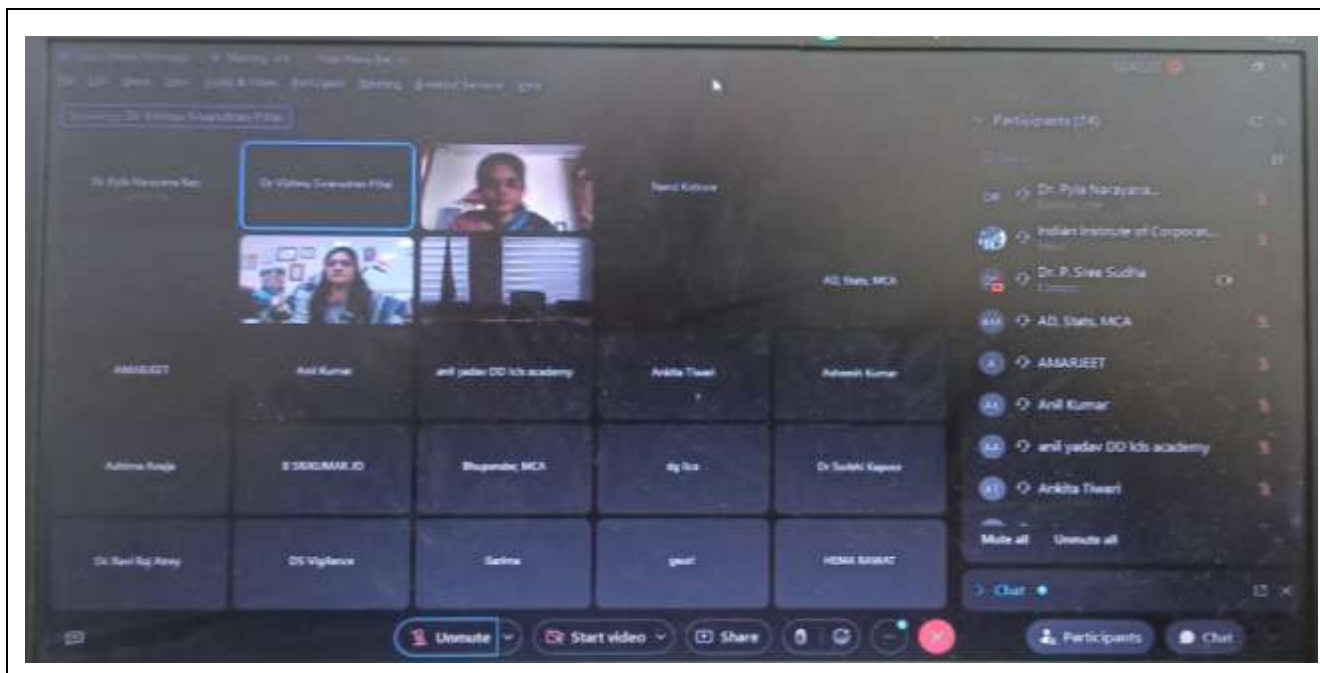


Sensitization Workshop on Women's Safety at Workplace

Organised by

Indian Institute of Corporate Affairs (IICA),
Ministry of Corporate Affairs (MCA),
Government of India
7th December, 2022

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter referred to as the SH Act) has been notified on 9th December, 2013 to provide a safe and secure environment to Women at the Workplace. The Act upholds women's fundamental right to equality as guaranteed under Article 14 and 15 of the Indian Constitution, right to live with dignity under Article 21 and right to practice any profession or to carry on any occupation, trade or business which includes right to a safe and secure working environment free from all forms of violence and harassment, as provided under Article 19(1) (g) of the Constitution of India.



With improved access to education, skilling and employment opportunities millions of Indian Women are entering the country's workforce. It is crucial that as a country we provide all Women with a safe and secure work environment. It is the responsibility of every employer, whether in public or private and in the organised or unorganized sector to ensure compliance of the provisions of the SH Act. The employers are also mandated to conduct sensitization workshops for their

employees periodically to make them aware about the provisions of the Act and towards the need for upholding the dignity of women and ending gender stereotypes so as to encourage more and more women to participate in economic activities. This will contribute to realization of gender equality and result in inclusive growth for the benefit of individuals, the family and nation as a whole.

A safe workplace is every person's right

Sensitization Programme on Women's Safety at Workplace

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We are also aware that 25th November is observed across the globe as the International Day for the Elimination of Violence against Women. Further, 10th December is observed every year as International Human Rights Day. The 16 days period between 25th November and 10th December is observed by various institutions, civil society organisations including the United Nations for raising awareness about elimination of all forms of violence and discrimination against women so as to ensure safety, security and holistic empowerment of women and to ensure that the basic human rights of women and girls are respected by all.


In this regard, a **Virtual Sensitization Workshop on Women's Safety at Workplace Organised by Indian Institute of Corporate Affairs (IICA), Ministry of Corporate Affairs (MCA), Government of India on 7th December, 2022** by Dr Pyla Narayana Rao, Associate Professor, School of Corporate Law and Convenor, ICC, Indian Institute of Corporate Affairs (IICA) for all the employees of the Ministry of Corporate Affairs (MCA). The Programme was organised by Internal Complaints Committee, IICA, in the presence of Shri Praveen Kumar, Director General and Chief Executive Officer (CEO), IICA. The Resource Person for the Programme was Prof. (Dr.) P. Sree Sudha, Dean Examinations, Damodaram Sanjivayya National Law University, Visakhapatnam and Master Trainer on Gender Issues. It was attended by all the senior officials of the MCA, Indian Corporate Law Service (ICLS) Academy, Heads of the Schools at the IICA, and contractual/ outsource staff of the MCA (HQ) and IICA.

The Programme focused, mainly, on the POSH Act, Visakha Guidelines, Case Studies and the way forward. The programme exclusively focused on the different case studies on the subject comprises of the following important land marks cases under the POSH Act – Vishaka v. State of Rajasthan- 1997 6 SCC 241: AIR 1997 SC 3011, State of Maharashtra v. AN (“Accused”) (C.R.No.381/2015), Apparel Export Promotion Council v A.K. Chopra (1999), Shanta Kumar vs CSIR & Ors. (2017), Albert Davit

Limited vs. Anuradha Chowdhury and Ors (2004), Anil Rajagopal v. State of Kerala and others [I.L.R. 2018 (1) Kerala 719], Prasad Pannian v. The Central University of Kerala and Ors. 2021LLR384 (Kerala HC), Global Health Private Limited v. Local Complaints Committee, District Indore and Ors.2020 LLR 40 (MP HC)], Malabika Bhattacharjee v. Internal Complaints Committee, Vivekananda College and Ors. 2021(1) SCT 431 (Calcutta), Saurabh Kumar Mallick v. Comptroller & Auditor General of India (2008), Jahid Ali v Union of India & Ors (2017), Punjab and Sind Bank and Ors. v. Durgesh Kuwar AIR2020SC3040, Ruchika Kedia v. Internal Complaints, Goa Institute of Management, Through Its President Prof. Annamika Sinha And Ors. 2020, Rashi v. Union of India and another (MANU/DE/2178/2020, Bibha Pandey v. Punjab National Bank and Ors. 2021 LLR 359, Vijaykumaran C.P.V. v. Central University of Kerala and Ors. (2020)12 SCC 426, Ananta Prasad v. Gauhati High Court and Ors. 2020 LLR 980, Keshaba Ch. Panda vs. Sambalpur University and Ors 2020 (I) OLR 909 and Institute of Hotel Management, Catering Technology and Applied Nutrition and Ors. vs. Suddhasil Dey and Ors. 2020 (4) SLR 437.


Types of Workplace Harassment

- Physical Harassment
- Verbal Harassment
- Discriminatory Harassment
- Personal Harassment
- Power Harassment
- Psychological Harassment
- Cyberbullying
- Retaliation Harassment
- Sexual Harassment
- Third-Party Harassment



WHAT IS “SEXUAL HARASSMENT”?

- ▶ SC had explicitly defined the meaning of Sexual harassment in the landmark case of **Vishakha v. State of Rajasthan (1997)**.
- ▶ In the case of **Apparel Export Promotion Council v A.K. Chopra (1999)** the Supreme Court enlarged the definition of sexual harassment by ruling that physical contact was not essential for it to amount to an act of sexual harassment and sexual harassment also includes any action or gesture intended to outrage the modesty of a female employee, directly or indirectly.



The sensitization workshop ended with the vote of thanks to the speaker and the senior officials of MCA and IICA.
