 (50%)	300 (50%)	600 (100%)

The data presented in the above table is based on multiple responses by a single respondent. It is, however, observed that the respondents preferred to give only one choice out of many available. Hence, the data presented in the above table is based on single choice. The data revealed that out of 600 respondents majority of about 22 percent were being sexually harassed during working hours, followed by about 9 percent who were being harassed on their way from office/work place to home; as against about 8 percent who were being harassed on their way from home to office/work place. A little more than 3 percent each of the respondents were being harassed sexually during lunch time and after working hours in the premises of the establishments.

Only 1 percent of the respondents reported that they were being called for work before official working hours and were sexually harassed by their senior officers or employers in the premises of the work place itself. It can therefore be concluded that majority of the respondents were sexually harassed either at the work place during working hours or on their way to or from working place.

Reactions of victims to first unwelcome Behaviour of the Perpetrators

The sexual harassment of women at work place is a slow poisoning process. The perpetrators act very wisely and carefully to catch the fish in their net. If the women do not resist they get encouraged to repeat their behaviour. It is, therefore, necessary on the part of the women to show their strong resistance to the first unwelcome sexual behaviour of the perpetrators to avoid further attempts of sexual harassment. In order to find out the reactions of the respondents to the first unwelcome behaviour of the perpetrators, the respondents were asked to spell out their reactions. They were given the following alternatives to select only one –

- 1) Neglected
- 2) Objected
- 3) Resisted
- 4) Tolerated

The reactions given by the respondents are presented in the following table –

Table No. 4.6

Reactions to first unwelcome behaviour of sexual nature

Reactions	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Neglected	57 (9.50%)	72 (12.00%)	129 (21.50%)
Objected	31 (5.17%)	11 (1.83%)	42 (7.00%)
Resisted	13 (2.17%)	29 (4.83%)	42 (7.00%)

Tolerated	04 (0.67%)	07 (1.16%)	11 (1.83%)
Not Applicable	195 (32.50%)	181 (30.17%)	376 (62.67%)
Total	300 (50%)	300 (50%)	600 (100%)

The analysis of tabulated data revealed that a majority of 22 percent of the respondents out of 600 neglected the first unwelcome sexual behaviour of their co-workers, seniors or employers. The percentage of such respondents was higher in unorganised sector (about 12 percent) as compared to organised sector wherein it was only about 10 percent. Exactly 7 percent of the respondents who were sexually harassed objected to the first unwelcome behaviour of the perpetrators and again equal percentage of respondents resisted such behaviour. Larger number of respondents (5.17%) objecting such a behaviour were from organised sector and only 1.83 percent were from unorganised sector. Those who resisted the initial attempt of sexual harassment were more in number (about 5 percent) in unorganised sector as compared to organised sector (about 2%). Only about 2 percent of the respondents tolerated the first attempts of sexual harassment by the perpetrators. Out of these 1.16 percent were from unorganised sector and 0.67 percent from organised sector.

The analysis of data leads us to the following conclusions –

- i) A large majority (about 23 percent) of the respondents either neglected or tolerated the first unwelcome sexual behaviour of the perpetrators.
- ii) About 14 percent of the respondents either objected or resisted the first attempt of the perpetrators to sexually harass them (respondents).
- iii) As compared to organised sector, the respondents from unorganised sector were more in number in neglecting or tolerating the first unwelcome behaviour of the perpetrators.
- iv) The number of respondent who either objected or resisted the first attempt of their sexual harassment was more in organised sector as compared to unorganised sector.

Whether harassed singularly by the Perpetrators ?

It is observed that the sexual harassment of a woman is ordinarily done by a single person. But these are instances where a woman is sexually harassed at work place by a group of persons simultaneously. The respondents were therefore asked to state whether they were harassed by single perpetrator or more than that. Their responses are recorded in the following table –

Table No. 4.7

Whether Harassed Singularly?

Whether Harassed Singularly	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Yes	82 (13.66%)	94 (15.67%)	176 (29.33%)
No	23 (3.83%)	25 (4.17%)	48 (8.00%)
Not Applicable	195 (32.50%)	181 (30.17%)	376 (62.67%)
Total	300 (50%)	300 (50%)	600 (100%)

The analysis of tabulated data shows that about 29 percent (majority) of the respondents were sexually harassed by the perpetrators singularly as against 8 percent who reported that others also joined the perpetrators in their sexual harassment at work place. Thus we can conclude that majority of the victims of sexual harassment were singularly harassed by the perpetrators.

Nature of Initial Unwelcome Sexual Behaviour of Perpetrators

The respondents were asked to spell out the initial unwelcome sexual behaviour of the perpetrators, which the respondents noticed and

tolerated. They were provided with the following alternatives and were asked to select only one of these alternatives –

<u>Behaviour Code</u>		<u>Description of Behaviour</u>
(A)	:	Body Language
(B)	:	Sexually coloured remarks
(C)	:	Physical Contact
(D)	:	Demand / Request for sexual favours
(E)	:	Verbal/Non-verbal conduct
(F)	:	Showing Pronography
(G)	:	Not applicable

The following table shows the responses of respondents –

Table No. 4.8

Unwelcome sexual behaviour

Code	Total Number of Respondents		
	Organised Sector	Unorganised Sector	Total
(A)	32 (5.33%)	22 (3.67%)	54 (9.00%)
(B)	12 (2.00%)	12 (2.00%)	24 (4.00%)
(C)	18 (3.00%)	38 (6.33%)	56 (9.33%)
(D)	03 (0.50%)	10 (1.67%)	13 (2.17%)
(E)	33 (5.50%)	36 (6.00%)	69 (11.50%)
(F)	07 (1.17%)	01 (0.16%)	08 (1.33%)
(G)	195 (32.50%)	181 (30.17%)	376 (62.67%)
Total	300 (50%)	300 (50%)	600 (100%)

The analysis of data revealed that majority of 11.5 percent of the respondents out of 600 noticed the unwelcome sexual behaviour of perpetrators

in the form of verbal or nonverbal conduct of sexual nature but tolerated it with the expectation that it would not be repeated. Around 5.5% of these respondents were from organised sector and 6 percent were from unorganised sector. Next to verbal or non-verbal behaviour of sexual nature ranks body language. About 5.33 percent respondents from organised sector and 3.67 percent from unorganised sector (making a total of 9 percent) informed that they have tolerated the initial sexual behaviour of the perpetrators which they expressed through body language. About equal percentage of respondents noticed and tolerated the initial move of the perpetrators in touching sensitive part of their body by physical contact. About two-third of these respondents were from unorganised sector and one-third from organised sector. It means that the incidents of physical contact with the intention of sexual harassment are comparatively more in unorganised sector as compared to organised sector. It was notice that such incidents were more in rural areas as compared to urban areas.

About 4 percent of the respondents noticed that the perpetrators sexually harassed them by using sexually coloured remarks, which they tolerated. This encouraged the perpetrators to repeat their behaviour. In about 2 percent of the cases the perpetrators demanded or requested for sexual favours from the respondents as their initial move for the sexual harassment, which the respondents neglected but did not resist. There were only 8 cases in which the perpetrators used pornography and showed it to the respondents as initial attempt to seduce them sexually.

The analysis of data leads to the conclusion that the victims could anticipate the danger of sexual harassment by the perpetrators from the initial behaviour of sexual nature projected in different forms but instead of resisting they have tolerated it.

Further, the respondents were asked to narrate the last unwelcome sexual conduct of the harasser, which made them frustrated, after which they felt insulted and injured. The following table reproduces their responses –

Table No. 4.9

Last Unwelcome Sexual Conduct of the Perpetrators

Sexual Conduct	Number of Respondent		
	Organised Sector	Unorganised Sector	Total
Physical Contact	50 (8.33%)	65 (10.84%)	115 (19.17%)
Demand/Request For Sexual Favour	16 (2.67%)	23 (3.83%)	39 (6.50%)
Showing Pornography	06 (1.00%)	07 (1.16%)	13 (2.13%)
Sexual Advances	14 (2.33%)	13 (2.17%)	27 (4.50%)
Any Other	19 (3.17%)	11 (1.83%)	30 (5.00%)
Not applicable	195 (32.50%)	181 (30.17%)	376 (62.67%)
Total	300 (50%)	300 (50%)	600 (100%)

The tabulated data revealed that a large majority of about 19 percent out of 600 respondents reported that they got frustrated, felt insulted and were injured mentally by the perpetrators. Majority of such respondents came from unorganised sector where the workplace of women workers was lonely or clustered and access of the harasser to the untouchable parts of a women's body was quite easy. Another 7 percent respondents got frustrated, felt insulted and mentally injury when after trying other methods the perpetrators made sexual advances to attract the women workers when they were working alone. Cases of showing pornography were about 2 percent. About 5 percent of the respondents could not exactly describe the unwelcome sexual behaviour of the perpetrators, which they experienced in the last few days.

The analysis of data disclosed that the last unwelcome sexual behaviour of the harassers that made the respondents frustrated, feels insulted or injured was mainly in the form of physical contact, demand or request for sexual favours and sexual advances.

Resistance of offending Behaviour

When the perpetrators of sexual harassment make offending behaviour, it is expected that the victims will not tolerate such behaviour, and will resist the same with courage. However, some of the women employees do not choose the path of resistance due to fear of defamation and meekly keep on tolerating the offending behaviour of the perpetrators. As a result the perpetrators get encouraged to continue their activities. The respondents were, therefore, asked as to whether they have shown resistance to the offending behaviour of the harassers. Their responses are reproduced in the following table –

Table No. 4.10

Resistance to Perpetrators' Offending Behaviour

Resistance	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Yes	85 (14.17%)	101 (16.83%)	186 (31.00%)
No	20 (3.33%)	18 (3.00%)	38 (6.33%)
Not Applicable	195 (32.50%)	181 (30.17%)	376 (62.67%)
Total	300 (50%)	300 (50%)	600 (100%)

A large majority of 31 percent of the respondents out of 600 resisted the offending unwelcome sexual behaviour of the perpetrator. However, about 6 percent of the respondents did not try to resist such unwelcome offending

behaviour out of fear that others would take it otherwise and defame them. Thus majority of the respondents tried to resist to offending behaviour of perpetrators.

Nature of Resistance

Those 186 respondents who resisted the offending behaviour of sexual nature exhibited by the perpetrators were asked to state the nature of their resistance. Their responses are presented in the following table –

Table No. 4.11

Nature of Resistance to Offending Behaviour

Nature of Residence	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Got Angry	32 (17.21%)	44 (23.66%)	76 (40.87%)
Gave Strong Warning	36 (19.36%)	32 (17.21%)	68 (36.57%)
Totally Neglected	14 (7.53%)	23 (12.27%)	37 (19.90%)
Any Other	03 (1.62%)	02 (1.08%)	05 (2.69%)
Total	85 (45.70%)	101 (54.30%)	186 (100.00%)

It is very clear from the figures presented in the above table that large majority of about 41 percent of the respondents out of 186 who resisted the welcome offending behaviour of sexual nature exhibited by the perpetrators showed their resistance by getting angry with them, as against about 37 percent who gave strong warning to the perpetrators. About 20 percent of them totally neglected the perpetrators and remaining 3 percent resisted in different ways like scolding, slapping, throwing sandals at, insulting by using abusive language. To conclude majority of the victims who resisted offending behaviour of harassers expressed their resistance in the form of anger, strong warning and neglecting.

Intervention By & Support of Co-Workers

When a woman at work place is being harassed sexually by any one of the co-workers or supervisor in the presence of others, it is, expected that some one would intervene and rescue her. However, the data returned from the field negates this contention. The following table shows as to how many respondents got the help of other persons who intervene when victims were being harassed sexually –

Table No. 4.12

Intervention & Support by Others

Intervention	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Yes	36 (16.07%)	55 (24.55%)	91 (40.62%)
No	69 (30.80%)	64 (25.58%)	133 (59.38%)
Total	105 (46.87%)	119 (53.13%)	224 (100.00%)

For the purpose of analysis only 224 respondents who reported sexual harassment at work place were considered. Out of these 224 respondents about 41 percent stated that some one from the working team rescued them when they were being harassed by the perpetrators, as against about 59 percent who said that no one ran down to their help when they were being harassed sexually. Sectorwise analysis disclosed that respondents from unorganised sector were more in number (55) as compared to respondents from organised sector (36) in getting timely help from others.

The sexually harassed respondents (91) were further asked to state whether the persons who rescued them while being harassed came forward to give evidence in their favour. Their responses were as under –

Table No. 4.13

Evidence in their Favour

Evidence	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Yes	13 (14.29%)	31 (34.06%)	44 (48.35%)
No	23 (25.27%)	24 (26.38%)	47 (51.65%)
Total	36 (39.56%)	55 (60.44%)	91 (100.00%)

It is very clear from the responses that only about 48 percent of the persons out of 91 who helped in rescuing the victims while they were being harassed came forward for giving evidence in favour of the victims while the remaining abstained from doing so. Sector wise analysis also disclosed that the number of those who came forward to give evidence in favour of the victims was more in unorganised sector and rural areas. In short majority of the witnesses refused to give evidence.

Reaction to Sexual Harassment

A woman who is sexually harassed at work place may immediately get some reaction which may be in the form of shock, anger, trauma, nervousness, resistance or any other unpredictable conduct. With a view to know what type of reactions the respondents had when some one tried to harass them sexually they were asked to describe in precise terms their first reaction to the sexual harassment at work place. Their responses are given in the following table –

Table No. 4.14

First Reaction to Sexual Harassment

Reaction to S.H.	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Shock	21 (9.37%)	10 (4.46%)	31 (13.83%)
Anger	49 (21.87%)	47 (20.98%)	96 (42.85%)
Trauma	01 (0.45%)	06 (2.67%)	07 (3.12%)
Nervousness	17 (7.58%)	12 (5.35%)	29 (12.95%)
Helplessness	14 (6.25%)	14 (6.25%)	28 (12.50%)
Resistance	02 (0.45%)	21 (9.37%)	23 (10.26%)
Any other	01 (0.45%)	09 (4.01%)	10 (100%)
Total	105 (46.87%)	119 (53.13%)	224 (100.00%)

The analysis of data shows that out of 224 victims of sexual harassment about 43 percent reported anger as their first reaction to sexual harassment at work place. The number of these respondents was more in organised sector (49) as compared to unorganised sector (47). About 14 percent of the respondents got a shock as first reaction to sexual harassment. More number of victims in this category were again from organised sector (21) as against only 10 from unorganised sector. Nervousness was the first reaction to attempted sexual harassment as reported by about 13 percent of the victims and about equal percentage of victims reported helplessness as first reaction. About 10 percent of the victims stated resistance as the first reaction to sexual harassment and only 3 percent victims got trauma as the reaction of the attempt of sexual harassment at work place. To conclude, 'anger' was the first reaction in majority of the cases.

Reporting of Sexual Harassment

It is the general tendency among the women to maintain secrecy about the matters relating to sex. Hence, even if they are sexually harassed at work place they do not speak out to their friends or co-workers or report the matter to their immediate boss or higher authorities. This encourages the perpetrators to further harass them. It was, in this context that the 224 victims of sexual harassment were asked whether they have spoken about their sexual harassment to their friends or co-workers or higher authorities. Their responses were as under –

Table No. 4.15

Response	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Yes	66 (29.46%)	79 (35.27%)	145 (64.73%)
No	39 (17.41%)	40 (17.86%)	79 (35.27%)
Total	105 (46.87%)	119 (53.13%)	224 (100.00%)

Out of 224 victims of sexual harassment at work-place a majority of 65 percent spoke about their trouble to their friends or co-workers and in some cases also reported the matter to the higher authorities. Out of these, 35 percent victims were from unorganised sector and about 30 percent from organised sector. Others did not speak about their harassment to their friends or co-workers or reported the incidents of harassment to higher authorities.

These 145 victims of sexual harassment were further asked that when they spoke about their harassment to friends, co-workers or immediate bosses, what was the advice given to them? The following alternatives were provided to them and they were given choice to select one –

Advice Code**Advice**

- (A) : Lodge a Complaint against the perpetrator
- (B) : Give a strong warning to the perpetrator
- (C) : Neglect the perpetrator and his behaviour totally.
- (D) : Lodge a Complaint with police. :
- (E) : Any other

Table No. 4.16**Advice given by Friends, Co-workers, Immediate Boss**

Nature of Advice	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
A	14 (9.65%)	17 (11.72%)	31 (21.37%)
B	28 (19.31%)	27 (18.62%)	55 (37.93%)
C	16 (11.03%)	14 (9.65%)	30 (20.68%)
D	04 (2.76%)	14 (9.65%)	18 (12.41%)
E	04 (2.76%)	07 (4.82%)	11 (7.58%)
Total	66 (42.52%)	119 (54.48%)	145 (100.00%)

The analysis of tabulated data revealed that out of 145 victims of sexual harassment a majority of 38 percent were advised by their friends, co-workers or immediate bosses to give strong warning to perpetrators, followed by about 21 percent of the victims who were advised to lodge complaints with higher authorities. About 21 percent of the victims, again, were advised to neglect the perpetrators while about 12 percent were advised to lodge a complaint with

police. Remaining about 8 percent of the victims were advised to approach social activists, women's organisations or human rights commission or compromise with the perpetrators with the intervention of NGOs working in the field of women's welfare.

Complaints of Sexual Harassment

Normally, if any woman is harassed sexually at work place she should immediately lodge a complaint with the higher authorities against the perpetrator, so that the incident of harassment is not repeated. However, in the initial stage, a woman avoids to make any complaint with fear of defamation. When the trouble becomes unbearable she has no other option than to report the matter to higher authorities or police. The 224 respondents who were sexually harassed at work place were asked as to whether they had lodged a complaint against the perpetrators. About 41 percent (91) of the respondent reported that they had made a complaint in writing against the perpetrators. The remaining 133 respondents (59 percent out of 224) did not lodge any complaint with higher authorities. Those respondents were asked to state the reasons for not filing complaint against perpetrators. They reported the following reasons –

<u>Reason Code</u>	<u>Reason</u>
(A)	: Feeling of humiliation
(B)	: Fear of taunting and humiliation by other co-workers.
(C)	: Possibility and fear of difficulties in arranging marriage.
(D)	: Husband and other family member may doubt the character.
(E)	: Any other

The following table shows the distribution of 133 respondents according to the reasons they have given for not filing a complaint against the perpetrators.

Table No. 4.17

Reasons for not Lodging a Complaint

Reason Code	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
A	13 (9.76%)	28 (21.06%)	41 (30.83%)
B	18 (13.53%)	24 (18.04%)	42 (31.57%)
C	05 (3.75%)	07 (5.27%)	12 (9.02%)
D	06 (4.51%)	10 (7.52%)	16 (12.03%)
E	13 (9.78%)	09 (6.76%)	22 (16.54%)
Total	55 (41.35%)	78 (58.65%)	133 (100.00%)

The Statistical data presented in the above table disclosed that majority of about 32 percent of the 133 respondents, who were sexually harassed at the work place but did not lodge any complaint to higher authorities against the perpetrators, stated that the main reason for non-filing of the complaint was fear of taunting and humiliation by the co-workers and others in the organisation. Of these 18 percent were from organised sector and 14 percent from unorganised sector. Feeling of humiliation was the reason reported by about 31 percent of the respondents. About 17 percent of the victims abstained from lodging a complaint on the various grounds including violent attacks by perpetrators. Husband and other family members might look at them with suspicion and might have doubted their morality and character was the reason put forth by about 12 percent of the victims for non-reporting of the incidence to the higher authorities. About 9 percent of the victims did not lodge complaint against perpetrators to avoid the possibility of obstacles in arranging their marriage. These victims were unmarried. The analysis, thus, leads to the conclusion that feeling of humiliation, fear of letting down in the eyes of the co-worker and possibility of stigma on character were the main reasons for not loading a complaint against perpetrators.

Action taken by Employers on the complaints of victims of Sexual Harassment :

Sexual harassment of women at work place can create working conditions that are hazardous to the physical and psychological well being of workers. It also creates a poisoned work atmosphere that can disempower and demoralize workers. When ignored sexual harassment may exact a high cost to the organisation in terms of loss of productivity, high rate of absenteeism among affected workers, disruption of work due to long term sick leaves and it may also damage the goodwill and public image of the organisation. Hence, when a complaint of sexual harassment is lodged by a worker it is necessary to take it seriously and to act upon it promptly. It must be screened impartially and the guilty must be punished suitably.

In the present study we have come across 91 cases where the women respondents who were sexually abused at work place lodged complaints with the higher authorities in the organisations. In order to find out in what manner their complaints were dealt with the victims were asked to state what actions were taken by the higher authorities on their complaints. Their responses were classified as under –

<u>Action Code</u>	<u>Action taken</u>
(A)	: No action was taken.
(B)	: Strong warning was given to the perpetrators
(C)	: Enquiry committee was constituted to screen the complaint.
(D)	: The complaint was handed over to police for investigation.
(E)	: Any other

Table No. 4.18
Action taken on Complaints of Sexual Harassment

Action Code	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
A	10 (10.99%)	10 (10.99%)	20 (21.98%)
B	33 (36.26%)	24 (26.36%)	57 (62.62%)
C	04 (4.40%)	03 (3.30%)	07 (7.70%)
D	01 (14.74%)	00 (-)	01 (1.10%)
E	02 (2.20%)	04 (4.40%)	06 (6.60%)
Total	50 (54.95%)	41 (45.05%)	91 (100.00%)

In all out of 224 victims of sexual harassment 91 had lodged complaints against perpetrators. The complaints of majority of about 63 per cent of the complainants were disposed off by giving strong warning to the perpetrators that strict action would be taken against them if they were found involved in such activities in future. Enquiry Committees were constituted to investigate the cases and recommend punishment to the guilty on the basis of the complaints lodged by about 8 per cent of the complainants. The higher authorities simply neglected the complaints of about 22 per cent of the victims as no action was taken against the perpetrators. Only one complaint out of 91 was handed over to the Committee, which was already constituted under the guidelines issued by the Supreme Court. Around 7 per cent of the complaints were dealt with in different manner i.e. withholding further increments of perpetrators, demotion, transfer from one job to the other or from one place to the other, handing over the case to police authorities and so on.

The analysis revealed that in majority of the establishments no committees to deal with the complaints of sexual harassment were constituted as per the guidelines issued by Supreme Court of India.

The victims (91) were further asked as to whether they were satisfied with the action taken by the higher authorities on the complaints lodged

by them against the perpetrators. Out of 91 complainants 51 (about 56 per cent) expressed their satisfaction on the action taken by the authorities while 40 (44 per cent) of the complainants were not satisfied. To conclude nearly 44 per cent of the victims who were sexually harassed and hence lodged complaints with higher authorities were not satisfied with the type of action taken by the authorities on their complaints against the perpetrators. They were also not satisfied with the procedure of conducting enquiry.

Knowledge of Supreme Court Judgement and Guide-lines

The Supreme Court of India in its historical judgement on sexual harassment of women at work place in the case of Vishakha v/s the State of Rajasthan (Aug. 1997) issued guidelines for the employer to combat sexual harassment at work place. One of the important provisions in the guidelines is the constitution of the Complaints Committee headed by a woman. This was made mandatory for all the employers.

The research team wanted to know how many of the respondents were aware of the Supreme Court guidelines for constitution of complaints committee and hence a question to that effect was included in the interview schedule. The responses are presented in the following table –

Table No. 4.19

Knowledge of Supreme Court Directives for Constitution of Complaints Committee

	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Yes	82 (13.67%)	19 (3.17%)	101 (16.84%)
No	218 (36.33%)	281 (46.83%)	499 (83.16%)

Total	300 (50.00%)	300 (50.00%)	600 (100.00%)
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It is clear from the data presented in the above table that very large majority of about 83 per cent of the respondents out of 600 was totally unaware of the Supreme Court Guidelines about constitution of Complaints Committee for resolving the complaints of women workers relating to sexual harassment at work place. Only about 17 per cent of the respondents had the knowledge of such a provision.

In continuation of the above question the respondents who were aware of the Supreme Court guidelines were asked whether their employers constituted a Complaints Committee for dealing with the complaints of sexual harassment of women at work place. The number of such respondents was 101 and out them only 44 (43.56%) reported that a Complaint Committee as per guidelines of the Supreme Court was constituted by their employer. About 32.67% per cent of these respondents were from organised sector and about 10.89% per cent from unorganised sector. Thus out of 600 organisations the Complaint Committee was constituted in 5.5 per cent of the organisations in organised sector and 1.83 per cent organisations in unorganised sector making a total of 7.33 per cent only. It can, therefore, be concluded that the Supreme Court directives have not been implemented by 92.67 per cent of establishments in which the respondents are employed.

These 44 respondents were again asked to state whether the representatives of women workers were included in the committee. Out of 44 respondents a majority of 81.08 per cent reported that the representatives of women workers were taken on the committee. These 44 respondents were again asked as to whether they have submitted their complaint of sexual harassment to the Complaints Committee. About 21 (47.72%) of the 44 respondents reported that they have done so.

Action Taken By the Complaints Committee Against the Perpetrators

The Complaints Committee constituted under the guidelines of Supreme Court of India has the following liability –

- (1) To see that complaint procedure is time bound. No complaint of sexual harassment at work place should be kept pending in other words the committee is expected to take up the complaint for processing immediately after it is received.
- (2) Confidentiality of the complaint procedure has to be maintained.
- (3) Complainants or witnesses should not be victimised or discriminated against while dealing with complaints.
- (4) When the offence amounts to misconduct under service rules, appropriate disciplinary action should be initiated.
- (5) When such conduct amounts to an offence under the Indian Penal Code, the employer shall initiate action by making a complaint with appropriate authority.
- (6) A victim of sexual harassment should have the option to seek transfer of the perpetrator or their own transfer.

The research team thought of examining the working of the complaint committee. It was therefore necessary to know what actually happened when the victims of sexual harassment lodged their complaints with such committees, which were constituted, and functioning in different establishments in organised and unorganised sectors.

The 21 respondents who submitted their complaints of sexual harassment to the Complaints Committees were asked to report the action taken by the Committees. Their responses are reproduced in the following table –

Table No. 4.20

Action taken By the Complaint Committee

Action Taken	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
No action	05 (23.81%)	03 (14.29%)	08 (38.10%)
Disciplinary Action	01 (4.76%)	01 (4.77%)	02 (9.53%)
Strong Warning	06 (28.58%)	03 (14.28%)	09 (42.86%)
Increment with held	00 -	00 -	00 -
Removed from Job	00 -	00 -	00 -
Recommended Police Action	02 (9.52%)	00 -	02 (9.52%)
Total	14 (66.67%)	07 (33.33%)	21 (100.00%)

The tabulated data revealed that in about 38 per cent of the cases the Complaint Committee did not take any action against the perpetrators. In about 43 percent of the cases only strong warning was given to the perpetrators. Disciplinary action was taken against the perpetrators only in about 10 percent of the cases, and in equal percentage of cases, the committee recommended action under Indian Penal Code and handed over the case to police for further investigation and punishment. Punishments like withholding increment, removal from job and transfer to other department or place were not recommended by the complaints committees not even in a single case. In conclusion it can be said that complaints committees were constituted in some of the establishments as per directives of the Supreme Court but they were not functioning effectively.

These 21 complainants of sexual harassment were further asked whether they felt that the culprits were not sufficiently punished. In all 15 complainants out of 21 felt that the perpetrators were not sufficiently punished. In other words about 71 per cent of the complainants were not satisfied with the action taken by Complaint Committee in the matter of punishment to the perpetrators.

Similarly, out of 21 complainants 17 (about 81 per cent) expressed their dissatisfaction about the functioning of Complaints Committees. They gave the following reasons for their dissatisfaction –

<u>Reason Code</u>	<u>Reasons</u>
(A)	: The Committee was only on paper
(B)	: It was dominated by male members
(C)	: The complaints were not promptly attended to.
(D)	: There was a log of favoritism.

The following table gives the reason wise distribution of complainants.

Table No. 4.21

Reasons for Dissatisfaction about the Working of Complaint Committee

Reason Code	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
(A)	07 (41.18%)	01 (5.88%)	08 (47.06%)
(B)	03 (17.65%)	02 (11.77%)	05 (29.42%)
(C)	02 (11.77%)	01 (5.88%)	03 (17.65%)
(D)	01 (5.89%)	00 -	01 (5.87%)
Total	13 (76.47%)	04 (23.53%)	17 (100.00%)

The tabulated data disclosed that –

- (a) Majority of about 47 per cent of the respondents stated that they were not satisfied with the working of the Complaint Committees because those committees were only on paper and there was no functioning at all.

- (b) About 29 per cent of the complainants pointed out domination of male members in the working of the committees as the reason for their dissatisfaction.
- (c) Not looking into the complaints promptly was reason for dissatisfaction of about 18 per cent of the complainants.
- (d) Nearly 6 per cent of the complainants were not satisfied with the functioning of the committees due to lot of favoritism done to the perpetrators.

Thus, to conclude, a large majority of complainants expressed their dissatisfaction about the functioning of the Complaint Committees mainly because of nominal working, domination of male members and delay in attending the complaints, alongwith a lot of favoritism to perpetrators.

CHAPTER – V

Impact of Sexual Harassment

The present chapter examines the physical, psychological, economic and social impact of sexual harassment at work place on the personal, family and social life of the victims as well as on the establishments and organisations in which they are engaged.

The physical, social and economic consequences of sexual harassment at work place are long-term. In many cases sexual harassment brings shame not only to women but to their families and communities. This will bear strongly on women's entitlement to resources, marriage and livelihood. Sexual harassment violates a woman's right to job security and equal opportunity. It can create working conditions that are hazardous to the physical and psychological well-being of women workers. It also creates a poisoned work atmosphere that can disempower and demoralize women workers.

Besides physical, psychological and social consequences of sexual harassment at work place, it is also necessary to examine the disruption of economic activities and the damage to the environment of work as far as women are concerned. Many women find it unsafe to work in the fields, sell on the markets, or perform any economic activity outside the house because of the threat of sexual harassment at work place.

Everyone loses when sexual harassment occurs at work place. It lowers morale and productivity and it can result in heavy losses of revenue to the organisations.

It is in the backdrop of this theoretical framework that the study team examined the impact of sexual harassment at work place on the personally of the victims, their families and their work efficiency.

To start with the victims (224) of sexual harassment at work place were asked as to whether they were scared of every male member who came in their contact. Their responses are presented in the following table –

Table No. 5.1

Whether Scared of Every Male Member

Whether Scared ?	Number of Respondents		
	Organise Sector	Unorganised Sector	Total
Yes, Always	11 (4.91%)	16 (7.15%)	27 (12.06%)
Yes, Often	29 (12.95%)	20 (8.93%)	49 (21.88%)
Yes, Seldom	32 (14.29%)	37 (16.52%)	69 (30.81%)
No Never	33 (14.74%)	46 (20.54%)	79 (35.57%)
Total	105 (46.87%)	119 (53.13%)	224 (100.00%)

Out of 600 respondents 224 victim of sexual harassment at work-place were asked whether they were scared of every male member. A majority of 36 per cent of the victims reported that they were never scared of male members and were prepared to face any situation. About 31 per cent of the victims reported that they were seldom scared of male members and 22 per cent were scared often. However about 12 cent of them were always scared of every male member since the incidents of sexual harassment at work place. In conclusion only 12 per cent of the victims of sexual harassment were always scared of every male member around them.

Feeling of Futility of Life

When a woman is sexually harassed she gets frustrated and develops a feeling that her life is meaningless and useless. Women are too much emotional, particularly about purity of sex and hence when they are sexually abused they get a severe emotional shock resulting in depression and frustration. To examine how many of the victims of sexual harassment developed a feeling

of uselessness of life they were asked whether they had a feeling that their life is futile and how long this feeling was hunting them-always, often, seldom or never. Their responses were as under –

Table No. 5.2

Feeling of Futility (Uselessness) of Life

Feeling of Futility	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Yes, Always	02 (0.90%)	08 (3.58%)	10 (4.48%)
Yes, Often	19 (8.49%)	26 (11.61%)	45 (20.10%)
Yes, Seldom	34 (15.18%)	41 (18.31%)	75 (20.10%)
No Never	50 (22.33%)	44 (19.65%)	94 (41.97%)
Total	105 (46.87%)	119 (53.13%)	224 (100.00%)

The analysis of data revealed that out of 224 victims a majority of about 42 per cent said that they never had a feeling that the life was useless and futile. However, about 33 per cent of the victims had such a feeling seldom and about 20 per cent often. Only about 4 per cent of the victims of sexual harassment were depressed, frustrated and, therefore, had always a feeling of uselessness and futility of life.

To conclude majority of the victims, inspite of sexual harassment at work-place, did not think that their life was useless and futile.

These victims were also asked whether they were depressed due to sexual harassment at work place. Out of 224 victims about 59 per cent reported that they felt depressed always, sometimes or occasionally, while 41 per cent said that they never felt depressed as the sexual harassment was not due to their undesirable behaviour. Further analysis of data revealed that out of 133 victims who got frustrated majority was from unorganised sector (35 per cent), as compared with unorganised sector (23 per cent). Areawise analysis showed that

out of 133 victims 78 were from urban (about 35%) and 55 were from rural area (24 per cent).

In conclusion we can say that majority of the victims of sexual harassment were depressed. Majority of the depressed victim were from unorganised sector and from urban areas.

Impact on the Attitude of Colleagues

When a woman is sexually harassed at work place and the fact is made public, her colleagues try to avoid her and gradually keep her at a distance. They also look her down. As a matter of fact the colleagues are expected to provide a moral support to such a woman and help her in her efforts to teach a lesson to the harasser. To examine the nature of attitude of the colleagues of victims of sexual harassment at work place the victims were asked whether their colleagues laid them down after the incidents of sexual harassment. The responses were classified into four categories – always, often, seldom and never. The same are presented in the following table –

Table No. 5.3

Number of Respondents			
Laid Down	Organise Sector	Unorganised Sector	Total
Always	01 (0.45%)	02 (0.90%)	03 (1.35%)
Often	08 (3.58%)	16 (7.16%)	24 (10.72%)
Seldom	41 (18.31%)	39 (17.41%)	80 (35.72%)
Never	55 (24.56%)	62 (27.68%)	117 (52.24%)
Total	105 (46.87%)	119 (53.13%)	224 (100.00%)

The analysis of data presented in the above table disclosed that more than 50 per cent of the 224 victims of sexual harassment stated that their colleagues never laid them down due to their sexual harassment at work place.

These respondents were from organised and unorganised sectors as well as rural and urban areas. However about 48 per cent of the victims noted some change in the attitude of their colleagues and they reported that they were laid down by the colleagues always (about 1 per cent), often (about 11 per cent) and seldom (about 36 per cent). The sectorwise distribution showed marginal difference in the attitude of colleagues, so also the areawise distribution.

Thus, as far as attitude of colleagues was concerned, the change took place in less than 50 per cent of the cases. No significant difference was observed between organised and unorganised sectors as also in urban and rural areas.

Feeling of Talking Revenue

When a woman is sexually harassed she is hurt. If she is basically of revengeful attitude she may take revenge to teach a lesson to the perpetrators. She waits for an opportunity and when she gets it she attacks the perpetrator. Some of the women only think of taking revenge but fail to give concrete shape to their thought. There are others who never think in this direction. To find out whether the victims covered by the study ever thought of taking revenge they were asked to express their feelings in this regard. Their responses were as under –

Table No. 5.4

Victims' Feeling of Taking Revenge

Feeling of Revenge	Number of Respondents		
	Organise Sector	Unorganised Sector	Total
Always	09 (4.01%)	05 (2.23%)	14 (6.24%)
Often	19 (8.48%)	35 (16.63%)	54 (24.11%)
Seldom	32 (14.29%)	42 (18.75%)	74 (33.04%)
Never	45 (20.09%)	37 (16.52%)	82 (36.61%)
Total	105 (46.87%)	119 (53.13%)	224 (100.00%)

Majority of about 37 percent of the victims of sexual harassment never thought it taking revenge of what the perpetrators did to them, followed by victims often had a feeling of taking revenge and about 6 per cent always thought of doing so. The percentage of victims who never had a feeling of taking revenge was slightly higher (20 per cent) in organised sector as compared with unorganised sector where it was around 17 per cent, but, the percentage of those who seldom or often thought of taking revenge was observed to be more in unorganised sector. The urban-rural analysis, also disclosed nearly the identical trend. Thus, it was observed that majority of the victims had a feeling of taking revenge though in different degree. This is not good for healthy work environment and cordial and peaceful relations among the working team.

Do the Relatives Avoid the Victims?

When the relatives of a victim of sexual harassment come to know about the incident of sexual harassment they generally try to avoid her. As a result the victim gets isolated and mentally disturbed. With a view to know how the relatives of victims behaved with them, they were asked to state whether their relatives try to avoid them. The responses of the victims are presented in the following table –

Table No. 5.5

Whether Relatives Avoid Victims?

Do Relatives Avoid ?	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Always	00 -	05 (2.24%)	05 (2.24%)
Often	06 (2.67%)	15 (6.70%)	21 (9.37%)
Seldom	22 (9.82%)	26 (11.61%)	48 (21.43%)
Never	77 (34.37%)	73 (35.59%)	150 (66.96%)
Total	105 (46.87%)	119 (53.13%)	224 (100.00%)

Out of 224 victims of sexual harassment a majority of 67 per cent reported that their relatives never tried to avoid them as against only about 2 per cent who stated that their relatives always avoided them. About 21 per cent victims told that they were seldom avoided by the relatives whereas about 9 per cent were often avoided. There was no significant variation in the trend both in organised and unorganised sectors. However, urban-rural comparison revealed that though no significant variation was observed in urban and rural areas in respect of avoiding the victims by relatives, some difference was noticed in not avoiding them. To sum up, in majority of the cases, the relatives did not avoid the victims of sexual harassment at work place.

Attitude of Family Members

When the family members of a woman working outside the home come to know that she has been sexually harassed at work place, instead of giving her support and courage to fight with the situation, they suspect something wrong in her behaviour. This encourages male members at work place to harass her sexually. They give her insulting treatment and look at her with suspicion. The respondents were asked whether their family members look them down. The following table shows the responses of 224 victims of sexual harassment.

Table No. 5.6

Whether Family Members Look Them Down

	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Always	00 -	07 (3.13%)	07 (3.13%)
Often	06 (2.68%)	07 (3.13%)	13 (5.81%)
Seldom	17 (7.59%)	28 (12.50%)	45 (20.09)
Never	82 (36.61%)	77 (34.38%)	159 (70.99%)
Total	105 (46.87%)	119 (53.13%)	224 (100.00%)

It is observed that out of 224 victims of sexual harassment only about 29 per cent were given an insulting treatment by their family member, as against about 71 per cent who reported that they were never treated in an insulting manner. The analysis of family background of the victims disclosed that those who were given insulting treatment in the family belonged to backward class families having more than six members. The members in the family giving insulting treatment included father (In case of unmarried), father-in-law (in case of married), husband, mother or mother-in-law, and in-laws.

In conclusion it can be said that a large majority of victims did not get insulting treatment in their families.

Impact on Work Performance

The general contention is that a harassed employee cannot concentrate on work and loses efficiency. The work performance of a female worker is adversely affected due to sexual harassment were asked whether they were in a position to perform their work with full concentration as in the past. In other words whether sexual harassment at work place had an adverse impact on their performance at work. The following table gives details of responses from the 224 victims.

Table No. 5.7

Impact of Sexual Harassment on Performance of Work

Adverse Impact	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Yes	75 (33.47%)	78 (34.83%)	153 (68.30%)
No	30 (13.40%)	41 (18.30%)	71 (31.70%)
Total	105 (46.87%)	119 (53.13%)	224 (100.00%)

The tabulated data shows that out of 224 victims a large majority of about 68 per cent reported the adverse impact of sexual harassment at work place in the form of loss of concentration and efficiency in performance of their

duties. This supports the general contention that work place sexual harassment adversely affects performance efficiency of women workers. When the harassment continues for long and the woman worker does not see any possibility of its being stopped in future she may think of resigning the present job with a view to get rid of sexual harassment. It clearly means that the women workers get mentally disturbed and feel frustrated due to continuous sexual harassment and therefore they find no other way than to resign the present job. When asked whether they feel that they should resign their job, the responses of the victims were as under -

Table No. 5.8

Feeling of Resigning the Job

Feeling of Resigning	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Yes	41 (18.30%)	73 (32.59%)	114 (50.90%)
No	64 (28.57%)	46 (20.54%)	110 (49.10%)
Total	105 (46.87%)	119 (53.13%)	224 (100.00%)

It is clear from the responses that only about 51 per cent of the respondents felt that they should resign their present jobs due to constant sexual harassment which was beyond toleration. The remaining 49 per cent of the victims admitted that the extent of sexual harassment was too much to tolerate but resigning the job was not a solution. On the other hand, they suggested, a strong resistance and a firm resolve to teach a lesson to the perpetrators would be a better solution.

Impact on Family Life

The essence of family life is the cordial and peaceful conjugal relationship. The family life gets disturbed when conjugal relations become tense. When an employed woman is sexually harassed at work place and when her

husband comes to know about this fact his attitude towards his wife changes. He suspects the character of his wife which leads to tense conjugal relations. The woman realises this due to change in the behaviour pattern of the husband. Actually, the sexually harassed woman should not hide anything from the husband. Husband should be the first person to whom she should talk freely on this issue before he knows it from other sources. If this is done the husband and other members in the family may support her and may give her proper guidance for coming out of the situation. However, in most of the cases the women prefer to keep their husband in dark about the incidents of sexual harassment at work place either out of fear or due to shame. As a result the backbone of faithful relationship in marriage is broken and give rise to suspicion and changed and changed behaviour of the husband as well as other elderly members in the family.

Since this aspect of enquiry pertains to married women, out of 224 victims only 126 were married. Therefore only these women were asked as to how the incidents of sexual harassment affected their family life i.e., relations with husband.

The affected victims were provided with the following alternatives and were asked to select only one out of them –

<u>Code</u>	<u>Impact on Relations</u>
(A)	: The husband is keeping distance
(B)	: The husband gets irritated on simple things.
(C)	: The husband suspects the character of the wife.
(D)	: The husband has lost the love for wife.
(E)	: Not applicable. The relations with husband are not affected.

The responses of the married victims of sexual harassment are presented in the following table –

Table No. 5.9

Impact on Family Life

Impact Code	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
(A)	10 (4.46%)	06 (2.68%)	16 (7.14%)
(B)	07 (3.12%)	11 (4.91%)	18 (8.03%)
(C)	30 (13.39%)	34 (15.18%)	64 (28.57%)
(D)	21 (9.37%)	07 (3.13%)	28 (12.50%)
(E)	37 (16.52%)	61 (27.23%)	98 (43.75%)
Total	105 (46.87%)	119 (53.13%)	224 (100.00%)

Out of 224 victims only 126 were married and the rest either unmarried or divorced or separated. Hence this question was not applicable to 98 respondents.

Out of 224 a majority of about 29 per cent of the respondents informed that their husbands were suspecting their character since they (husbands) came to know about their (respondents') sexual harassment at work place. About 14 per cent of these respondents were from organised sector and about 15 per cent from unorganised sector. Nearly 13 per cent of the respondents reported that their husbands have lost a feeling of love for them. These respondents were more in number in organised sector (21) as compared with unorganised sector (7). Only 8 per cent of the respondents, who were equitably distributed in organised and unorganised sector, reported that from the time their husbands came to know about their sexual harassment, the husbands are getting irritation on petty matters without any reason. In about 7 per cent of the cases the husbands were keeping the wives at a distance, thereby indicating their displeasure for what has happened.

To conclude the sexual harassment of women at work-place has adversely affected their married life.

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Chapter – VI

EMPLOYERS AND SEXUAL HARASSMENT AT

WORK PLACE

Sexual harassment at work place is a matter of serious concern for the employers. The employers have the responsibility of providing healthy environment at work place and to see that interests and rights of all the employees are duly protected. One of the major responsibilities of the employers is to protect the women employees from sexual harassment at work place and to provide them a sexual harassment free environment. It is, however, observed that there is no sufficient awareness on this issue among the employers in India. A large majority of them is not serious about handling this issue carefully and with due honesty. As a result a large number of incidents of sexual harassment of women are taking place every year. However, only a few of these incidents are reported and action taken against perpetrators. It is also found that in most of the organisations no policy is framed for dealing with the problem of sexual harassment of women at work place and to prevent control, combat and eliminate this evil.

It is in the backdrop of this situation that the study team thought of visiting some establishments from organised and unorganised sectors and to collect relevant information from the employers or their representatives. In all 100 establishments, 50 each from organised sector and unorganised sector were randomly selected from different districts of the State of Maharashtra. The data collection was done with the help of Interview Schedule. The data was collected on different aspects of sexual harassment at work place having direct or indirect bearing on the problem.

The establishments from organised sector had about 4144 employees as against 1383 in unorganised sector. Some establishments were

big in size while others were small. The following table shows the size of the organisations and the total number of employees engaged –

Table No. 6.1

Number of Establishments and Employees Covered

Number of Employees Engaged	Number of Establishments		
	Organised Sector *	Unorganised Sector *	Total *
Up to 10	19 (133)	30 (248)	49 (381)
10 – 20	12 (371)	10 (218)	22 (589)
20 – 30	02 (083)	05 (231)	07 (314)
30 – 40	05 (240)	02 (163)	07 (403)
40 – 50	02 (169)	- -	02 (164)
50 – 60	- -	01 (050)	01 (050)
60 – 70	01 (121)	- -	01 (121)
70 – 80	- -	- -	00 (000)
80 – 90	02 (165)	- -	02 (165)
90 – 100	- -	- -	00 (000)
100 & Above	07 (2853)	02 (473)	09 (3326)
Total	50 (4144)	50 (1383)	100 (5527)

- **Figures in the brackets indicate total number of employees engaged in establishments**

It is evident from the above that maximum number of establishments (49 percent) had less than 10 employees; about 19 percent of these organisations were in organised sector and 30 percent in unorganised sector. As against this, 9 percent of the organisations had 100 or more employees on their role. Seven percent each of the total establishments had employed 20 to 30 and 30 to 40 workers respectively and 22 percent establishment had 10 to 20 workers. Establishments engaging 40 to 50 and 80 to 90 employees were 2 percent each and they all were in organised sector. Only one establishment from organised sector had 60 – 70 employees and one from unorganised sector had

50 – 60 employees. Thus majority (71 percent) of the establishments had less than 20 employees at work place.

These 100 establishments were performing different activities in organised and unorganised sectors. The distribution of establishments according to the nature of activities undertaken by them is presented in the following table –

Table No. 6.2

Distribution of Establishments Based on Activities Undertaken

Nature of Activity	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Administrative Office	23 (23%)	07 (7%)	30 (30%)
Factory	07 (7%)	04 (4%)	11 (11%)
Business	02 (2%)	06 (6%)	08 (8%)
Service Enterprise	05 (5%)	06 (6%)	11 (11%)
Education	09 (9%)	00	09 (9%)
Health	04 (4%)	06 (6%)	10 (10%)
Construction	00	11 (11%)	11 (11%)
Farming	00	07 (7%)	07 (7%)
Any other	00	03 (3%)	03 (3%)
Total	50 (50%)	50 (50%)	100 (100%)

The data shows that in both organised and unorganised sectors majority of the establishments (30%) are administrative offices. Next to these are educational establishments which constitute 9 percent in organised sector only. Establishments having a factory, service center and construction work were 11 percent each and 8 percent of the total establishments were engaged in business, 7 percent in agricultural farm and remaining 3 percent in small scale undertakings. Thus about 60 percent of the establishments had administrative offices, factory, business, service centers and educational activities.

Employers' Perception of Sexual Harassment at Work Place

The employers and the senior members of management team are expected to know the nature of unwelcome sexual behaviour of a male employee that constitutes sexual harassment of women at work place. This is needed because more and more member of cases of sexual harassment are being reported and complaints are lodged with the employers. To deal with such cases the employers must have a clear perception of sexual harassment at work place. To find out the extent of understanding on the part of employers and management team members a question on perception was included in the Interview Schedule. The following options were given to them for recording their perception –

<u>Perception Code</u>	<u>Perception of Sexual Harassment</u>
(A)	: Physical Contact & Advances
(B)	: A demand or request for sexual favours
(C)	: Sexually Coloured Remarks
(D)	: Showing Pornography
(E)	: Unwelcome physical conduct of sexual nature
(F)	: Unwelcome verbal or non-verbal conduct of sexual nature
(G)	: All of the above

Table No. 6.3

Response Code	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
(A)	36 (36.00%)	43 (43.00%)	79 (79.00%)
(B)	47 (47.00%)	49 (49.00%)	96 (96.00%)
(C)	25 (25.00%)	20 (20.00%)	45 (45.00%)
(D)	14 (14.00%)	11 (11.00%)	25 (25.00%)
(E)	21 (21.00%)	27 (27.00%)	48 (48.00%)

(F)	29 (29.00%)	35 (35.00%)	64 (64.00%)
(G)	18 (18.00%)	12 (12.00%)	30 (30.00%)
Total	N.A.	N.A.	N.A.

*** Multiple Choice question**

The analysis of tabulated data revealed that all of the 100 employers interviewed did not have the same perception of sexual harassment of women at work place. Request or demand for sexual favour was the perception of sexual harassment for a large majority of 96 percent of the respondents as against 79 percent who perceived sexual harassment as physical contact and advances of sexual harassment was, again, perceived as unwelcome verbal or non-verbal conduct of sexual nature by 64 percent of the employers, followed by 48 percent of them whose perception of sexual harassment was unwelcome physical conduct of sexual nature. Employers who regarded sexually coloured remarks as sexual harassment were 45 percent, whereas, those who perceived pornography as sexual harassment were 25 percent. Out of 100 employers 30 percent stated that all the actions were indications of sexual harassment were 25 percent. Out of 100 employers 30 percent stated that all the actions were indications of sexual harassment if a female member of the working team is emotionally hurt.

Employers' Awareness About Sexual Harassment At Work Place

The employers generally know that some incidents of sexual harassment of women workers do take place in their establishments. However, they take it very lightly and brand it as mere flirting. Some of them also plead that such things cannot be avoided where men and women work together and come in close contact with each other. Many of these employers are, however, ignorant of the legal aspect and long term consequences of sexual harassment at work place. In order to find out whether they know the latest development in the area of sexual harassment at work place they were asked whether they are

aware of the latest ruling of the Supreme Court of India relating to Constitution of a committee for dealing with the complaints and incidents of sexual harassment of women at work place. Their responses are given in the following table –

Table No. 6.4

Knowledge about Supreme Court Ruling and Directive

Knowledge of Committee	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Yes	34 (34%)	18 (18%)	52 (52%)
No	16 (16%)	32 (32%)	48 (48%)
Total	50	50	100

The tabulated data revealed that a majority of 52 percent of the employers know that the Supreme Court of India in its ruling has given a directive to constitute a committee. The remaining 48 percent employers are ignorant about these directives. It clearly means that the State Government has not issued a directive to all the establishments in Maharashtra by notification in leading newspapers in the State and notices through the Labour Commissioner's office.

Those employers who were aware of the Supreme Court decision in the form of guidelines in connection with sexual harassment at work place were asked as to whether they had constituted a committee to deal with the complaints of sexual harassment. The responses from the employers are given in the following table -

Table No. 6.5

Constitution of Complaints Committee

If Committee Constituted	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Yes	05 (9.62%)	09 (9.62%)	14 (26.93%)

No	19 (36.54%)	05 (9.62%)	24 (46.16%)
Work is in Progress	06 (36.54%)	08 (13.38%)	14 (26.93%)
Total	34 (65.38%)	18 (36.62%)	52 (100%)

The data indicates that out of 52 employers who had the knowledge of Supreme Court Guidelines only about 27 percent have constituted complaints committees to deal with the cases of sexual harassment at work place and about equal percentage of them informed that the process of constituting such committees was in progress in their establishments. Remaining 46 percent of the knowledgeable employers did not constitute such committees in their establishments. Some of these employers said that the number of women employees in their establishments was negligible and hence they did not find any need to constitute such committees. To conclude only about one-fourth of the employers have constituted complaints committees to deal with the cases of sexual harassment at work place. The rest have either neglected the constitution of the committees or avoided to do so on one or the other pretext.

No. of Cases of Sexual Harassment Referred to the Committees

The Complaints Committees as per the guidelines of Supreme Court were constituted only in 14 establishments out of 100 covered by the study. Employers of these establishments were asked to state the number of complaints of sexual harassment referred to these committees. The information supplied by the employers is presented in the following table –

Table No. 6.6

No. of Complaints	Number of Establishments		
	Organised Sector	Unorganised	Total
Nil	02 (14.28%)	02 (14.28%)	04 (28.58%)
1 to 5	03 (21.42%)	02 (14.28%)	05 (35.72%)
6 to 10	04 (21.42%)	01 (21.42%)	05 (35.72%)

11 to 15	- -	- -	- -
16 & More	- -	- -	- -
Total	09 (64.28%)	05 (35.72%)	14 (100.00%)

The tabulated data indicates that in 29 percent of the establishments Complaints Committees were constituted for processing the complaints of sexual harassment but not even a single complaint was forwarded to these committees. On interrogation it was disclosed that there had been some complaints but the same were settled by the managers at their level.

The committees constituted in 36 percent of the establishments received around 1 to 5 complaints and the committees in equal percentage of establishments received between 6 to 10 complaints since constitution.

To conclude only 71 per cent of the complaints committees constituted in different establishments are functioning and the rest are only on records.

Action taken on the Findings of the Complaints Committees

The function of the complaint committee is to examine the complaint, conduct enquiry, cross examine the victim and the perpetrator, hear the witnesses and submit a report of their findings to the management alongwith the line of action to be taken against the perpetrator, if the charges of sexual harassment are proved.

The complaints committee were constituted only in 14 establishments out of 100. Out of these 14 committees 4 committees did not receive even a single complaint. Only to committees received 65 complaints of sexual harassment. On the findings and recommendations of these committees action was taken against the perpetrators only 77 per cent of the cases

processed by the committee. Thus 23 percent of the perpetrators were freed from the charges of sexual harassment without punishment.

The type of punishment given to the perpetrators is indicated in the following table –

Table No. 6.7

Type of Action Taken Against the Perpetrators

Type of Action Taken	Number of Cases	
1. Strict warning was given	22	(33.85%)
2. Suspension pending further enquiry	10	(15.39%)
3. Termination of services	03	(4.62%)
4. Increment stopped	05	(7.70%)
5. Transfer to other Department /Branch/Place	08	(12.31%)
6. Reported the matter to police for further action	02	(3.08%)
7. No action was taken	15	(23.08%)
Total	65	(100.00%)

It is evident from the above table that out of 65 cases of sexual harassment referred to Complaints Committees in 10 establishments the Management's / Employers have taken action against 61 percent of the perpetrators of sexual harassment of women at work place and no action was taken against 39 percent of the perpetrators. Strict action like termination of services and reporting the cases to police was taken in about 5 percent and 3 percent of the cases respectively. Minor punishment like giving strong warning was given in majority of about 34 percent of the cases, followed by suspension from services pending further enquiry in about 15 percent of the cases. In about 12 percent of the cases, the perpetrators were transferred to other departments, branches or places and in about 8 percent of the cases the next increments of the perpetrators were stopped as punishment for sexual harassment.

It is very clear from the analysis that the managements/employers have failed to take strict action and to give heavy punishment to the perpetrators of sexual harassment at work place.

Reasons for not taking Action against perpetrators

Out of 65 cases of sexual harassment in 10 establishments referred to the complaints committees and on which the complaints committees have submitted their reports it was observed that no action was taken by the Managements / Employers against perpetrators in 15 cases. Asked as to why the perpetrators were left without punishment the employers gave the following reasons –

Table No. 6.8

Reasons	Number of Cases
1. The victim withdraw the complaint	02 (13.33%)
2. The charges were not proved	03 (20.00%)
3. There was no witness to the incident of sexual harassment	03 (20.00%)
4. The perpetrator tendered apology and gave undertaking that he would refrain from such activities in further	07 (46.67%)
Total	15 (100%)

In maximum number of cases (about 47 percent) the employers reported that no action was taken against the perpetrators because they tendered apology in writing and gave an undertaking that they would refrain from such behaviour in future. Charges against the perpetrators were not proved in 20 percent of the cases and hence the employers could not take any action against them. No action could be taken by the employers in about another 20 percent of the cases of sexual harassment as no one came forward to give witness against the perpetrators.

In conclusion, the main reasons for not taking any action against the perpetrators of sexual harassment were withdrawal of complaint by the victim, non-proving of charges formed, no witness for the incident of sexual

harassment and tendering of apology alongwith undertaking to refrain from such behaviour in future.

Measures Adopted to Prevent and Control Sexual Harassment at Work Place

The employers should provide a sexual harassment free environment at work place. They are, therefore, expected to take a number of steps to prevent, control and combat the attempts and incidents of sexual harassment at work place. Whether the employers have adopted any such measures was the point of enquiry. Hence they were asked to report the measures if any adopted by them for combating sexual harassment in their establishments. The following responses were suggested to them and they were given freedom to select one or more –

<u>Measure Code</u>	<u>Details of Measure</u>
(A)	: Constituted a committee as per guidelines of Supreme Court
(B)	: Exhibited at prominent places the notice / warning prohibiting sexual harassment at work place.
(C)	: Organised orientation and Training for creating awareness among employees.
(D)	: Changed the seating arrangement of women employers to provide them better security.
(E)	: No steps have been taken so far
(F)	: Any other

The following table give the details of responses from the employers

Table No. 6.9

Measures Adopted by Employers.

Measure Code	Number of Employees		
	Organised Sector	Unorganised Sector	Total
(A)	09 (17.31%)	05 (9.62%)	14 (26.93%)
(B)	06 (11.54%)	02 (3.82%)	96 (15.39%)

(C)	02 (3.85%)	00 --	02 (3.85%)
(D)	11 (21.16%)	03 (5.77%)	14 (26.93%)
(E)	24 (46.16%)	08 (15.39%)	32 (61.54%)
Total	N. A.	N. A.	N. A.

- Multiple Choice question.

This question was put to only 52 employers who were aware of the problem of sexual harassment of women at workplace. Out of 52 employers a majority of about 62 percent has not taken any step to prevent sexual harassment at work place. About 27 percent of the employers reported that they have constituted a committee to deal with the complaints of sexual harassment and equal percentage of respondents changed the seating arrangement or work place of women workers to provide them better security and protection from sexual harassment. Nearly 15 percent of the employers exhibited at prominent places in the establishments the notices and warning prohibiting sexual harassment at work place. Only about 4 percent of the employers organised orientation and training programmes for creating awareness regarding sexual harassment at work place among their employees.

To conclude majority of the employers have not adopted any effective measures to prevent sexual harassment in their establishments in spite of the fact that they had knowledge of Supreme Court directives.

Should Employers Be Held Respondents for Sexual Harassment at Work Place

Preventing sexual harassment at work place is employers' responsibility sexual harassment of women at work place is detrimental to the functionality of the work place. Hence the employers were asked whether they feel that they should be held responsible for sexual harassment at work place. Their responses are presented in the following table –

Table No. 6.10

Whether Employers are Responsible for Sexual Harassment?

Responsible ?	Number of Employers		
	Organised Sector	Unorganised	Total
Yes	13 (13.00%)	16 (16.00%)	29 (29.00%)
No	20 (20.00%)	15 (15.00%)	35 (35.00%)
Cant' Say	17 (17.00%)	19 (19.00%)	36 (36.00%)
Total	50 (50.00%)	50 (50.00%)	100 (100.00%)

The data presented in the above table clearly indicates that a majority of employers (35%) did not think that they should be held responsible for sexual harassment of women at work place and 36 percent of them were not in a position to give a decisive response. Only 29 percent of the employers felt that employers were responsible for sexual harassment at work place.

In conclusion, majority of the employers did not feel that they should be held responsible for sexual harassment of women at work place.

Whether may be the opinion of the employers the Supreme Court of India has clearly stated in the guidelines issued that "It is the duty of the employers or other responsible personable persons in work places or other institutions to prevent sexual harassment and to provide procedures for resolution of complaints. Women who either draw a regular salary, receive an honorarium or work in a voluntary capacity in the government, private sector, or unorganised sector come under the preview of these guidelines." Thus all employers are legally responsible for preventing sexual harassment of women at work places.

In U.S.A. sexual harassment at workplace is the single most important liability exposure issue that hit the American work place in decades. The issue has been developing throughout since 1998 when the United States

Supreme Court issued two sexual harassment decisions. Those decisions laid responsibility for eliminating workplace sexual harassment directly on almost on united state's 5.3 million employers and increased their liability exposure.

Now after Supreme Court of India's decision and directives all employers in India whether in organised or unorganised sector are bound by law to prevent sexual harassment of women at work place.

Women are also Responsible for Sexual Harassment

The blame of sexual harassment at workplace is always inflicted on male members in the working team. It is, however, observed that in a number of cases the women themselves have invited the trouble due to their pattern of behaviour, which is misunderstood by male members. The employers were asked as to whether they held women responsible for sexual harassment. Their responses were as under –

Table No. 6.11

Responsible?	Number of Employers		
	Organised Sector	Unorganised Sector	Total
Yes	30 (30.00%)	15 (15.00%)	45 (45.00%)
No	18 (18.00%)	28 (28.00%)	46 (46.00%)
Can't Say	02 (2.00%)	07 (7.00%)	09 (9.00%)
Total	50 (50.00%)	50 (50.00%)	100 (100.00%)

Out of 100 employers a majority of 46 percent did not hold the women responsible for their sexual harassment at work place. Out of these 18 percent were from organised and 28 percent from unorganised sector. As against this 30 percent employers from organised sector and 15 percent from unorganised sector making a total of 45 percent were of the opinion that women too were responsible for sexual harassment to some extent. Remaining 9 percent of the employers could not give definite opinion on this issue.

Thus the employers were divided equally on the issue of holding women responsible for sexual harassment at work place.

Reasons for Holding Women Responsible For Sexual Harassment at Work Place

The employers who held women also responsible for sexual harassment at work place were asked as to why they have formed such an opinion. The number of such employers was 45 and hence the question was not applicable to remaining 55 employers. The following options were provided to them and they were asked to choose only one as the main reason.

- | <u>Reason</u> | <u>Reasons</u> |
|----------------------|---|
| (A) | : Extra smart and social |
| (B) | : Modern dress and make-up invites trouble |
| (C) | : Behaviour pattern is mistaken for flirting |
| (D) | : Language spoken and words used reflect doubtful character |
| (E) | : Any other |
| (F) | : Not applicable |

Table No. 6.12

Reasons for Blaming Women for Sexual Harassment

Reason Code	Number of Employers		
	Organised Sector	Unorganised Sector	Total
(A)	05 (5.00%)	02 (2.00%)	07 (7.00%)
(B)	10 (10.00%)	06 (6.00%)	16 (6.00%)
(C)	09 (10.00%)	04 (40.00%)	03 (3.00%)
(D)	05 (5.00%)	03 (3.00%)	08 (8.00%)
(E)	01 (1.00%)	02 (2.00%)	07 (7.00%)
(F)	20 (20.00%)	33 (33.00%)	53 (53.00%)
Total	50 (50.00%)	50 (50.00%)	100 (100.00%)

The analysis of data revealed that a majority of 31 percent of the employers told that the modern style of dress and make-up and behaviour pattern while dealing with male employees were the main reasons for sexual harassment of women at work place. They felt that the modern style of dress and make-up make even the average woman look more attractive and the male members in the establishment are lured to harass them sexually. Some of the women behave in such a manner that the males misunderstand their intentions and are instigated for sexual harassment. Extra smart behaviour and mixing freely with males at work place was the reason reported by 7 percent of the employers. Language spoken and words used by the women workers exhibit their doubtful character and as a result some co-workers or supervisors are attracted towards them which in turn results in their sexual harassment. This was pleaded as a reason for sexual harassment of women at work place by 8 percent of the employers.

In conclusion, the held women employees also responsible for sexual harassment to some extent on the grounds of extra smart social presentation, use of modern style of dress and make-up to look attractive, behaviour instigating perpetrators for sexual harassment and use of language and words that creates doubts about their character.

Impact of Sexual Harassment

Stress at work is becoming an increasingly common phenomenon affecting all categories of workers, all workplaces and all countries. Women who are sexually harassed at work place become the victims of stress, which can have harmful consequences for physical, mental and social well being of women workers. It was therefore, that the employers' opinion was sought on the impact of sexual harassment on the morale, trust and productivity of women workers.

The responses from the employers are presented in the following table –

Table No. 6.13

Impact of Sexual Harassment on Morale, Trust and Productivity

Responsible?	Number of Employers		
	Organised Sector	Unorganised Sector	Total
Yes	38 (38.00%)	30 (30.00%)	68 (68.00%)
No	05 (5.00%)	08 (8.00%)	13 (13.00%)
Can't Say	07 (7.00%)	12 (12.00%)	19 (19.00%)
Total	50 (50.00%)	50 (50.00%)	50 (50.00%)

It is very clear from the data presented in the above table that a large majority (68 percent) of the employers admitted that morale, trust and productivity of the women workers gets adversely affected due to sexual harassment at work place. They work under fear, carry stress during work, their morale goes down and productivity is lowered. Only 13 percent of the employers did not agree with this opinion and remaining 19 percent were indecisive, as they could not express their opinion. No significant difference of opinion was noticed between the employers in organised sector and unorganised sector.

How are Complaints of Sexual Harassment Dealt with in the Establishments?

All establishments do not follow a uniform and standard procedure for dealing with the complaints of sexual harassment of women at work place. Every organisation has its own method for dealing with such cases. In some establishment no procedure laid is down in advance and the decision in this regard is taken as and when a complaint of sexual harassment is reported to the management. With a view to know how the employers handle the complaints of sexual harassment, they were asked to state as to how they treat such cases. Following alternatives were provided to them to record their responses –

<u>Code</u>	<u>Treatment of Complaint</u>
(A)	: The heads of the respective departments deal with the complaints
(B)	: An enquiry committee is constituted as and when a complaint is received
(C)	: There is a standing committee to deal with complaints of sexual harassment
(D)	: The complaints are placed before the Board of Directors for consideration & action.
(E)	: The complaints are forwarded to police for necessary action
(F)	: Any other

The following table gives the details of responses of the employers.

Table No. 6.14
How Complaints of Harassment are Treated

Treatment	Number of Employers		
	Organised Sector	Unorganised	Total
(A)	19 (19.00%)	15 (15.00%)	34 (34.00%)
(B)	12 (12.00%)	07 (7.00%)	19 (19.00%)
(C)	05 (5.00%)	05 (5.00%)	10 (10.00%)
(D)	09 (9.00%)	00 (--)	09 (9.00%)
(E)	03 (3.00%)	15 (12.00%)	18 (18.00%)
(F)	02 (3.00%)	08 (3.00%)	10 (18.00%)
Total	50 (50.00%)	50 (50.00%)	100 (100.00%)

The data analysis indicates that out of 100 employers 34 percent stated that the complaints of sexual harassment of women at work places were examined and decided by the heads of the respective departments in their

establishments. When a complaint of sexual harassment is received we constitute a committee to examine the complaint and recommend punishment to the guilty “was the submission of 19 percent of the employers. In the cases of 18 percent of the establishments the employers reported that they did not get themselves involved in the complaints of sexual harassment and such complaints are forwarded to the police authorities for necessary decision and punishment. Standing Committees were constituted for processing the complaints of sexual harassment in 10 percent of the establishments as against 9 percent of the establishments where complaints cases are placed before the Board of Directors for taking suitable decisions. Remaining 10 percent of the employers reported that in their establishments there was no specific procedure for dealing with such complaints.

To conclude, the employers do not follow a standard procedure for dealing with complaints of sexual harassment at work place. The guidelines issued by Supreme Court do prescribe the standard procedure to be adopted by all employers. However, only a few employers had the knowledge of these guidelines and even they do not follow the guidelines though it is mandatory. The main reason for negligence is the lack of enforcement authority.

Policy for Preventing and Controlling Sexual Harassment at Work Place

When a complaint is filed the employer should act immediately. Every complaint of sexual harassment should be taken seriously. It should not be assumed that the problem would work itself or go away on its own. A delay in taking action might be viewed as tacit approval of the unwelcome sexual behaviour. The employer therefore should investigate and act on every complaint of sexual harassment. This include even those complaints where victims minimize the incident(s) because victims of sexual harassment are embarrassed or ashamed of the incident and may be reluctant to talk about it. The person responsible for handling sexual harassment cases should conduct a through

investigation or cause one to be conducted. Anyone, and everyone involved in the incident(s) should be interviewed. Interview should endeavor to answer who, what, where, how and when. They should be conducted in private and their content kept confidential.

The record of investigation of each of the complaints of sexual harassment should be preserved in safe custody. All phases of investigation from receipt of the complaint to any remedial action taken should be documented. These records may be valuable evidence of measures taken by the employer.

No matter how flawless the investigations or how quickly and fairly a complaint is handled by the employer, prevention is still the best approach to sexual harassment. The employer should consider building their prevention programmes around four areas; policy, training, supervision and discipline.

Every employer should have a policy for prevention of sexual harassment. The policy should clearly state that the employer prohibits any type of sexual harassment. However, having such a policy is not enough; it must be communicated to every employee and consistently and fairly enforced. At a minimum, any sexual harassment policy should include a statement that the employer will not tolerate sexual harassment, a statement advising employees the grievance procedure and requiring them to report incident of sexual harassment immediately, an assurance that complaints will be taken seriously and investigated immediately and a statement that punishment will be given to those violating the policy.

In the backdrop of this theoretical understanding the employers covered by the study, were asked to state whether framing of prevention policy was enough for controlling sexual harassment of women at work place. Their responses were as under –

Response	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
Yes	08 (8.00%)	11 (11.00%)	19 (19.00%)
No	32 (32.00%)	27 (27.00%)	59 (59.00%)
Can't Say	10 (10.00%)	12 (12.00%)	22 (22.00%)
Total	50 (50.00%)	50 (50.00%)	100 (100.00%)

Only framing of prevention policy for controlling sexual harassment at work place was not enough in the opinion of 59 per cent of the employers. Only 19 per cent of them viewed that the employers responsibility was limited to framing of policy and it was with the employees to see that the policy is properly implemented and taken care of. No clear opinion was recorded by 22 per cent of the employers. The main reason for the same was that they were ignorant about the content of prevention policy.

To conclude majority of the employer were of the opinion that the prevention policy should not be only on paper, it should be honestly implemented to get desired results.

Those employers who were of the opinion that only framing of prevention policy was not enough to control sexual harassment at work place were further asked as to what should be done to make the prevention policy effective. Following alternatives were given to them with multiple choice –

<u>Code</u>	<u>Desired Action</u>
(A)	: The policy should be strictly implemented
(B)	: Quick cognisance should be taken of any lapses detected in the policy framed

- (C) : The policy should be reviewed and, if necessary, revised from time to time.
- (D) : Any other.

The responses were as indicated in the following table –

Table No. 6.15
Suggestions For Effective Prevention Policy

Suggestion Code	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
(A)	02 (2.00%)	02 (2.00%)	04 (4.00%)
(B)	02 (2.00%)	01 (1.00%)	03 (3.00%)
(C)	02 (2.00%)	01 (1.00%)	03 (3.00%)
(A & B)	01 (1.00%)	01 (1.00%)	02 (2.00%)
(A & C)	04 (4.00%)	02 (2.00%)	06 (6.00%)
(B & C)	02 (2.00%)	02 (2.00%)	04 (4.00%)
(ABC)	19 (19.00%)	13 (13.00%)	32 (32.00%)
(D)	18 (18.00%)	28 (28.00%)	46 (46.00%)
Total	50 (50.00%)	50 (50.00%)	100 (100.00%)

The data analysis revealed that a majority of 32 per cent of the employers suggested that in order to make the prevention policy more effective it should be strictly implemented, quick cognisance should be taken of any lapses and deficiencies in the policy framed and the policy should be reviewed from time to time. Other responses were not significant. This question was not applicable to 46 per cent of the employers.

Measures Suggested to Prevent/Control Sexual Harassment

Sexual harassment at work place may be prevented/controlled if certain well planned measures are adopted. The Supreme Court of India in guidelines issued suggested certain preventive measures to be taken by employers or other responsible authorities in public and private sectors as follows –

- (a) Express prohibition of sexual harassment at work-place should be notified and circulated.
- (b) Prohibition of sexual harassment should be included in the rules and regulations of government and public sector bodies.
- (c) Private employers should include prohibition of sexual harassment in the standing orders under the Industrial Employment (Standing Orders) Act, 1946.
- (d) Appropriate work conditions should be provided for work, leisure, health and hygiene to further ensure that there is no hostile environment towards women at work places and no woman employee should have reasonable ground to believe that she is disadvantaged in connection with her employment.

The employers were asked to suggest other measures to prevent sexual harassment at work-place over and above those prescribed by Supreme Court of India. Following optional responses were provided to them and they were given freedom to choose one or more.

Code

Measures Suggested

- (A) : Women workers should not be asked to work at lonely places.
- (B) : Women should not be given duties in night shifts
- (C) : Heavy punishment should be given to the perpetrators of sexual harassment even on minor guilt.
- (D) : A separate legislation should be enacted for dealing with the cases of sexual harassment of women at workplaces.

- (E) : Prohibition of sexual harassment should be a part of Standing Orders.
- (F) : The issue of sexual harassment of women at workplaces should be intensively and extensively discussed at the joint meetings of workers and management
- (G) : The women workers should be provided proper security and protection at workplace.
- (G) : Early signs of sexual harassment should be detected and reported immediately.
- (H) : The employees, unions should play a significant role in preventing sexual harassment of women at work place.

The following table presents the responses of employers –

Table No. 6.16
Measures for Preventing Sexual Harassment

Measure Code	Number of Respondents		
	Organised Sector	Unorganised Sector	Total
(A)	36 (36.00%)	44 (44.00%)	80 (80.00%)
(B)	31 (31.00%)	36 (36.00%)	67 (67.00%)
(C)	46 (46.00%)	37 (37.00%)	83 (83.00%)
(D)	27 (27.00%)	19 (19.00%)	46 (46.00%)
(E)	19 (19.00%)	03 (3.00%)	22 (22.00%)
(F)	20 (20.00%)	08 (8.00%)	28 (28.00%)
(G)	28 (28.00%)	11 (11.00%)	39 (39.00%)
(H)	06 (6.00%)	04 (4.00%)	10 (10.00%)
(I)	41 (41.00%)	21 (21.00%)	62 (62.00%)

The data analysis revealed that a large majority of 80 per cent of the suggested that to avoid the possibility of sexual harassment the women should not be asked to work at secluded places. Out of 100 employers a very large majority of 83 per cent of the employers suggested that heavy punishment should be given to the perpetrators of sexual harassment so as to teach them a lesson and a warning to others. Women should not be engaged for duties in the night shifts was the measure suggested by 67 per cent of the employers. 46 per cent of the employers suggested that the Government of India and the State Governments should pass a legislation prohibiting sexual harassment of women at work place and 62 per cent suggested that the employees' unions should play a significant role sexual harassment. Provision of security and protection to women employees was suggested as a measure to prevent sexual harassment, by 39 per cent of the employers. The employers who constituted 28 per cent of the universe suggested that the problem of sexual harassment should be invariably discussed in all joint meetings of the workers and the Management. Ten per cent of the employers suggested that the women should detect the early signs of sexual harassment and should report the same promptly to the employer. Prohibition of sexual harassment should be a part of Standing Orders was the suggestion made by 22 per cent of the employers.

In conclusion it can be said that the employers suggested a variety of measures to prevent and control sexual harassment at work places.

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Chapter VII

Role of NGOs & Social Activists

In the previous chapter the role of employers in preventing sexual harassment of women at workplaces was examined. In the chapter at hand the evaluation of the work done by NGOs and Social Activists in the field of providing support to the victims of sexual harassment at work place is proposed to be carried out.

The NGOs, particularly those engaged in the activities of women's welfare, are on the forefront in solving the problems faced by women. In Maharashtra there is a good number of NGOs who have devoted themselves for fighting for the cause of women together with a handful of social activists. In all 100 such social activists and office bearers of women's organisations were selected at random from different districts of Maharashtra for collecting information about the work done by them with regard to sexual harassment of women at work place.

Out of 100 persons contacted 42 were members, 33 presidents, 7 vice-presidents, 7 secretaries, 3 joint secretaries, and 8 executive committee members.

When these persons were asked whether their organisations or they, individually, have taken cognisance of the problem of sexual harassment of women at work place their responses were as under –

Table No. 7.1

Whether Cognisance of Sexual Harassment Taken

Whether Cognisance Taken?	Number of Respondents
1. Yes, Since long	34 (34%)
2. Yes, Recently	27 (27%)
3. No, but we intend to take up the issue	09 (9%)

4. No, not so far	30 (30%)
Total	100 (100%)

Thus, only 34 percent of the NGOs / Social Activists have taken up the problem of sexual harassment of women at work place since long as against 27 percent who took up the problem on their agenda very recently. So far, 30 percent of the respondents have not thought about this problem and 9 percent were thinking to include this issue in the agenda of their activists. The NGOs and Social Activists in Maharashtra should have taken serious cognisance of sexual harassment of women since long as Maharashtra is one of the progressive states in India, particularly in the field of social reforms. But, the data collected indicated that these organisations and individuals are not very active in detecting and resolving the cases of sexual harassment at work place.

The organisations and individuals who took cognisance of sexual harassment at work place were asked to what extent, they felt, that the problem has become serious. Their responses were as under –

Table No. 7.2

To What extent the problem has become serious?	Number of Respondents
1. To a great extent	43 (43%)
2. To some extent	14 (14%)
3. Not so serious	09 (9%)
4. Not serious at all	04 (4%)
5. Not applicable	30 (30%)
Total	100 (100%)

Out of 100 respondents 30 respondents had not taken any cognisance of the problem and hence they were not in a position to give opinion about the seriousness of the problem. Hence the responses of the remaining 70 respondents only were considered.

The problem of sexual harassment at work place was stated to be serious to a great extent by majority of 43 percent of the respondents as against 14 percent who were of the opinion that the problem was serious to some extent. For 9 percent of the respondents the problem was not so serious, whereas 4 percent of the respondents viewed that it was not serious at all.

In conclusion, majority of the social activists and organisations were of the opinion that the problem of sexual harassment of women at work place was of serious nature.

Role of NGOs and Social Activists

The NGOs and the Social Activists working in the field of welfare of women can play a significant role in preventing, controlling and combating sexual harassment of women at work place. In this reference the respondents were asked about the nature of role the NGOs and Social Activists can play in this field. The following alternative were suggested out of which the respondents were allowed to select one or more –

<u>Role Code</u>	<u>Description of Role</u>
(A)	: To organise awareness programmes on the implications of sexual harassment at work place.
(B)	: To provide immediate social and psychological support to the victims of sexual harassment at work place.
(C)	: To provide legal aid to victims
(D)	: To form associations of working women and to keep in constant touch with the working women.
(E)	: To maintain rapport with the employers and to advise them on the issue of sexual harassment at work place
(F)	: Any other

Table No. 7.3

Role of NGOs & Social Activists

Role Code	Number of Respondents
(A)	71 (71.00%)
(B)	72 (72.00%)
(C)	57 (57.00%)
(D)	39 (39.00%)
(E)	28 (28.00%)
(F)	06 (6.00%)
Total	*Multiple Choice Question

The data presented in the above table revealed that a large majority of 72 per cent of the respondents felt that providing immediate social and psychological support to the victims of sexual harassment at work place was the important role the NGOs and Social Activists could play in the cases of sexual harassment, followed by 71 per cent of the respondents who believed in organising awareness programmes on the implications of sexual harassment at work place both for male and female workers and employers. Providing legal aid to victims was the role suggested formation of associations of women workers and maintaining close rapport with them. Maintaining rapport with employers and advising them on the issues and cases of sexual harassment was the role suggested by 28 per cent of the respondents. A number of other roles were suggested by 6 per cent of the respondents but they were not relevant with the problem of sexual harassment and hence left out of consideration.

Thus, in the opinion of a large majority of respondents the NGOs and Social Activist should organise awareness programmes for all the parties connected with the issue of sexual harassment and provide social and psychological support to the victims.

Intervention By NGOs & Social Activists

The social organisations and activists are expected to intervene when the incidents of sexual harassment of women at work places come to their notice. As a matter of fact they are expected to be on watch and take cognisance and necessary action when they come to know that incidents of sexual harassment are taking place in some establishments around the. It was in this reference that the NGOs and Social Activists covered by the study were asked to explain when and how do they intervene in the cases of sexual harassment of work place. Their responses are exhibited in the following table –

Table No. 7.4

Intervention By NGOs & Social Activists

Intervention when & how?	Number of Respondents
1. On direct approach by the Victims	62 (62.00%)
2. On the basis of a complaints lodged Victims with police	15 (15.00%)
3. On the call from employer	11 (11.00%)
4. On the basis of report in the media	12 (12.00%)
5. Any other	04 (4.00%)

-
- Multiple choice question.

The question was not applicable to 30 respondents as they were not involved in such activists. The responses from remaining 70 respondents were as under –

- (a) Majority of 62 per cent of the respondents intervened in the cases of sexual harassment on the basis of direct approach by the victims.
- (b) 15 percent of the respondents reported that they had intervened on the basis of complaints lodged by the victims in the police stations in their areas.
- (c) In 11 per cent of the cases the respondents intervened on calls from the employers.
- (d) Reports appearing in newspapers and on television was the source of intervention of 12 percent of the respondents.
- (e) “We have our own team who keeps a watch on such incidents in the establishments in our area” was the reply from 4 percent of the respondents.

To conclude majority of the NGOs and Social Activists intervened in the cases of sexual harassment at work place only on direct approach by the victims.

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Chapter VIII

Major Findings, Conclusions And Rcommendations

The present study was undertaken in the organised and unorganised sectors of employment in the State of Maharashtra with the following principal objectives –

1. To study the nature, Incidence and extent of sexual harassment of women at work place.
2. To identify the correlates of sexual harassment used against women.
3. To examine the physical and psychological effects of sexual harassment on the personal and family life of the victims.
4. To study the impact of sexual harassment on the work, productivity and morale of the working women.
5. The examine the impact of sexual harassment of women on the work environment.
6. The examine the sufficiency or otherwise of the existing laws to provide safety and protection to women at work place.
7. To trace the reasons for which the sexually harassed women continue to work in hostile work environment with abusive relationship.
8. To suggest measures to prevent, control and minimize the incidence of sexual harassment of women at work place.

The study was conducted in the State of Maharashtra. A sample of 600 women was drawn from the universe of working women employed in organised and unorganised sectors of employment in four regions of the State i.e. Vidarbha, Marathwada, Konkan and Rest of Maharashtra. Out of 35 districts 10 district were selected at random and from each district a purposive sample of 60 Working Women (30 each from organised and unorganised sectors) was drawn. In addition to this 100 employers (50 each from organised and

unorganised sectors) and 100 NGOs and Social Activists from those districts were contacted to collect necessary data for the study.

(1) Out of 600 Working Women covered by the study a large majority of about 77 per cent was found in the age group of 23-43 years. Nearly 39 per cent of them were from organised sector and about 38 per cent from unorganised sector. Similarly, about 39 per cent were from rural areas.

(Table No. 3.1)

(2) About 63 per cent of the working women were married, 20 per cent unmarried, 11 per cent widows, 4 per cent divorced and 3 per cent separated. Married working women were also found in majority in organised and unorganised sectors as well as in urban and rural areas.

(Table No. 3.2)

(3) From the view point of educational status about 20 per cent of the working women were found to be illiterate, about 18 percent had education up to primary level, around 6 per cent could reach the middle school level, nearly 14 per cent were educated up to S.S.C. level and 12 per cent up to H.S.S.C. level. Only about 19 per cent of the working women were graduates and about 9 per cent were having post-graduate qualifications.

The illiterate working women were equally found in urban and rural areas but majority (18%) of them were engaged in unorganised sector and only 2 per cent were found in organised sector

(Table No. 3.3)

(4) Majority (67%) of the working women were Hindus by religion, 17 per cent were Boudha and 10 per cent Muslims, Christian and Jains were 3 per cent each.

(Table No. 3.4)

(5) Exactly 75 per cent of the working women were from depressed and backward communities and only 25 per cent belonged to advanced communities. In the depressed and backward communities the share of S.C.s

was 28 per cent S.T.s 13 per cent, VJNTs 6 per cent and O.B.C.s 28 per cent.

(Table No. 3.5)

(6) Out of 600 women workers about 41 per cent were living in villages, 44 per cent in cities and 14 per cent in towns. Thus majority of the working women were living either in cities or in towns.

(Table No. 3.6)

(7) A large majority (about 62 per cent) of the working women were from unclear families as against 34 per cent from joint families. Only 4 per cent of them had single families.

(Table No. 3.7)

(8) About 70 per cent of the working women had 3 to 6 members in their families.

(Table No. 3.8)

(9) Nearly 91 per cent of the working women were living with their families and about 9 percent were living away from the family due to employment in other cities and towns.

(Table No. 3.9)

(10) Out of 600 working women covered by the study 26 per cent were employed in Government offices, 13 per cent in service establishments, 8 per cent in business establishments, 13 per cent in educational institutes, 6 per cent in private industry, 15 per cent in agriculture and 13 per cent in construction work.

(Table No. 3.10)

(11) Majority (17 per cent) of the working women were employed in clerical cadre, about 11 per cent in teaching jobs, around 20 per cent as casual or contract labour, about 8 per cent in managerial or supervisory cadre and 6 per cent in health services. Nearly 29 per cent of the working women were engaged as farm-workers, factory workers, domestic workers or sales girls.

(Table No. 3.11)

(12) Nearly 54 per cent of the working women had 7 or less than 7 years service to their credit and about 14 percent of them had more than 10 years service.

(Table No. 3.12)

(13) Majority of 37 per cent of the working women described their work place as joint one, as against 34 per cent of them who described it as separate one. The work place was described as solitary and clustered by about 12 per cent and 15 per cent of the working women respectively.

(Table No. 3.13)

(14) Majority of 68 per cent of the working women stated that their working hours were scheduled during day time between 10.00 a.m. to 6.00 p.m. Only about 6 per cent of them had their working hours during night.

(Table No. 3.14)

(15) Only about 62 per cent of the working women felt safe and secured at work place.

(Table No. 3.15)

(16) Nearly 68 per cent of the working women had cordial and good relations with their male co-workers.

(Table No. 3.16)

(17) Majority of the respondents had limited perception of sexual harassment at work place. About 66 per cent perceived it as physical contact and advances of sexual nature and 58 per cent as request or demand for sexual favours. Sexually coloured remarks was the perception of sexual harassment stated by 44 per cent of the respondents. A large number of respondents were not aware of indirect behaviour of sexual nature i.e. body language.

(Table No. 3.17)

(18) Out of 600 working women covered by the study 224 (about 37 per cent) were the victims of sexual harassment at work place. The incidence of sexual

harassment at work place was about 17 per cent in organised sector and 20 per cent in unorganised sector. It was 20 per cent in urban areas and 17 per cent in rural areas.

The detailed analysis of 224 victims of sexual harassment at work-place disclosed that about 94% of them were in the age range of 18 to 38 years as against 67% in the case of those who were above 38 years in age. The general contention that illiterate women and women with lower educational status run a higher risk of sexual harassment at work place as compared with those with higher educational status was negated by the finding of this study. Out of 224 victims about 71% were highly educated and 29% were either illiterate or educated up to primary level only. Similarly, it was also disclosed that the incidence of sexual harassment was comparatively more in married women as compared to unmarried, widows and divorced women, because out of 224 victims about 58% were married, about 17% unmarried and remaining 25% were either widows or divorces or separated.

It is generally presumed that women employed in construction, industry, agricultural farms, Government and corporate offices and domestic workers are exposed more to the risk of sexual harassment. The data analysis of 224 victims disclosed that this contention was partially true because the cases of sexual harassment were reported from all organisations i.e. Government Offices (33%), private offices and business houses (21%), educational institutions (9%), Construction industry (18%) and agricultural farms (14%).

Our analysis of 224 victims also disclosed that incidence of sexual has taken place irrespective of the nature of job or status of job of the employee, though the extent of incidence varied between cadres.

(19) About 17 per cent of the respondents out of 600 reported that co-workers were the perpetrators of sexual harassment in their cases, about 7 per cent named managers or supervisors as perpetrators, whereas, about 7 per cent each reported that they were sexually harassed by clients and frequent

visitors respectively. Co-workers were reported in large number of cases as the perpetrators of sexual harassment of women at work-place both in organised and unorganised sectors as well as urban and rural areas. Employers, managers and supervisors were reported as perpetrators of sexual harassment next to co-workers but they were more in unorganised sector as compared to organised sector.

(20) It was noticed that out of 600 respondents about 12 per cent were being sexually harassed for the last few months, about 7 per cent for the last one year or so and about 6 per cent for the last so many years. Thus about 37 per cent of the respondents out of 600 were the victims of sexual harassment in organised and unorganised sector. The data analysis also revealed that there was no significant variation in extent and incidence of sexual harassment of women at work place in organised and unorganised sectors.

(21) The analysis of data relating to the timings during which women were sexually harassed at work place revealed that in majority of about 22 per cent of the cases the harassment took place during working hours.

(22) Out of 600 respondents near about 22 per cent neglected, 7 per cent each objected and resisted and about 2 per cent tolerated the first unwelcome sexual behaviour of the co-workers, supervisors, managers or employers. It was observed that those who tolerated or neglected the attempt of the perpetrators invited repeated trouble.

(Table No. 4.6)

(23) The initial sexual behaviour of the perpetrators was identified as verbal / non-verbal conduct of sexual nature (about 12%), body language (9%), attempt of physical contact (9%). Sexually coloured remarks (4%), demand or request for sexual favours (2%) and showing pornography (2%).

(24) Out of 600 respondents 186 (31 per cent), who were being sexually harassed at work-place, resisted the offending unwelcome sexual behaviour

of their co-workers, supervisors, managers or employers. However, around 6 per cent of the respondents did not show any resistance which resulted in further attempts by perpetrators. Further analysis of data disclosed that those 166 respondents who resisted the offending behaviour of perpetrators had exhibited their resistance in different ways. A majority of about 41 per cent of them got angry, about 37 per cent gave strong warning and about 20 per cent totally neglected the moves of the perpetrators.

(25) As far as intervention and support of members of the working team was concerned it was revealed that out of 224 cases of sexual harassment at work place, the co-workers intervened and supported the victims only in about 41 per cent of the cases. It is, thus, clear that in majority of the cases (about 59 per cent) there was no support to the victims from other workers in whose presence the incidents of sexual harassment took place. However, even those who intervened did not come forward to give evidence in favour of the victims. Out of 91 respondents, in whose cases the other members of the working team intervened, only 44 (about 48 per cent) reported that those who intervened came forward to give witness against the perpetrators. Thus, majority of the co-workers abstained from giving witness against the perpetrators.

(26) Anger was the first reaction to the attempt of sexual harassment and reported by a majority of about 43 per cent of the respondents out of 224 followed by shock (14%) nervousness (13%), helplessness (13%), and resistance (10%). About 8 per cent of the victims were unable to express in precise terms the first reaction to sexual harassment.

(27) Out of 224 victims a large majority of about 65 per cent spoke about the incidents of sexual harassment to their friend, co-workers or superior authorities.

Out of these 145 victims about 38 per cent were advised to give a strong warning to the perpetrators, 21 per cent each were advised to lodge a complaint and neglect the perpetrators and their behaviour and around 13 per cent were guided to approach the police.

Nearly 41 per cent of the victims (91) reported the incident of sexual harassment to the higher authorities by filing a complaint against the perpetrators. The remaining 133 victims (59%) did not lodge a complaint on various grounds like feeling of humiliation (31%), fear of taunting by co-workers (32%), fear of difficulties in marriage (9%), and fear of stain on character (12%).

(28) The 91 victims who lodged complaint of sexual harassment to the higher authorities informed the research team that the perpetrators were given strong warning by the employers (about 63%), enquiry committees were constituted to screen the complaints (about 8%), and the complaints were forwarded to the police for investigation (about 1%). No action was taken by the employers in 22 per cent of the complaints lodged and the perpetrators of sexual harassment were thus left without any punishment. About 44 per cent of the 91 complainants were greatly dissatisfied with the way in which their complaints were disposed off by the employers.

(29) A very large numbers of respondents (499 out of 600) had no knowledge of the Supreme Court Guidelines for preventing sexual harassment of women at work-places. Only 14 per cent respondents from organised sector and 3 per cent from unorganised sector had some knowledge of these guidelines but they too were ignorant about the details of these guide-lines. Only 44 out of 101 respondents informed that a Complaints Committee as per guidelines of Supreme Court was constituted in their establishment for dealing with the complaints of sexual harassment of women at work places. It is, therefore, very clear that a large number of establishments have not followed the directives of the Supreme Court of India.

- (30) No representatives of the women workers were included in Complaints Committees nor were such committees headed by women. This was reported by a very large majority of about 82 per cent of the victims of sexual harassment. Moreover, about 81 per cent of the victims who lodged complaints were not satisfied with the functioning of the Complaint Committees in their establishments due to a number of reasons.
- (31) It was observed that the physical, social and economic consequences of sexual harassment at work place were not of temporary nature, they were long term. Out of 224 victims of sexual harassment about 65 per cent were scared of every male member around them, around 38 per cent developed a feeling that their life was meaningless, nearly 63 per cent wanted to take revenge, about 33 per cent were depressed as their relatives tried to avoid them, the family members look them down and suspected their character in about 29 per cent of the cases and in about 68 per cent of the cases work performance was adversely affected.
- (32) More than 50 per cent of the victims of sexual harassment were so much disturbed mentally that they were constantly thinking of resigning the job.
- (33) The family life of the victims was also disturbed due to the sexual harassment at work place. In about 29 per cent of the cases the husband suspected the character of the wife and in about 13 per cent of the cases the husband lost the love for wife and in about 13 per cent of the cases the husband lost the love for wife. In another 8 per cent of the cases the husband was keeping distance from the wife and there was irritation even on negligible things in about 7 per cent of the cases.

The study team interviewed 100 employers (50 each from organised and unorganised sector) to collect their views on the issue of sexual harassment of women at work place. Following are the major findings drawn from the responses of the employers –

1. As far as employers were concerned it was observed that about 52 per cent were aware of the ruling of and the guide-lines issued by the Supreme Court of India in respect of sexual harassment of women at work-place.
2. Out of 52 employers who had knowledge of Supreme Court guide-lines only 14 (about 27 per cent) constituted Complaints Committee to deal with the cases of sexual harassment in their establishments.
3. Out of 14 establishments in which Complaint Committee was Constituted only 10 were functioning and 4 were only on paper. The working of these 10 committees was not satisfactory.
4. The employers reported a number of measures adopted by them to prevent and control the sexual harassment of women at work place like (i) constitution of Complaints Committee (27%), exhibition of the notice / warning prohibiting sexual harassment at work place (15 per cent), awareness programmes for employees (4 per cent) and safe seating arrangement for women employees (27 per cent). It was, however, observed that about 61 per cent of the employers did nothing for preventing sexual harassment at work place.
5. Only 29 per cent of 100 employers accepted that the employers should be held responsible for the sexual harassment of women at work place.
6. Out of 100 employers 45 per cent held women responsible for their sexual harassment at work place.
7. About 68 per cent of the employers agreed that the morale, trust and productivity of women were affected due to their sexual harassment at work place.
8. Nearly 59 per cent of the employers were of the opinion that only framing of the policy on prevention of sexual harassment at work place was not

sufficient. Effective implementation of the prevention policy was a must for fruitful results.

9. The employers suggested a number of measure to prevent and control sexual harassment of women at work place. Principal measures suggested by a large majority of employers were (i) women workers should not be given jobs at secluded places (80%), (ii) women should not be give duties after mid-night (83%) and (iii) heavy punishment should be given to the perpetrators of sexual harassment even on minor incidents (83%).

The research team also examined the role of NGOs and social activist in providing support services to the victims of sexual harassment at work places. The major findings in this reference are as under –

1. It was observed that out of 100 NGOs and Social Activists interviewed only 34 per cent had taken cognisance of sexual harassment of women at work place since long and 27 per cent very recently. Thus, the NGOs and Social Activists were not very serious about this problem.
2. Only 43 per cent of the NGOs and Social Activists opined that the problem has become serious to a great extent while 14 per cent agreed that it was serious to some extent. Remaining 39 per cent were not worried about the problem.
3. Most of the NGOs and Social Activists, however, agreed that they could play a significant role in preventing sexual harassment at work place by organising awareness programmes (71%), by providing immediate social and psychological support to the victims of sexual harassment (72%), and by providing legal aid to victims (57%).
4. Some of the NGOs and Social Activists provided a number of services to the victims of sexual harassment. Major services provided include (I) social,

psychological and moral support (85%). (ii) counselling (75%) and (iii) advise for action against the perpetrators (47%).

5. The NGOs and Social Activists suggested a number of measures for preventing and controlling sexual harassment of women at work place. These included (i) organising regular awareness programmes and training for employees and employers (69%), providing counselling centers at work places (56%), (iii) Separate law on sexual harassment of women at work place (87%) and (iv) proper security to and safety of women workers at the place of work.

CONCLUSIONS :

Based on the major findings of the study the following conclusions are drawn.

1. Married women are dominating in the field of employment both in organised and unorganised sectors as well as in urban and rural areas.
2. About one-fifth of the working women were illiterate and they were equitably distributed in organised and unorganised sectors of employment.
3. Though more and more women with high educational qualifications are entering in the field of employment they are mostly engaged in lower cadres. Illiterate women and women with moderate education are engaged in lower status jobs as construction labour, farm labour, maid-servants and class IV employees.
4. About one-third of the women are working at places which are not safe and secured and as such are exposed to the risk of sexual abuse.
5. A very large majority of respondents had a very narrow perception of sexual harassment i.e. sexual assault. As a result, when other forms of sexual harassment are used by the perpetrators, these women realise that they were subjected to sexual harassment at a very later stage.

6. The incidence of sexual harassment at work place is 17 per cent in organised sector and 20 per cent in unorganised sector, which seems to be very high.
7. The general contention that illiterate women and women with less education run a higher risk of sexual harassment at work place as compared with women with higher educational achievements is negated by the findings of this study as even highly educated women were also harassed sexually at work place in sufficiently large numbers.
8. The incidence of sexual harassment at work place is higher in married women as compared to unmarried, divorced and widows.
9. The general presumption that women employed in construction work, factories, agricultural farms and as maid-servants are at higher risk of sexual harassment as compared to those working in offices, industrial houses, schools and colleges is not supported by the results of the present study. The incidence and extent of sexual harassment is equally noticed in all establishments irrespective of their nature.
10. Employers, managers, supervisors and co-workers were all found involved in sexual harassment of women at work place in varying degree but co-workers and supervisors are identified as principal perpetrators of sexual harassment in majority of the incidents.
11. The sexual harassment of women at work place is observed as a slow poisoning process. It starts from simple actions through body language and if not arrested at that point reaches to the stages of sexual advances, physical contacts and demand for sexual favours. Negligence or tolerance of the first attempt of sexual harassment encourages the perpetrators to go ahead till he reaches the target. Objection to and resistance of the first attempt of harassment may demoralise the perpetrators. It is, however, observed that only 14 per cent of the respondents either objected or resisted the first unwelcome sexual behaviour of the perpetrators.

12. It is disclosed from the analysis of data that in majority of the cases the perpetrators used weapons like verbal / non-verbal conduct of sexual nature, body language, sexually coloured remarks, touching objectionable parts of the body through physical contact, showing pornography and demand for sexual favour to attract the women workers and bring them in their fold.
13. About 31 per cent out of 600 women resisted the offending behaviour of the perpetrators but the strategy they adopted for resistance was not effective and tough i.e. getting angry, giving warning and neglecting.
14. The general understanding that when a woman is being harassed those present on the spot intervene and rescue her. However, the finding of this study have negated this understanding partially as in majority of the cases (58%) no one present on the spot ran down to the help of women who were being sexually harassed. Moreover, when it came to giving evidence against the perpetrators, a majority of those who intervened (51%) refused to do so. This trend was observed more in organised sector and urban areas as compared with unorganised sector and rural areas.
15. A large number of cases of sexual harassment of women at work places remain unreported as the victims are afraid of reporting due to possible defamation or threats from the perpetrators. This is evident from the fact that about 35 per cent of the victims covered by the study did not report the incidents to any one, even to their friends, family members or relatives.
16. Normally, if any woman is sexually harassed at work place she would immediately lodge a complaint with higher authorities. The findings of the study, however, revealed that only 41 per cent of the victims complained about the harassment and remaining 59 per cent did not. A number of factors for not lodging a complaint were reported; principal among them were feeling of humiliation, fear of doubting the character and possibilities of difficulties in arranging marriage in cases of unmarried women.

17. In the present study we came across 91 cases of victims who filed complaints of harassment with the employers. However, the employers were not found to be very serious about these complaints. The complaints of 22 per cent of the victims were totally neglected and no action was taken against the perpetrators. Only one complaint out of 91 was referred to Complaints Committee for investigation. In about 62 per cent of the complaints only strong warning was given to the perpetrators. It is thus very clear that the employers do not appear to be serious on the problem of sexual harassment of women at work place.
18. Only 17 per cent respondents (14 per cent from organised and 3 per cent from unorganised sector) had the knowledge of Supreme Court directives for constitution of a Complaints Committee in every establishment where women are employed. Thus, about 83 per cent of the women workers were totally ignorant of the directives given of the Supreme Court of India.
19. The Complaints Committee constituted in a limited number of establishments under the guidelines of the Supreme Court were not functioning properly as about 83 per cent of the women engaged in those establishments were not satisfied with the working of these committees. There appeared a number of reasons for dissatisfaction of women workers in a number of cases such committees were only on paper. The committees were dominated by males and there was a lot of favoritism. It was also noticed that the complaints were not promptly attended to.
20. The study team, examined the physical, psychological, economic and social impact of sexual harassment of women at work place on personal, family and social life of the respondents. About 64 per cent of the respondents were found to be scared of every male member around them, 68 per cent developed a feeling that their life was meaningless and 31 per cent had a feeling of taking revenge. In about 42 per cent of the cases the social life of the victims was adversely affected as there appeared a change in the

behaviour and attitude of their friends and relatives. Within the family, the victims were looked at with suspicion. At the place of work, they could not concentrate on the job and as a result their work efficiency was adversely affected. The total effect of all these factors together was that the victims of sexual harassment continuously thought of resigning the job.

21. The employers are responsible for providing healthy environment at work place and for protecting the rights and interests of women employees, which also includes protection from sexual harassment at work place it is, however, observed that Indian employers have not, as yet, realised their responsibilities in this respect. The study team interviewed 100 employers (50 each from organised and unorganised sector) with a view to know their efforts in preventing sexual harassment of women at work places. It was observed that about 50 per cent of the employers had no knowledge of Supreme Court guide-lines for preventing sexual harassment at work place. It was observed that about 50 per cent of the employers had no knowledge of Supreme Court guide-lines for preventing sexual harassment at work place, only about one-fourth of them constituted Complaint Committees as per directives of the Supreme Court, out of these 14 committees only 10 committees received 65 complaints out of which about 34 per cent were disposed off by giving warning and 40 per cent by giving mild punishments in the perpetrators. Strict action was taken only in 5 per cent of the cases and no action was reported in 23 per cent of the cases. Thus, the functioning of the Complaints Committees wherever they were formed was beyond satisfaction.

22. The employers adopted a number of measures to prevent sexual harassment of women at work place but the same were not so much effective.

23. The role of NGOs and Social activists was also evaluated by the study team by contracting 100 of them. The NGOs are supposed to be on forefront in solving the problems of women in difficult situation. In the area of sexual

harassment of women at work place, however, the NGOs and Social activists have shown marginal participation in the State of Maharashtra. Only 34% of the NGOs and Social Activists contacted have taken the cognisance of the problem of sexual harassment of women at work place since long whereas 27 per cent have done so very recently. It clearly shows that most of the NGOs and Social Activists do not seem to be very serious on this issue, so much so, that about 57 per cent of them treat this as a minor social problem when in reality it is a major one.

24. Those NGOs and Social Activists in Maharashtra who had taken the problem of sexual harassment more seriously organised orientation programmes for creating awareness about sexual harassment at work place and its consequence on the victims, the perpetrators and the work environment for both employers and employees. They also provided immediate social and psychological support to victims. Wherever required legal aid and guidance was also given. However, these efforts of limited number of NGOs and Social Activists are not sufficient and much more is required to be done.
25. Out of 61 NGOs and Social Activists who were active 51 received 198 complaints of sexual harassment at work place out of which only 28 cases were settled in favour of the victims. The remaining cases could not be settled due to non-cooperation of perpetrators and employers.
26. The majority of the NGOs and Social Activists held the employers responsible for sexual harassment of women at work place.
27. The NGOs and Social Activists identified some major factors for sexual harassment of women at work place like (i) attitude of men to treat women as objects of sex (ii) over-smart behaviour of women at work place, (iii) impact of sexy scenes in visual media and (iv) free mixing of men and women at work place.

28. Social boycott and public humiliation, life-long imprisonment and a separate legislation for dealing with the cases of sexual harassment of women were some of the measures suggested by the NGOs and Social Activists for prevention of sexual harassment at work place.

RECOMMENDATIONS

In the backdrop of the objectives of the present study and the findings and conclusions drawn, the study team would like to make the following suggestions cum recommendations.

1. The Guide-lines issued by the Supreme Court of India on August, 1997 prohibiting sexual harassment of women at work place are legally binding on all establishments and institutions. However, though a period of over six years has passed only a few establishments and institutions have implemented these guidelines. It is surprising that the same are also not given effect in many of the Central and State Government organisations. Implementation of these guidelines is the first step towards effective prevention of sexual harassment at work place. The Central and State Governments should, therefore, launch a drive to identify the defaulting establishments, institutions and organisations, punish them suitably and compel them to follow the guidelines honestly.
2. Though the guide-lines issued by the Supreme Court enjoy the status of law till the necessary legislation is passed, these guide-lines are not honestly implemented by the employers. Hence it is the need of the hour to have a separate law exclusively dealing with sexual harassment of women at work place and providing for the punishment to the perpetrators as well as employers who do not take such cases seriously.
3. The employers have a prime responsibility of protecting the rights, interests and dignity of women employed in their establishments. We would like to

recommend certain steps to be taken by the employers to ensure that the affected women are given adequate redress. Every employer must design a very clear Sexual Harassment Prohibition and Prevention Policy which must be made known to each employee in the organisation. The policy should clearly provide for actions like –

- (a) Downgrading of job status and responsibilities of those employees who are found guilty of sexual harassment at work place.
 - (b) Transfer to another position without job disadvantages.
 - (c) A warning and counselling on misconduct.
 - (d) Suspension
 - (e) Dismissal
4. A large number of reputed NGOs having good reputation and valuable experience to their credit can play a significant role in the area of sexual harassment at work place. The Government and employers should taken their help in organising awareness programmes and training for officers and other employees. They should also be assigned the role of watch dogs for keeping an eye on the likely incidents of sexual harassment and for providing counselling to the possible perpetrators and support services to the victims. These NGOs should be given sufficient financial assistance for their services.
5. Public awareness through, seminars, conferences, T.V. Serials and through the written media should be created on this very important issue of social life of women.
6. Sex Education should form a part of university curriculum so that the youths are acquainted with the possible consequences of sexual harassment of women. This may reduce the present rate of incidence and extent of sexual harassment at work place.

7. The employers should frame very clear rules for promotion transfers, demotion, suspension and dismissal of employees and the same should be made known to all employees at the time of entry in the organisations. This will defeat the tactics of senior officers to sexually harass the women employees by abstracting their promotions, deliberately issuing transfer orders, threats of demotion and so on.
8. The women employees should be social and must maintain good relations with co-workers and superior officials but their behaviour pattern should be such as would not allow anybody to taken disadvantage of their free nature.
9. The women employees should lodge the complaint of harassment when they see the early signs of harassment by the perpetrators. It is always better to take timely precaution than to run for cure after a long time.
10. In a number of cases the perpetrators of sexual harassment of women are disorganised personality and sex perversion. To detect such persons on the staff of the establishment all the employees should be referred to psychiatrics for psychological testing at the cost of the employer. Those found prone to sexual harassment should be sent for counselling and treatment.
11. As at present, the statistical data is available only about the reported crimes against women in police department under a common head 'Crimes Against Women'. Statistics on Sexual Harassment of Women at work place are not separately available. It is, therefore, suggested that the statistics of sexual harassment of women at work place be collected under a separate head and the responsibility of collection, processing and presentation of data be assigned to the National Sample Survey Organisations.

12. The research team suggests that research on psychological aspects of sexual harassment at work place should be undertaken as a continuous process.

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**RESEARCH STUDY ON SEXUAL HARASSMENT OF
WOMEN AT WORK – PLACE IN THE STATE OF MAHARASHTRA
I. INTERVIEW SCHEDULE FOR EMPLOYED WOMEN**

(A) Personal Profile :

- 1. Age of the Respondent :**

1) 18 – 23 Years <input type="checkbox"/>	2) 23 – 28 <input type="checkbox"/>	3) 28 - 33 <input type="checkbox"/>
4) 33 – 38 <input type="checkbox"/>	5) 38 - 43 <input type="checkbox"/>	6) 43 and Above. <input type="checkbox"/>
- 2. Marital Status :**

1) Married <input type="checkbox"/>	2) Unmarried <input type="checkbox"/>	3) Widow <input type="checkbox"/>
4) Divorced <input type="checkbox"/>	5) Separated <input type="checkbox"/>	
- 3. Education :**

1) illiterate <input type="checkbox"/>	2) Primary level <input type="checkbox"/>	3) Middle School <input type="checkbox"/>
4) S.S.C. <input type="checkbox"/>	5) H.S.S.C. <input type="checkbox"/>	6) Graduate <input type="checkbox"/>
7) Post – Graduate <input type="checkbox"/>	8) Any other (Specify) <input type="checkbox"/>	
- 4. Religion :**

1) Hindu <input type="checkbox"/>	2) Muslim <input type="checkbox"/>	3) Christian <input type="checkbox"/>
4) Buddhist <input type="checkbox"/>	5) Jain <input type="checkbox"/>	6) Sikh <input type="checkbox"/>
7) Any Other <input type="checkbox"/>		
- 5. Community :**

1) S.C. <input type="checkbox"/>	2) S.T. <input type="checkbox"/>	3) V.J.N.T. <input type="checkbox"/>
4) O.B.C. <input type="checkbox"/>	5) Advanced <input type="checkbox"/>	
- 6. Place of Residence :**

1) Village <input type="checkbox"/>	2) Town <input type="checkbox"/>	3) City <input type="checkbox"/>
-------------------------------------	----------------------------------	----------------------------------
- 7. Type of Family :**

1) Nuclear <input type="checkbox"/>	2) Joint <input type="checkbox"/>	3) Single <input type="checkbox"/>
-------------------------------------	-----------------------------------	------------------------------------
- 8. Number of Persons in the Family :**

1) Two <input type="checkbox"/>	2) Three <input type="checkbox"/>	3) Four <input type="checkbox"/>
4) Five <input type="checkbox"/>	5) Six <input type="checkbox"/>	6) More than Six <input type="checkbox"/>
7) Not applicable <input type="checkbox"/>		
- 9. Are you living with your family ?**

1) Yes <input type="checkbox"/>	2) No. <input type="checkbox"/>
---------------------------------	---------------------------------
- 10. If no. where are you living ?**

1. In Working Women’s Hostel	<input type="checkbox"/>
2. In girls hostel run by private individuals / organisations	<input type="checkbox"/>
3. With other family as a paying guest	<input type="checkbox"/>
4. With relatives	<input type="checkbox"/>
5. Not applicable	<input type="checkbox"/>

(B) Details of Employment :

11. What is the nature of organisation in which you are employed ?

- | | | | |
|--|--------------------------|-------------------------------------|--------------------------|
| 1) Government Department | <input type="checkbox"/> | 2) Corporate Office | <input type="checkbox"/> |
| 3) Private Business Establishment | <input type="checkbox"/> | 4) Private Service Establishment | <input type="checkbox"/> |
| 5) Public Sector Industrial Unit | <input type="checkbox"/> | 6) Private Industrial Establishment | <input type="checkbox"/> |
| 7) School/College / Research Institute | <input type="checkbox"/> | 8) Construction | <input type="checkbox"/> |
| 9) Agricultural Farm | <input type="checkbox"/> | | |

12. By which sector your organisation is covered ?

- 1) Organised Sector 2) Unorganised Sector

13. What is the nature of your job ?

- | | | | |
|--------------------|--------------------------|------------------------------|--------------------------|
| 1) Managerial | <input type="checkbox"/> | 2) Supervisory | <input type="checkbox"/> |
| 3) Clerical | <input type="checkbox"/> | 4) Class IV | <input type="checkbox"/> |
| 5) Casual Labour | <input type="checkbox"/> | 6) Contract Labour | <input type="checkbox"/> |
| 7) Teacher | <input type="checkbox"/> | 8) Nurse / Health Care Taker | <input type="checkbox"/> |
| 9) Sales – girl | <input type="checkbox"/> | 10) Domestic Worker | <input type="checkbox"/> |
| 11) Factory Worker | <input type="checkbox"/> | 12) Farm Labour | <input type="checkbox"/> |

14. How long are you working in this organisation / establishment / office ?

- | | | | | | |
|----------------------|--------------------------|----------|--------------------------|-----------|--------------------------|
| 1) Less than a year | <input type="checkbox"/> | 2) 2 – 3 | <input type="checkbox"/> | 3) 3 – 5 | <input type="checkbox"/> |
| 4) 5 – 7 | <input type="checkbox"/> | 5) 7 – 9 | <input type="checkbox"/> | 6) 9 – 11 | <input type="checkbox"/> |
| 7) 7 – 11 and others | <input type="checkbox"/> | | | | |

15. How do you describe your work place ?

- | | | | | | |
|--------------|--------------------------|------------------------|--------------------------|----------|--------------------------|
| 1) Solitary | <input type="checkbox"/> | 2) Separate | <input type="checkbox"/> | 3) Joint | <input type="checkbox"/> |
| 4) Clustered | <input type="checkbox"/> | 5) Any other (Specify) | <input type="checkbox"/> | | |

16. How are your working hours scheduled ?

- | | | | |
|-------------------------|--------------------------|----------------------|--------------------------|
| 1) Morning to Afternoon | <input type="checkbox"/> | 2) During Day – time | <input type="checkbox"/> |
| 3) Evening to Midnight | <input type="checkbox"/> | 4) After Mid – night | <input type="checkbox"/> |

17. Do you feel yourself safe and secured during office hours ?

- 1) Yes 2) No 3) Can't Say

18. How are your relations with other Co-workers ?

- | | | | | | |
|----------------|--------------------------|----------------|--------------------------|-------------------|--------------------------|
| 1) Cordial | <input type="checkbox"/> | 2) Good | <input type="checkbox"/> | 3) Some-what good | <input type="checkbox"/> |
| 4) Not so good | <input type="checkbox"/> | 5) Conflicting | <input type="checkbox"/> | | |

(C) Sexual Harassment At Work Place :

19. In your opinion what is the nature of sexual harassment of women at work Place ?

- | | |
|--|--------------------------|
| 1) Physical contact and advances | <input type="checkbox"/> |
| 2) Demand or request for sexual favour | <input type="checkbox"/> |
| 3) Sexually coloured remarks | <input type="checkbox"/> |
| 4) Showing pornography | <input type="checkbox"/> |

- 5) Unwelcome physical conduct of sexual nature
- 6) Unwelcome verbal or non-verbal behaviour of sexual nature.
- 7) Any other (Specify)
- 20. Has any person in your establishment / organisation / work –place ever tried to sexually harass you ?**
- 1) Yes 2) No
- 21. If yes, who was that person ?**
- 1) Immediate Bore 2) Co-Worker 3) Competior
- 4) Compartriot 5) Client 6) Frequent Visitor
- 7) Any other (Specify) 8) Not applicable
- 22. How long has he been harassing you ?**
- 1) For the last few days 2) For the last few months
- 3) For the last one year or so 4) Since last so many years
- 5) Not applicable
- 23. When has he normally harassed you ?**
- 1) On my way to office
- 2) During Office hours
- 3) During lunch hour
- 4) After office time in the office premises
- 5) Before office time in the office premises
- 6) On my way back to home
- 7) Any other (Specify)
- 8) Not applicable
- 24. How did you react to his first unwelcome behaviour ?**
- 1) Neglected 2) Objected 3) Resisted
- 4) Tolerated 4) Not applicable
- 25. Did he harass you singularly ?**
- 1) Yes 2) No 3) Not Applicable
- 26. What was his initial unwelcome sexual behaviour you noticed and tolerated ?**
- 1) Body language 2) Sexually coloured remarks
- 3) Physical Contact 4) Demand / Request for sexual favour
- 5) Verbal / Non – verbal conduct 6) Showing pornography
- 7) Any other 8) Not applicable
- 27. What was his last unwelcome sexual conduct that made you frustrated, Insulted and injured ?**
- 1) Physical Contact 2) Demand / Request for sexual favour
- 3) Showing pornography 4) Sexual advances
- 5) Any other 6) Not applicable

- 28. Did you try to resist his offending behaviour ?**
 1) Yes 2) No 3) Not Applicable
- 29. If yes, what was the nature of resistance ?**
 1) Got angry 2) Gave him strong warning
 3) Totally neglected him 4) Any other
 5) Not applicable
- 30. Did any body came forward to your rescue ?**
 1) Yes 2) No 3) Not Applicable
- 31. If yes, did he or they came forward to offer evidence in your favour ?**
 1) Yes 2) No 3) Not Applicable
- 32. What was your first reaction ?**
 1) Shock 2) Anger 3) Trauma
 4) Nervousness 5) Helplessness 6) Resistance
 7) Any other 8) Not applicable
- 33. Did you ever spoke to your friends / co-workers / immediate boss about this incidence ?**
 1) Yes 2) No
 3) Do not remember 4) Not applicable
- 34. If yes, what was their advice ?**
 1) Lodge a complaint against the perpetrator with the higher authorities.
 2) Talk directly to the abuser and give him strong warning
 3) Neglect him totally for the time being till he repeats his unwelcome behaviour
 4) Lodge a complaint against the abuser in the nearby police station
 5) Any other (Specify)
 6) Not applicable
- 35. Had you lodged a complaint against the perpetrator of sexual harassment with the higher authorities ?**
 1) Yes 2) No 3) Not Applicable
- 36. If no, what was the reason ?**
 1) Feeling of humiliation
 2) Fear of taunts by other members of the staff
 3) It may create obstacies in arranging marriage
 4) Husband and other family members may take double about my character
 5) Any other
 6) Not applicable
- 37. If yes, what was the action taken by the authority ?**
 1) Neglected / No action was taken
 2) Strong warning was given to the abuser

- 3) Inquiry Committee was constituted
- 4) The case was referred to the committee already constituted as per guidelines of the Supreme Court
- 5) Any other (Specify)
- 38. Are you satisfied with the action taken by the higher authorities ?**
 1) Yes 2) No 3) Not Applicable
- 39. Are you aware that the Supreme Court of India has issued mandatory directives to all the employers to constitute a Committee for taking appropriate action against perpetrators of sexual harassment of women at work place ?**
 1) Yes 2) No
- 40. If yes, has your employer constituted such a committee ?**
 1) Yes 2) No
- 41. If yes, are the representatives of women employees included in the committee ?**
 1) Yes 2) No
- 42. Have you reported your case to such a committee ?**
 1) Yes 2) No 3) Not Applicable
- 43. If yes, what was the action recommended by the committee against the perpetrator ?**
- | | | | |
|-------------------|--------------------------|--------------------------|--------------------------|
| 1) No action | <input type="checkbox"/> | 2) Disciplinary action | <input type="checkbox"/> |
| 3) Strong Warning | <input type="checkbox"/> | 4) Withholding increment | <input type="checkbox"/> |
| 5) Removal | <input type="checkbox"/> | 6) Transfer | <input type="checkbox"/> |
| 7) Police Action | <input type="checkbox"/> | 8) Not applicable | <input type="checkbox"/> |
- 44. Do you feel that the culprit was not sufficiently punished ?**
 1) Yes 2) No 3) Not Applicable
- 45. Are you satisfied with the functioning of the committee ?**
 1) Yes 2) No 3) Can't Say
- 46. If no, what are the reasons ?**
- | | |
|---|--------------------------|
| 1) The committee is only on paper | <input type="checkbox"/> |
| 2) It is dominated by male members | <input type="checkbox"/> |
| 3) The cases are not promptly disposed off. | <input type="checkbox"/> |
| 4) There is lot of favouritism | <input type="checkbox"/> |
| 5) Any other (Specify) | <input type="checkbox"/> |

(D) Impact of Sexual Harassment :

- 47. Are you scared of every male ?**
 1) Always 2) Often 3) Seldom
 4) Never 5) Not applicable

- 48. Do you feel that the life is useless ?**
 1) Always 2) Often 3) Seldom
 4) Never 5) Not applicable
- 49. Is your mind in depression ?**
 1) Always 2) Often 3) Seldom
 4) Never 5) Not applicable
- 50. Do your colleagues look you down ?**
 1) Always 2) Often 3) Seldom
 4) Never 5) Not applicable
- 51. Do you have a feeling of taking revenge ?**
 1) Always 2) Often 3) Seldom
 4) Never 5) Not applicable
- 52. Do your relatives try to avoid you ?**
 1) Always 2) Often 3) Seldom
 4) Never 5) Not applicable
- 53. Do your family members look you down ?**
 1) Always 2) Often 3) Seldom
 4) Never 5) Not applicable
- 54. Do you feel that you should resign your job ?**
 1) Always 2) Often 3) Seldom
 4) Never 5) Not applicable
- 55. Are you able to perform your duties with full concentration as in the past ?**
 1) Yes 2) No 3) Not Applicable
- 56. If married how has this incidence affected your relations with your husband ?**
- 1) He is keeping distance from me
 2) He gets irritated on simple things
 3) He is suspicious about my character
 4) He has lost love for me
 5) Not applicable
- 57. Do you feel demoralised due to the incidence of sexual harrasment ?**
 1) Yes 2) No 3) Not Applicable

Signature of Investigator

**A RESEARCH STUDY ON SEXUAL HARASSMENT OF
WOMEN AT WORK – PLACE IN THE STATE OF MAHARASHTRA
II. INTERVIEW SCHEDULE FOR EMPLOYERS**

1. Name of the Establishment : _____

2. Name of the principal Employer : _____

3. Address of the Establishment : _____

4. Activity :

- | | | | | | |
|--------------------------|--------------------------|--------------|--------------------------|--------------|--------------------------|
| 1) Administrative Office | <input type="checkbox"/> | 2) Factory | <input type="checkbox"/> | 3) Business | <input type="checkbox"/> |
| 4) Service | <input type="checkbox"/> | 5) Education | <input type="checkbox"/> | 6) Health | <input type="checkbox"/> |
| 7) Construction | <input type="checkbox"/> | 8) Farming | <input type="checkbox"/> | 9) Any other | <input type="checkbox"/> |

5. Sector :

- 1) Organised 2) Unorganised

6. What is the total number of Employees in your establishment under your control ?

	M	F	T
Less than 10	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10 – 20	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20 – 30	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30 – 40	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
40 – 50	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
50 – 60	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
60 – 70	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
70 – 80	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
90 – 100	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
100 & Above	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. How many complaints of sexual harassment of women in your establishment have been reported to you so far ?

- 1) 1 to 5 2) 6 to 10 3) 11 to 15
 4) More than 15 5) None

8. Do you know that the Supreme Court has issued mandatory directives to set up a committee for dealing with the cases of sexual harassment of women at work place ?

- 1) Yes 2) No

9. If yes, have you constituted such a committee ?

- 1) Yes 2) No 3) Is in progress

10. If yes, how many cases of sexual harassment if women employees have been referred to the committee during the previous year ?

- 1) Not even a single case 2) 1 to 5 cases
 3) 11 to 15 cases 4) More than 15 cases
 5) Not applicable

11. On the basis of the finding of the committee or the complaints of women employees have you taken any action against the perpetrators of sexual harassment ?

- 1) Yes 2) No

12. If yes, what type of punitive action was taken ?

- 1) Strict warning was given.
2) The perpetrator was suspended pending Departmental Inquiry.
3) The perpetrator was removed from the job.
4) Increment was stopped.
5) Transferred to other Department / Branch / Place.
6) Reported the matter to police for further action.
7) Not applicable.

13. If no action was taken what were the reasons ?

- 1) The victim has withdrawn the complaint.
2) The charges were not proved.
3) There was no witness to the incident of Sexual Harassment.
4) The perpetrator tendered apology in writing and signed Undertaking that he will refrain from such behaviour in future.
5) Any other (Specify)

14. According to you what type of behaviour of a person constitutes sexual harassment ?

- 1) Physical contact and Advances.
2) A demand or request for sexual favour.
3) Sexually coloured remarks.
4) Showing pornography.
5) Unwelcome physical conduct of sexual nature.
6) Unwelcome verbal or non-verbal conduct of sexual nature.
7) Any other (Specify)

15. What measures have you adopted to prevent the sexual harassment of women employees at work place ?

- 1) Constituted a committee as per directions of the Supreme Court.
2) Exhibited at prominent places the notice warning strict action against a person indulging in sexual harassment of any woman employee.
3) Organised orientation and training of employees for creating awareness about sexual harassment at work place.
4) Changed the seating arrangement of women employees to provide them security and protection from persons prone to Sexual harassment.
5) Has not taken any step so far in this direction.
6) Any other (Specify)

16. Do you think that the employer should be held responsible for sexual harassment of women at work place ?

1) Yes 2) No 3) Can't say

17. Do you think that the women employees are also responsible for their sexual harassment to some extent ?

1) Yes 2) No 3) Can't Say

18. If yes, on what grounds / what are the reasons ?

- 1) They are extra smart and extra social.
- 2) Their dress and make – up pattern of modern type invites trouble for them.
- 3) Their behaviour pattern attracts the perpetrator and instigates them for sexual abuse.
- 4) They speak a language and use words that create doubts about their character which leads to sexual harassment.
- 5) Any other
- 6) Not applicable

19. Do you feel that sexual harassment of women affects their morale, Trust and productivity.

1) Yes 2) No 3) Can't Say

20. How are issues and complaints of sexual harassment of women employees examined and treated in your organisation / establishment ?

- 1) The Departmental Heads deal with it.
- 2) Inquiry Committee is appointed as and when a complaint is received from the victim.
- 3) There is a standing committee to deal with such cases.
- 4) The cases are placed before the board for consideration and action.
- 5) If the case is of criminal nature, it is forwarded to the police authorities.
- 6) Any other (Specify)

21. Do you feel that only framing of policy for controlling sexual harassment is enough ?

1) Yes 2) No 3) Can't Say

22. If no, what else should be done ?

- 1) The policy should be strictly implemented.
- 2) Quick cognisance should be taken of any lapses in the policy framed.
- 3) The policy should be reviewed from time to time.
- 4) Any other (Specify)

23. What measures would you suggest to control / prevent sexual harassment of Women at work place ?

- 1) Women should not be asked to work at secluded places.
- 2) Women should not be given night – shift duties.
- 3) Heavy punishment should be given to the perpetrators of sexual harassment

- 4) The Government should pass a separate legislation for dealing with the cases of sexual Harassment with a provision of heavy punishment to the culprits.
- 5) Prohibition of Sexual Harassment should be a part of Standing Orders.
- 6) The issue of sexual harassment of women should be discussed at meeting of the workers and management.
- 7) Proper protection and security should be provided to women employees at work place.
- 8) Express prohibition of sexual harassment should be prominently notified And exhibited at work places.
- 9) Early signs of sexual harassment should be detected and reported.
- 10) The Employees' union should play a significant role in protecting women employees from sexual harassment.

Observations By Investigator

Signature of Investigator

Yugantar Education Society, Civil Lines, Sadar, Nagpur – 440 001

RESEARCH STUDY ON SEXUAL HARASSMENT OF WOMEN AT WORK PLACE IN THE STATE OF MAHARASHTRA

III. INTERVIEW SCHEDULE SOCIAL ACTIVISTS/WOMEN ORGANISATIONS

1. Name of the Social Activist : _____

2. Name of the organisation representing : _____

3. Place of Residence : _____

4. Posotion held In the Organisation, if any :

- | | |
|--|---|
| 1) President <input type="checkbox"/> | 2) Vice President <input type="checkbox"/> |
| 3) Secretary <input type="checkbox"/> | 4) Joint Secretary <input type="checkbox"/> |
| 5) Executive Committee Member <input type="checkbox"/> | 6) Member <input type="checkbox"/> |

5. Have you or your Oranisation taken cognisance of the sexual Harassment of women at work place?

- | | |
|---|--|
| 1) Yes, since long <input type="checkbox"/> | 2) Yes, recently <input type="checkbox"/> |
| 3) No, but we intened to take up the issue <input type="checkbox"/> | 4) No, not so far <input type="checkbox"/> |

6. If Yes, to what extent, do you feel, the problem has become has become serious ?

- 1) To a greet extent 2) Not so serious 3) Not so serious at all

7. In your opinion, what should be the role of social organisations, particuarly those working for protecting the interest and welfare of women, in this area?

- | | |
|--|--------------------------|
| 1) To organise awareness programmes on the implications of sexual harassment at work place. | <input type="checkbox"/> |
| 2) To give immediate psychological and social support to the victims of sexual harassment | <input type="checkbox"/> |
| 3) To provide legal aid to the victims. | <input type="checkbox"/> |
| 4) To keep in constant touch with the working women by forming their associations. | <input type="checkbox"/> |
| 5) To maintain report with the employers and to advise them on the issues of sexual harassment of working women. | <input type="checkbox"/> |
| 6) Any other (Specify) | <input type="checkbox"/> |

8). How does you or your organisation intervene when you come to know about a case of sexual harassment at work place?

- | | |
|--|--------------------------|
| 1) Direct approach by the victim. | <input type="checkbox"/> |
| 2) On the basis of complaint lodged by the victim to the police. | <input type="checkbox"/> |
| 3) On the call from the employer. | <input type="checkbox"/> |
| 4) On the basis of report in the media. | <input type="checkbox"/> |
| 5) Any other (Specify) | <input type="checkbox"/> |

9). When a victim of sexual harassment at work-place approaches you for guidance and help, how do you deal with the case?

- 1) We give her psychological, social and moral support.
- 2) We offer counseling.
- 3) We collect the entire information relating to the case through interview of the victim, the employer and other members of the staff.
- 4) We advise to lodge a complaint with the police and file a suit in the court.
- 5) Any other (Specify)

10). What, in your opinion, may be the reasons for sexual harassment of women at work place?

- 1) Secluded place of work.
- 2) Attitude of men to treat women as an abject of sex.
- 3) Over-smart behaviour patter of Working women.
- 4) Impact of violent and rape scenes. Shown in movies, T.V. serials and programmes.
- 5) Strong sexual perversion of male members.
- 6) Men with disorganised personalities.

11). In your opinion, should the employer be held responsible for sexual harassment of women at work place?

- 1) Yes
- 2) No
- 3) Can' Say

12). What punishment would you suggest to the perpetrator of sexual harassment of women at work place?

- 1) Immediate suspension from job followed by Departmental Inquiry.
- 2) The matter should be reported to the police for criminal prosecution.
- 3) Heavy punishment like life- long imprisonment.
- 4) Public humiliation of the perpetrator.
- 5) Social bycott of the perpetrator.
- 6) Any other (Specify)

13). What measures would you suggest to control and eradicate the evil of sexual harassment of women at work place?

- 1) Regular awareness programmes and training for employees on sexual harassment at work place.
- 2) Facility of counseling centres at work place.
- 3) Separate legislation providing for punishment for sexual harassment of women at work place.
- 4) Employers should provide proper security to the working women.
- 5) Employers should be held responsible for all implications and consequences of sexual harassment of women at work place.
- 6) Any other (Specify)

14). How many cases of sexual harassment of women at work place have been reported to your organisation so far?

- 1) Nil
- 2) 1- 5
- 3) 6- 10
- 4) 11- 15
- 5) More than 15

15). In how many cases you could settle the matter in favour of the victim?

1) Nil 2) 1- 5 3) 6- 10
4) 11- 15 5) More than 15

16). Should the employer be hold responsible for compensating the victim of sexual harassment at work place by way of payment of her financial claim?

1) Yes 2) No 3) Can't Say

17). Any comments you want to ofer on the issue of sexual harassment of women at work place. (in not more than 50 words)

Singnature of Investigator

Yugantar Education Society, Civil Lines, Sadar, Nagpur – 440 001
