



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

Presiding Officer,  
Internal Complaints Committee,  
Indian Institute of Technology Roorkee.

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July 19, 2024



# Outline

## ● Workplace Sexual Harassment

- Who is an aggrieved women?
- What is a workplace?
- What is sexual harassment at workplace?
- Key elements of workplace SH
- Examples: Behaviours and Scenarios

## ● Redress

- Who can complain and where?
- What should be the complaint contain?
- Complaint process



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# Workplace Sexual Harassment

“No woman shall be subjected to sexual harassment at any workplace.”

Section 3(1) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 - PoSH, Act 2013 [1]

## Who is an aggrieved women?

- The Act recognizes the right of every woman to a safe and secure workplace environment irrespective of her age or employment/work status.
- The right of all women working or visiting any workplace whether in the capacity of regular, temporary, adhoc, or daily wages basis is protected under the Act.
- Who alleges to have been subjected to any act of sexual harassment.

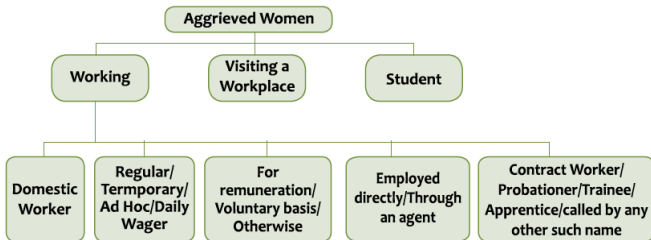


Image Source: [2]



# Workplace Sexual Harassment

## What is a workplace?

- Any place visited by the employee/student arising out of or during the course of employment, including transportation provided by the employer for undertaking such a journey
- All women working or visiting workplaces



Image Source: [2]



# Workplace Sexual Harassment

## What is sexual harassment at workplace?

- Physical contact or advances
- A demand or request for sexual favours
- Making sexually coloured remarks
- Showing pornography
- Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature



# WSH: Key Elements

It is critical to recognize and differentiate between welcome and unwelcome sexual behaviour

Unwelcome	Welcome
Feels Bad	Feels good
One-sided	Reciprocal
Feels Powerless	In-control
Power-based	Equality
Unwanted	Wanted
Illegal	Legal
Invading	Open
Demeaning	Appreciative
Causes anger/sadness	Happy
Causes negative self-esteem	Positive self-esteem



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## First step to prevention is recognition

- Workplace Sexual Harassment is behaviour that is
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## Impact of inappropriate behaviour : Professional

- Decreased performance
- Increased absenteeism
- Loss of opportunities
- Retaliation from the respondent or colleagues/ friends of the respondent
- Subjected to gossip
- Being objectified
- Defamation
- Being ostracized
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- Depression
- Anxiety, panic attacks
- Traumatic stress
- Sleeplessness
- Shame, guilt, self-blame
- Difficulty in concentrating
- Headaches
- Fatigue, loss of motivation
- Personal difficulties with time



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## Impact of inappropriate behaviour : Personal

- Eating disorders (weight loss or gain)
- Feeling betrayed and/or violated
- Feeling angry or violent towards the respondent
- Feeling powerless
- Loss of confidence and self esteem
- Over all loss of trust in people
- Withdrawal and isolation



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## Examples of Behaviours and Scenarios

- **Making sexually suggestive remarks or innuendos.**
- Serious or repeated offensive remarks, such as teasing related to a person's body or appearance.
- Offensive comments or jokes.
- Inappropriate questions, suggestions or remarks about a person's sex life.
- Displaying sexist or other offensive pictures, posters, mms, sms, whatsapp, or e-mails.
- Intimidation, threats, blackmail around sexual favours.
- Threats, intimidation or retaliation against a person who speaks up about unwelcome behaviour with sexual overtones.
- Unwelcome social invitations, with sexual overtones commonly understood as flirting.



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- Physical contact such as touching or pinching.
- Caressing, kissing or fondling someone against her will (could be considered assault).
- Invasion of personal space (getting too close for no reason, brushing against or cornering someone).
- Persistently asking someone out, despite being turned down.
- Stalking an individual.
- Abuse of authority or power to threaten a person's job or undermine her performance against sexual favours.
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## Examples of Behaviours and Scenarios

- Unwelcome sexual advances which may or may not be accompanied by promises or threats, explicit or implicit.
- Physical contact such as touching or pinching.
- Caressing, kissing or fondling someone against her will (could be considered assault).
- Invasion of personal space (getting too close for no reason, brushing against or cornering someone).
- Persistently asking someone out, despite being turned down.
- Stalking an individual.
- Abuse of authority or power to threaten a person's job or undermine her performance against sexual favours.
- Falsely accusing and undermining a person behind closed doors for sexual favours.
- Controlling a person's reputation by rumour-mongering about her private life.



## Internal Complaints Committee

### Committed Phone No.

- Institute internal phone no.: 4300
- This phone no. can also be reached from outside campus using 01332 28 4300 or +91 1332 28 4300



## Internal Complaints Committee

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Prof. P. Sumathi (PO), Department of Electrical Engineering  
Email: p.sumathi@ee.iitr.ac.in, Phone: 5259(O), Mobile: +91-7579018983

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Prof. K. L. Yadav (Member), Department of Physics  
Email: kanhaiya.yadav@ph.iitr.ac.in, Phone: 5744(O)

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Prof. Partha Roy (Member), Department of BSBE  
Email: partha.roy@bt.iitr.ac.in, Phone: 5686(O)

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Prof. Pradeep Srivastava (Member), Department of Earth Sciences  
Email: pradeep@es.iitr.ac.in, Phone: 5204(O), Mobile: +91-9412058165

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Major Reeti Upadhyay (Member), Deputy Registrar (Admin.)  
Email: reeti.aad@iitr.ac.in, Phone: 4522(O)

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Ms. Shivani Tewari (Member), Counsellor, Dean of Students Welfare  
Email: shivani.sw@src.iitr.ac.in, Phone: 4933(O)

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Smt. M. Mahati (Member), Advocate,  
Civil Court, Ramnagar, Roorkee, Uttarakhand.  
Email: mahati.m@gmail.com, Mobile: +91-9456381128

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# Redress

## Who can complain and where?

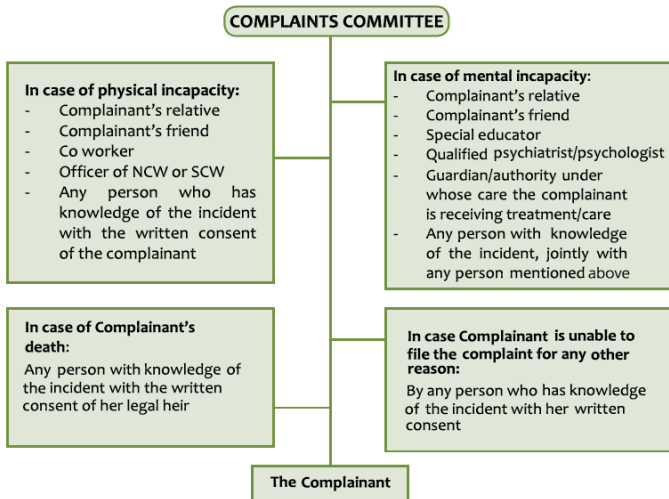


Image Source: [2]



# Redress

What should be the complaint contain?

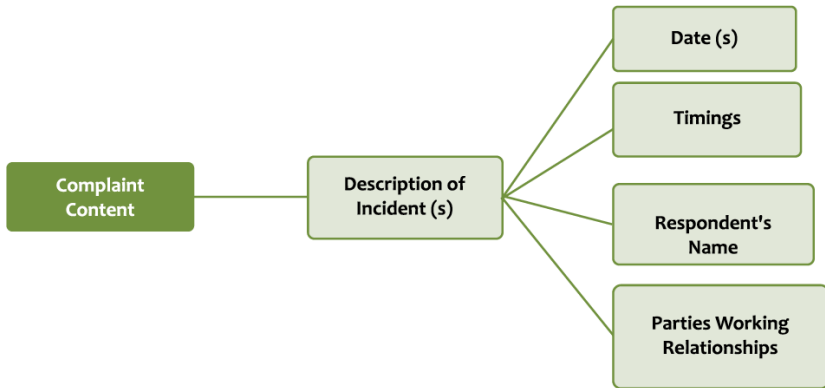


Image Source: [2]



# Redress

## What should be the complaint contain?

### Elements of the Behaviour

The complaint needs to satisfy the following elements:

- 1** The respondent displayed a potentially improper and/or offensive conduct which may come within workplace sexual harassment;
- 2** The behaviour was directed at the complainant;
- 3** The complainant experienced harm.
- 4** The behavior occurred in the workplace or at any location/any event related to work

Image Source: [2]



## Redress: Complaint process

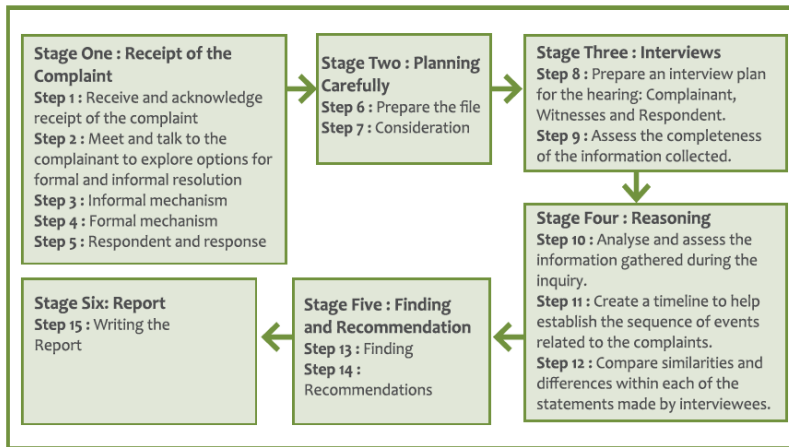


Image Source: [2]



# References

- The Gazette of India Extraordinary
- "Handbook on Sexual Harassment of Women at Workplace for Employers / Institutions / Organisations/Internal Complaints Committee / Local Complaints Committee", Government of India Ministry of Women and Child Development, Nov 2015.



*Thank You*