



Indian Council of  
Social Science Research

**Indian Council of Social Science Research (ICSSR)**

**New Delhi**

**Sponsored**

*National Seminar*

**on**

**Sexual Harassment of Women at Work Place in India:  
Emerging Perspectives and Issues**

**Souvenir**

**12th & 13th March, 2016**

**Lucknow, Uttar Pradesh**

**Organized by**

**Dr. Rajendra Prasad Memorial Girls Degree College**

**Rajajipuram, Lucknow**

**In Association with**

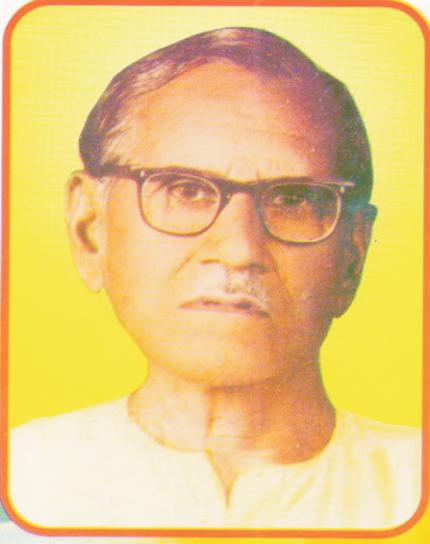
**All Indian Rights Organization (AIRO)**

**(A Chapter of Naina-Dayal Foundation)**



# प्रेरणा स्रोत

आसाद मेमोरियल गर्ल्स



प्रेरणास्रोत परम पूज्य पिताजी एवं माता जी

श्रद्धेय स्वर्गीय श्री रामगोपाल श्रीवास्तव जी  
एवं स्वर्गीय श्रीमती सरस्वती देवी जी

स्वतंत्रता संग्राम सेनानी को समर्पित

द्वारा संस्थापक डा. डी. सी. श्रीवास्तव

ग्राम : मुरलीपुर, जिला : कानपुर देहात

**Indian Council of Social Science Research (ICSSR)**

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*National Seminar*

on

**Sexual Harassment of Women at Work Place in India:  
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# **Souvenir**

12th & 13th March, 2016

Lucknow, Uttar Pradesh

## **Editors**

Dr. (Mrs.) V.K. Srivastava

Dr. Alok Chantia

Dr. Yatindra Jha

Dr. Mahima Devi

Mr. Manoj Kuma Mishra

Mr. Sandeep Kumar Singh

## **Organized by**

Dr. Rajendra Prasad Memorial Girls Degree College

Rajajipuram, Lucknow

## **In Association with**

All Indian Rights Organization (AIRO)

(A Chapter of Naina-Dayal Foundation)



**Ram Naik**  
Governor, Uttar Pradesh



सत्यमेव जयते

**Raj Bhavan**  
Lucknow - 226 027

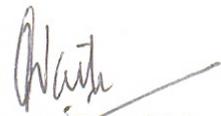
8 March, 2016

### Message

I am indeed happy to learn that the Dr. Rajendra Prasad Memorial Degree College, Lucknow is organizing a National Seminar on 'Sexual Harassment of Women at Workplace in India : Emerging Perspective and Issue' on 12<sup>th</sup> and 13<sup>th</sup> March, 2016.

It is a matter of great satisfaction that the College is engaged in conducting a National Seminar on such an important topic. I do hope that the efforts will bear fruits.

I wish all success for the Seminar.

  
( **Ram Naik** )



**AKHILESH YADAV**



**CHIEF MINISTER  
UTTAR PRADESH**

**LAL BAHADUR SHASTRI BHAWAN  
LUCKNOW**

Date: 3<sup>rd</sup> March, 2016

**Message**

It is commendable that a National Seminar on 'Sexual Harassment of Women at Work Place In India: Emerging Perspective and Issue' is being organised on 12<sup>th</sup> & 13<sup>th</sup> March, 2016 in Lucknow.

The Government of Uttar Pradesh is committed towards providing security to women as well as empower them. With this objective it has initiated a number of steps. Our government's initiative '1090' Women Power Line has instilled a sense of security in women. I hope that the deliberations during the Seminar would be meaningful and the event would successfully achieve its objectives.

My best wishes for the entire endeavour.

A handwritten signature in black ink, appearing to read 'Akhilesh Yadav'.

**( Akhilesh Yadav )**





# राज्य महिला आयोग, उत्तर प्रदेश

तृतीय तल, राज्य मानव अधिकार भवन, टी.सी. 34 वी-1, विभूति खण्ड, गोमती नगर,

लखनऊ-226010 फोन : 0522-2304903, फैक्स : 0522-2305871

निवास : 628/के.-73, शक्ति नगर, लखनऊ। फोन : 9450264237

जरीना उस्मानी  
अध्यक्ष

पत्रांक : 4.6.7/2016 दिनांक : 25/02/2016

## "शुभकामना संदेश"

डॉ० यतिन्द्र झा,  
ऑर्गेनाइजिंग सेक्रेटरी,  
डा० राजेन्द्र प्रसाद मेमोरियल गर्ल्स डिग्री कॉलेज,

मुझे यह जानकर अत्यंत हर्ष हो रहा है कि डा० राजेन्द्र प्रसाद मेमोरियल गर्ल्स डिग्री कालेज व ऑल इण्डिया राईट्स ऑर्गेनाइजेशन (AIRO) द्वारा Sexual Harassment of women at Work Place in India: Emerging Perpective and Issue विषय पर राष्ट्रीय सेमिनार का आयोजन किया जा रहा है। यह महिलाओं को उनके अधिकारों के प्रति जागरूक करने की दिशा में एक सराहनीय कदम है। आपके इस प्रयास द्वारा कामकाजी महिलाओं में सतर्क रहने व अपने अधिकारों के प्रति जागरूक रहने की प्रवृत्ति उत्पन्न होगी।

इस सेमिनार के सफल व उद्देश्यपूर्ण शुभारंभ हेतु उ०प्र० राज्य महिला आयोग की तरफ से मैं हार्दिक शुभकामनाएँ देती हूँ तथा अपेक्षा करती हूँ कि इस सेमिनार के माध्यम से आप समाज की कामकाजी महिलाओं के उत्थान व उनमें जागरूकता जढ़ाने के लिए सतत प्रयासरत रहेंगे।

  
(जरीना उस्मानी)



डा० एस० बी० निमसे  
कुलपति  
**Dr. S.B.Nimse**  
Vice-Chancellor



लखनऊ विश्वविद्यालय  
लखनऊ-226007 (उ.प्र.) भारत  
**University of Lucknow**  
LUCKNOW-226 007 (U.P.) INDIA

### MESSAGE

It is a matter of great delight that on the occasion of ICSSR Sponsored national seminar, **Dr. Rajendra Prasad Memorial Girls Degree College, Lucknow** and **All Indian Rights Organization (AIRO)** are discussing very relevant topic “**Sexual Harassment of Women at Work Place : Emerging Perspective and Issues**” on 12<sup>th</sup> & 13<sup>th</sup> March 2016 in **Jai Shanker Prasad Sabhagar, Lucknow**.

The organizers who have taken the task of organizing the seminar having the real concern for actualizing the eradication of unwarranted complexities that are existence in the mind of such groups which have incurable proclivity to treat women. I am convinced that deliberations and discussions to be held during the seminar will be a long way in analyzing the nature and causes of sexual harassment at work place and suggesting measures to policy makers.

I hereby convey my best wishes to the organizers and participants. I sincerely hope that this seminar will be very successful in its mission.

March 08, 2016

  
(S.B. Nimse)

**Dr. (Mrs.) V.K. Srivastava,**  
**Principal,**  
Dr. Rajendra Prasad Memorial Degree College,  
Rajajipuram,  
Lucknow.



# Dr. Rajendra Prasad Memorial Degree College

Para Road, Rajajipuram, Lucknow Ph.: 0522-2411350, 2418049, Mob: 9415168383, 9415484499  
Web site : www.dr-rpmdc.org Email : drvksrivastava1@gmail.com

**Accredited By NAAC Grade 'B'**

Date. ...05/...03.../...2016.....



**Dr. D.C Srivastava**  
Founder

## **MESSAGE**

This is my proud privilege presenting you the briefest introduction of the righteous approach of the trust, “Saraswati Sewa Sansthan” and Dr. Rajendra Prasad Memorial Girls Degree College, through this medium in the service of weaker and down trodden part of the society, especially women.

From the time immemorial women have been the most exploited and under estimated lot of the society. In the way to fulfill its aim the trust in its best effort to light a candle in the storm and to give a befitting reply to the dogmatic ideologies of the society by establishing Dr Rajendra Prasad Memorial Girls Degree College dedicated to the memory of Dr Rajendra Prasad, a legendary personality.

In this regard it gives me immense pleasure when we are organizing ICSSR sponsored two days national seminar on “Sexual Harassment of women at work place “Perspective and Issues” with All Indian Rights Organization- A chapter of Naina Dayal Foundation, an organization devoted for rights.

I extend my wishes to organizers and all presenters for their success.

(Dr. D.C Srivastava)

Founder



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**Accredited By NAAC Grade 'B'**

Date. ...05/...03.../...2016.....



सी.एल.सिंह  
प्रबंधक

## शुभ संदेश

जीवन में कोई भी गति महिला के सहयोग के बिना पूर्ण नहीं हो सकती है लेकिन सम्पूर्ण विश्व में अलग अलग विचार धारा के कारण प्रायः महिला के लिए गरिमामय जीवन विश्व पटल नहीं रखा जा सका जिसके कारण संस्कृति भिन्नता ने महिला को काफी नुकसान पहुँचाया लेकिन विधि ने एक ऐसा वातावरण बनाया है जिसके कारण आज महिला अपने अंदर की प्रतिभा को समुचित रूप से घर से निकल कर दुनिया को दिखा सकती है परन्तु कार्यस्थल पर उत्पीड़न उसकी प्रगति की कहानी को बाधित करता है और उसी कहानी के एक भाग के रूप में डॉ राजेन्द्र प्रसाद मेमोरियल गर्ल्स डिग्री कालेज एवं अखिल भारतीय अधिकार संगठन लखनऊ दो दिवसीय संगोष्ठी का आयोजन 12-13 मार्च 2016 को जय शंकर प्रसाद सभागार लखनऊ में कर रहे हैं। यह एक सराहनीय कदम है और मैं समस्त संगोष्ठी से जुड़े लोगो को अपनी शुभकामनायें प्रेषित करता हूँ।

(सी.एल.सिंह)  
प्रबंधक



# Dr. Rajendra Prasad Memorial Degree College

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Date. ...05/03./2016.....



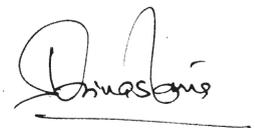
Dr. (Mrs.) V.K. Srivastava  
Principal

## **MESSAGE**

It is the most graceful , prestigious and honorable moment for me as a principal of this institution from 2000 to work for nation and society by the way of teaching especially when we do anything positive to empower women of this nation . I am very happy to say that our mission and endeavour are coming true when ICSSR sponsored two days national seminar on “ Sexual Harassment of women at work place : Perspective and Issues” will take its academic discourse shape on 12<sup>th</sup> & 13<sup>th</sup> March 2016 in the Jai Shankar Prasad Sabhagar, Lucknow .

This joint effort by Dr Rajendra Prasad Memorial Girls Degree College Lucknow and rights oriented organization All Indian Rights Organization – A chapter of NDF will be a mile stone to understand women genuine problems at work place and will help to policy maker to shape law and act for their betterment accordingly.

I welcome to all participants and organizing committee members and wish them for great success



Dr. (Mrs.) V.K. Srivastava  
Principal



**Manoj Kumar Jha**  
I.P.S.



**Office of the Supdt. of Police**  
**Ballia**

**Date. March ,2016**



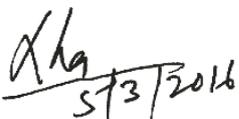
**Sir,**

It is subject of great pleasure that Dr. Rajendra Prasad Memorial Girls Degree Collage Lucknow and All Indian Rights organisation (AIRO) is organizing a seminar on "Sexual Harassment of Women at work Place Emerging Perspective and Issues".

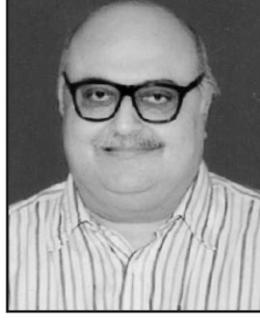
It is a well known facts that women at work place often suffer the trauma of Sexual Harassment, but they feel shy to express it. But the time has changed. They have become brave and are ready to oppose and fight against Sexual Harassment. Amendment in laws and government efforts have created confidence in them.

I believe that the above seminar will sensitize people against this and will further enhance the confidence among the modern, educated and brave women of India.

I wish the seminar will become fruitfull to all participants.

  
**(MANOJ KUMAR JHA)**  
Supdt. of Police  
Ballia





**DILIP AWASTHI**

Editor, Uttar Pradesh &  
Group Features Editor

प्रिय संयोजक  
डा. यतीन्द्र झा  
राष्ट्रीय संगोष्ठी

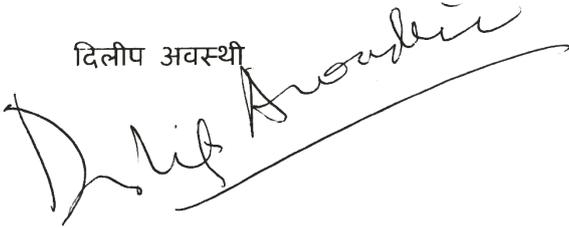
महोदय,

आज का युग महिलाओं का युग है और जिन चुनौतियों का सामना करते हुए महिला आगे बढ़ रही हैं उसमें कार्यस्थल पर होने वाली यौन उत्पीड़न की घटनाएँ अत्यंत दुःखद हैं। ऐसे समय में समाज को जागरूक करने और महिलाओं की सुरक्षा के लिए किये जा रहे सरकारी प्रयासों के सन्दर्भ में जो शैक्षिक विमर्श डा. राजेन्द्र प्रसाद मेमोरियल डिग्री कालेज लखनऊ एवं अखिल भारतीय अधिकार संगठन लखनऊ के संयुक्त तत्वाधान में दो दिवसीय राष्ट्रीय संगोष्ठी 'कार्यस्थल पर महिलाओं के साथ यौन उत्पीड़न : उभरते परिपेक्ष्य और दृष्टिकोण' के रूप में दिनांक 12 एवं 13 मार्च 2016 को जय शंकर प्रसाद सभागार में किया जा रहा है वो न सिर्फ प्रेरणादायक है बल्कि समाज को महिलाओं के प्रति जागरूक करने में मील का पत्थर भी साबित होगा।

मैं समस्त आयोजन समिति को और देश के कोने कोने से आये प्रतिभागियों को शुभ सन्देश प्रेषित करता हूँ और ये आशा करता हूँ कि दो दिन तक चलने वाले उनके शोध मंथन और उसके निष्कर्ष से महिला के जीवन की इस समस्या को और बेहतर तरीके से हल करने में सहयोग मिलेगा।

सादर!

दिलीप अवस्थी





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Date. ...07/...03.../2016.....



डॉ० यतीन्द्र झा,  
असिस्टेंट प्रोफेसर (समाजशास्त्र)

## शुभकामना संदेश

आज मुझे इस बात पर अत्यंत हर्ष हो रहा है कि महिलाओं के प्रति हमारे महाविद्यालय की प्रतिबद्धता को इस राष्ट्रीय संगोष्ठी के माध्यम से एक नए विचारों की शृंखला के रूप में स्थापित करने का प्रयास किया जा रहा है। दो दिवसीय राष्ट्रीय संगोष्ठी हेतु नारी समस्या से सम्बन्धित विषय का चुनाव करना ही महाविद्यालय की इस सोच का परिचायक है कि वह नारी समस्या जैसे गंभीर विषय पर समाज में जागरुकता फैलाने के दृष्टिकोण से कितना तत्पर है। "कार्यस्थल पर महिलाओं का यौन उत्पीड़न : उदीयमान परिप्रेक्ष्य एवं मुद्दे" विषय पर आई०सी०एस०एस०आर० (ICSSR), नई दिल्ली से अनुदानित तथा डॉ० राजेन्द्र प्रसाद मेमोरियल गर्ल्स डिग्री कॉलेज, लखनऊ और अधिकारों के लिए समर्पित संस्था अखिल भारतीय अधिकार संगठन, लखनऊ द्वारा आयोजित राष्ट्रीय संगोष्ठी में आए सभी प्रतिभागियों का मैं स्वागत करता हूँ और आशा करता हूँ कि आप सभी के शोधपरक विमर्श से यह संगोष्ठी एक सार्थक निष्कर्ष पर अवश्य पहुँचेगी।

आप सभी को संगोष्ठी की हार्दिक शुभकामनाएँ।

*Yatinendra Jha*

डॉ० यतीन्द्र झा  
संयोजक राष्ट्रीय संगोष्ठी



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Date. ...07/03/2016.....



**डॉ० महिमा देवी**  
असिस्टेंट प्रोफेसर (मानवशास्त्र)

## शुभकामना संदेश

एक महिला शिक्षिका होने के नाते आज यह मेरे लिए अत्यंत हर्ष का विषय है कि हमारे महाविद्यालय डॉ० राजेन्द्र प्रसाद मेमोरियल गर्ल्स डिग्री कॉलेज, लखनऊ द्वारा महिलाओं के प्रति अपनी संवेदनशीलता का परिचय देते हुए वर्तमान में महिलाओं की सबसे बड़ी समस्या कार्यस्थल पर यौन उत्पीड़न जैसे विषय पर दो दिवसीय संगोष्ठी का आयोजन अखिल भारतीय अधिकार संगठन, लखनऊ के साथ मिलकर किया जा रहा है और उससे से भी ज्यादा गर्व का विषय यह है कि हमेशा की तरह मेरे सम्मान और अस्मिता को नयी दिशा देने में अग्रसर कालेज प्रशासन ने मुझे इस संगोष्ठी का सह-संयोजिका बनने का गौरव प्रदान किया। मुझे पूरा विश्वास है कि आने वाले दो दिन महिला के सम्मान की दिशा में किये जा रहे प्रयास के सन्दर्भ में समाज के सामने एक प्रेरणा बन कर आयेंगे और जो भी प्रतिभागी इस संगोष्ठी में हिस्सा ले रहे हैं उनके शोध कार्यों से कालेज, समाज और देश निश्चित रूप से लाभान्वित होगा।

आप सभी को संगोष्ठी की शुभकामनाएँ।

डॉ० महिमा देवी

सह-संयोजिका राष्ट्रीय संगोष्ठी





स्थापित - 2006

# अखिल भारतीय अधिकार संगठन ALL INDIAN RIGHTS ORGANISATION (AIRO)

(A Chapter of Naina-Dayal Foundation)



दिनांक.....07-03-2016.....

**Dr Alok Chantia**  
President

Ph.D. (Anthropology), Ph.D. (Sociology)

## Message

Human being is as simple creature as other creatures on this blue planet and has travelled a long path in the biological evolution from Australopithecus to Homo sapiens sapiens with the same fate as others. But the last 10,000 years have been remarkable in the history of cultural evolution as compared to biological evolution, when man made himself safest by making an armour with the help of natural resources. This armour is named as Culture. Culture is simply defined as the total way of life of a man. Initially man was not aware of the values and behavioral aspect of each other so much so, but after getting proper materialistic approach; the human being began to think about the desires which were in latent mode. This behavioral aspect got so many phases and man ran with these phases one by one. It was the recent and modern development in the era of cultural evolution when man began to think about woman and considered her as equal as man, but it was a pseudo picture which was not so sweet. When Nation-State concept got an acceleration and global agency like United Nations Organization came into light and it worked with so many other agencies like World Health Organization and other International organizations, and when after the Second World War Universal Declaration of Human Rights (UDHR) came into existence, the pink picture of woman emerged. A number of protective provisions were made for the empowerment of women so that she may come out from the closet and work in public sphere. But the road of progress has not been a bed of roses for her. When women came out from her most protective closet and started working in different public and private sectors with the tool of women empowerment, it generated a number of problems which were uptill now hidden due to encompassment of women within the boundaries of home. The patriarchal structure of Indian society started reflecting its true colours when women stepped outside the protective walls of her home. Women suffered sexual harassment at the work place in the absence of genuine and proper rule and regulations and law. Vishaka's case proved to a mile stone for protecting the human rights of women at workplace. In the absence of enacted law, the Supreme Court provided certain guidelines and norms to protect the rights of working women by exercising its power of Article 32 and 141 of the Indian Constitution. Vishaka's guidelines worked as torch light till Criminal Law Amendments were done in 2013 in the vake of Nirbhaya's case. This incident attracted a serious attention of society and government and a lot of changes were noticed not only in rules and regulations, but also in attitude of the people and society. Uptill now in India due to cultural pressure women used to keep mum on any physical assault or sexual harassment at home or work place, but after this particular case not only victims but their parents have also become vocal. Indian Penal code has always been the best armour to protect women from any kind of crime or harassment, but this time a great need was felt to amend it too. Consequently amendments were done and a new Section 354 A was inserted in IPC defining Sexual Harassment. A specific legislation "the Sexual Harassment of Women at Workplace (Prohibition, Prevention and Redressal) Act, 2013" was also enacted to deal with the cases of sexual harassment at the workplace.

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As per Section 354A IPC and Act of 2013 the-

Sexual harassment is any unwelcome sexually determined behavior, such as:-

Physical contact

A demand or request for sexual favours

Sexually coloured remarks

Showing pornography

Any other physical, verbal or non-verbal conduct of a sexual nature.

A person is deemed to have caused sexual harassment if he or she -

Subjects another person to an unwelcome act of physical intimacy, like grabbing, brushing, touching, pinching, etc.

Makes an unwelcome demand or request (whether directly or by implication) for sexual favours from another person, and further makes it a condition for employment/payment of wages/increment/promotion etc.

Makes an unwelcome remark with sexual connotations, like sexually explicit compliments/cracking loud jokes with sexual connotations/ making sexist remarks etc.

If you feel you're being sexually harassed or intimidated you should:

Talk to the perpetrator: Make the person who you think is making unwanted advances remarks or advances know that he/she is making you uncomfortable. The person could be generally interested and you should let it be known that the advances are unwelcome. Don't ignore the incident hoping it will go away. Sometimes, the concerned person might not realise that he/she is making you uncomfortable. If talking the concerned person doesn't help, you should inform your boss. If it's the boss that is harassing you inform your HR department or someone higher up. If it's a person higher up and the HR refuses to act, you need to file a police case. You can also approach the National Commission for Women. Do not take it lying down. The laws to protect women's rights are watertight in our country. Remember, no job where you're uncomfortable is worth it.

Present seminar is an attempt to understand the causes and factors involved in harassment of women at workplace. Being a counter part of this seminar and working on women issues, I am personally very much enchanted for coming two days when distinguished and reputed academicians, research scholars and other stake holders will be discussing various dimensions of this harassment which is a negation of women's right to work with freedom and dignity in safe and sound environment.

On behalf of All Indian Rights Organization- A Chapter of Naina Dayal Foundation I welcome you all on this academic discourse and I hope that this seminar will be an eye opener and mile stone to understand the degrading practice of sexual harassment of women at work place effectively. From the core of my heart I convey my BEST wishes for the grand success of this seminar ....

**Thanks ....Thanks a Lot.**



**Dr. Alok Chantia**  
President

All Indian Rights Organization (AIRO)

# Programme Schedule

**Day One: 12-03-2016, Saturday**

**Venue:** Jai Shanker Prasad Sabhagaar, Rai Uma Nath Bali Auditorium, Kaiserbagh, Lucknow

**Inauguration** : 11:00 A.M. to 12:15 P.M.

**High Tea** : 12:15 P.M. to 12:30 P.M.

**Technical Session-01** : 12:30 P.M. to 2:00 P.M.

**Chair Person** – Prof. D.R. Sahu, Professor, Department of Sociology, Lucknow University, Lucknow

**Co Chair** – Dr. Manindr Tiwari, Senior Assistant Professor (Sociology), D.A.V. Degree College Lucknow

**Co Chair** – Dr. Archana Singh, Assistant Professor (Social Work), Dr. Shakuntala Misra National Rehabilitation University, Lucknow

**Repertoire** – Dr. Sushila Pandey, Assistant Professor (Political Science) Dr. R.P.M. Degree College, Lucknow

**Lunch** : 2:00 P.M. to 2:30 P.M.

**Technical Session-02** : 2:30 P.M. to 4:00 P.M.

**Chair Person** – Dr. Preeti Misra, Associate Professor (Human Rights), B.B.A. University (Central University), Lucknow

**Co Chair** – Dr. Rashida Athar, Assistant Professor (Human Rights), B.B.A. University (Central University), Lucknow

**Co Chair** – Dr. Sharad Srivastava, Advocate, High Court, Lucknow

**Repertoire** – Dr. Pramod Bihari Shukla, Assistant Professor (Anthropology), Lucknow University, Lucknow

**Technical Session-03** : 4:15 P.M. to 6:00 P.M.

**Chair Person** – Prof. Himanshu Shekhar Jha, Head, Department of Sociology & Dean, Faculty of Art, Dr. Shakuntala Misra National Rehabilitation University, Lucknow

**Co Chair** – Dr. Ansu Kedia, Sr. Asstt. Professor (Sociology), A.P.Sen P.G. College, Lucknow.

**Co Chair** – Dr. Shekhar Srivastava, Medical Consultant, Lucknow

**Repertoire** – Mr. Sandeep Kumar Patel, Assistant Professor (AIH), Dr. Radheshyam Degree College, Lucknow

## **Day Two: 13-03-2016, Sunday**

**Venue:** Jai Shanker Prasad Sabhagaar, Rai Uma Nath Bali Auditorium, Kaiserbagh, Lucknow

**Technical Session-04** : 9:30 A.M. to 10:45 A.M.

**Chair Person** – Prof. A.P. Singh, Head, Department of Anthropology, Lucknow University, Lucknow

**Co Chair** – Dr. Renu Srivastava, Associate Professor (Education), J.N.P.G. College, Lucknow

**Co Chair** – Dr. Keya Pandey, Assistant Professor (Anthropology), Lucknow University, Lucknow

**Repertoire** – Dr. Shailendra, Lucknow University, Lucknow

**Technical Session-05** : 11:00 A.M. to 12:30 P.M.

**Chair Person** – Dr. Ramesh Chandra, Ex. Deputy Director Anthropological Survey of India, New Delhi

**Co Chair** – Dr. Alok Chantia, President, All Indian Rights Organization, Lucknow

**Co Chair** – Dr. Shweta Tiwari, Senior Assistant Professor (Sociology), A.P. Sen Degree College, Lucknow

**Repertoire** – Mr. Sandeep Kumar Singh, Department of Business Administration, Lucknow University, Lucknow

**Valedictory Session** : 12:30 P.M. to 1:30 P.M.

**Lunch & Certificate Distribution** : 1:30 P.M. onward

## Committees of the Seminar

<b>Chief Patron</b>	:	Dr. D.C. Srivastava (Founder Manager)
<b>Patron</b>	:	Shri C.L. Singh (Manager)
<b>Chair Person</b>	:	Dr. (Mrs.) V.K. Srivastava (Principal)
<b>Convener</b>	:	Dr. Yatindra Jha
<b>Co-Convener</b>	:	Dr. Mahima Devi
<b>Technical Session Co-ordinator</b>	:	Dr. Alok Chantia, President, All India Rights Organization (AIRO)

<b>Advisory Committee</b>	:	Shri C.L. Singh Dr. (Mrs.) V.K. Srivastava Dr. Alok Chantia Dr. Santosh Upadhyay Dr. Shailendra
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<b>Organising Committee</b>	:	Dr. Shekhar Srivastava Dr. Swati Srivastava
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### Organising Committee Members

Prof. U.K. Srivastava	Prof. R.N. Shukla	Dr. O.P. Shukla
Dr. Bhagvan Das	Dr. Sushila Pandey	Dr. Roli Srivastava
Dr. Archana Saxena	Dr. Rashmi Tiwari	Capt. Abhinav Srivastava

### Reception/Registration/Certificate Preparation Committee

Dr. Swati Srivastava	Smt. Nikki Saxena	Miss Prakashni
Mrs. Garima Tripathi	Smt. Bhawna Sethi	Smt. Rakhi Singh

### Hospitality Committee

Dr. Sharad Srivastava	Mr. R.A. Kanujia	Mr. Manoj Kumar Mishra
Mr. Parsuram Yadav	Miss. Rakhi Saxena	Mr. Akhilesh Kumar Yadav
Mr. Ajit Pandey	Mr. Harshit Gautam	Mr. Rachit Dwivedi

### Venue Management Committee

Dr. Yatindra Jha	Dr. Mahima Devi	Mr. Sandeep Kumar Singh
Mr. Sidhhant Bajpai	Mr. Abhishek Modi	Miss. Fareen Fatima

### **Cultural Programme Committee**

Dr. Roli Srivastava  
Mr. Ankit

Dr. Sushila Pandey  
Smt. Karuna Srivastava

Miss Namarata Kumari  
Smt. Abha Srivastava

### **Publicity and Media Committee**

Dr. Sharad Srivastava  
Mr. Atish Srivastava

Mr. Manoj Pradhan  
Mr. Sunny Tiwari

Mr. Vijay Mishra  
Mr. Mohit

### **Souvenir Committee**

Dr. Alok Chantia  
Dr. Mahima Devi  
Mr. Sandeep Kumar Singh

Dr. Yatindra Jha  
Mr. Manoj Kumar Mishra  
Mr. Abhishek Kumar Gupta

Smt. Nikki Saxena  
Miss. Namarata Kumari

### **Volunteers**

Abha Tiwari  
Amreen Fatima  
Kamini Rawat  
Neha Gulati  
Nisha Gautam  
Pooja Chand  
Pratima Pandey  
Rudhi Singh  
Vandana  
Nisha

Akanksha Gupta  
Anupam Rawat  
Komal Prajapati  
Nidhi Arya  
Nisha Shukla  
Pooja Shahi  
Rashmi Gautam  
Sanjeet Kaur  
Prachi Dixit  
Geeta Yadav

Amita Gupta  
Ekta Bhardwaj  
Masheeyat Rizvi  
Nidhi Singh  
Pinky Gupta  
Poornima Mishra  
Roli Srivastava  
Tasneem Fatima  
Renu Singh  
Shalini Srivastava

## Theme of the Seminar

Violence against women is a cause of concern for the policy makers and administrators. Sexual harassment at work place is gradually increasing with the increase in urbanization, industrialization and women employment in organized sector. Some of the administrators and supervisors usually have skeptical ideas about the occurrence of sexual harassment. According to them, it depends on the perception of an individual, how one takes an action. For instance, some individuals might take an unnecessary dinner invitation by a colleague/ manager as an attempt to sexually harass and some might take it positively as a friendly gesture. The literature here is merely comprised of sexual harassment theories, how it happens at workplaces, individual and organizational characteristics related to it. Also, we have tried to find out as to how much sexual harassment is affecting the workplace setting, job satisfaction and overall performance of individuals. As much as sexual harassment is increasing day by day at workplaces, in institutions and even in government sectors, it is taken less leniently as ever.

The Supreme Court observed that gender equality includes protection from sexual harassment. The Court held that such conduct would constitute discrimination if a woman has reasonable grounds to believe that objecting to the conduct would disadvantage her in terms of her recruitment or promotion or if it creates a hostile work environment. Furthermore acts amounting to sexual harassment also include objectionable acts in the workplace that either humiliate the woman or threaten her health and safety. The Guidelines are applicable to all Government and private sector organizations, hospitals, universities. They provide protection to all working women whether drawing salary, honorarium, or working in a voluntary capacity, whether in Government, public or private enterprise.

Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Bill, 2012 drafted by the National Commission for Women in 2005 and subsequently revised in 2007 and then 2010 finally passed muster in the Lok Sabha in September 2012. The Bill was enacted in 2013 by the Government of India. It is being lauded for the contents of the Preamble which states that sexual harassment is a violation of a woman's fundamental rights to equality and life and that woman have a right to safe work places, free from sexual harassment. The Act lays down a uniform procedure for conducting enquiries into complaints of sexual harassment across a very wide range of employers including the Government, armed forces, private organized sector as well as the unorganized sector. It envisages that every workplace, whether organized or unorganized, should have a forum to take up complaints pertaining to sexual harassment. It also defines 'aggrieved women,' bringing students, research scholars, patients and women in the "unorganized sector" within the ambit of the sexual harassment law. The Bill makes a specific provision for the inclusion of the unorganized sector through the setting up of a Local Complaints Committee (LCC) which is to act as a redressal mechanism outside of the workplace. An LCC would be set up whenever it was not possible to set up an Internal Complaints Committee and would be set up by the district officer at the block level. The Court can impose a fine of no less than Rs 10,000 on any workplace which fails to constitute either an Internal Complaints Committee or LCC (if applicable) or which fails to initiate action within a reasonable time upon a complaint being lodged alleging sexual assault.

Sexual harassment at work place is increasing in spite of enforcement of laws and legal provisions. Sexual harassment of women employees in the organized and unorganized sector has to be addressed effectively in order to ensure gender inclusive development and creating violence free society. The proposed national seminar is expected to provide a platform for threadbare discussions and deliberations on the

pertinent issues, dimensions and emerging perspectives on sexual harassment at work place and evolving an action plan for prevention of sexual harassment of women employees and workers at the work place as well as suggesting measures for effective enforcement of Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013. Against this backdrop, a national seminar on Sexual Harassment of Women at Work Place is being proposed to discuss and deliberate on the pertinent issues and dimensions on the theme and suggesting road map for prevention of women from sexual harassment at work places

**Main Objectives of the Seminar:**

- ↳ To review policy and legal perspective related to violence against women and particularly sexual harassment at work place;
- ↳ To discuss the magnitude, dimensions and pertinent issues concerning with sexual harassment of women at work places in India;
- ↳ To highlight the causes and factors responsible for sexual harassment at work place;
- ↳ To assess the impact of sexual harassment at work place on women ;
- ↳ To examine the role of various stakeholders in prevention of sexual harassment at work place;
- ↳ To review the Vishakha Guidelines and Sexual Harassment of Women at Work place (Prevention, Prohibition and Redressal) Act, 2013;
- ↳ To examine the emerging issues, problems and challenges in effective enforcement of Sexual Harassment of Women at Work place (Prevention, Prohibition and Redressal) Act, 2013;
- ↳ To suggest measures for prevention of sexual harassment at work place and modifications in the existing laws and legislatures.

The seminar proposes to deliberate the themes and sub-themes such as: Overview of sexual harassment at work place; Sexual harassment and bullying; Legal responses to sexual harassment including Vishakha Guidelines and Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013; Policies addressing sexual harassment at work place; The globalization of anti-sexual harassment policy; Nature and prevalence of sexual harassment at work place; Prevention and intervention and action plan; Guidance and good practices for prevention of sexual harassment of women at work place.

We are happy to inform you that some experts, research scholars, working on the issues of sexual harassment of women at work place are participating in this seminar. I am sure, the meaningful deliberations by these experts, faculties and research scholars will enrich the knowledge and perspective to know the society better and facilitate the state and society for challenges of women at work place.

Dr. Yatindra Kumar Jha  
Convener, Seminar

# **Technical Session-01**

## **Chairperson**

Prof. D.R. Sahu

Professor

Department of Sociology

University of Lucknow, Lucknow.

## **Co-Chair**

Dr. Manindr Tiwari

Senior Assistant Professor (Sociology)

D.A.V. Degree College, Lucknow.

Dr. Archna Singh

Assistant Professor (Social Work)

Dr. Shakuntala Misra National Rehabilitation University

Lucknow

## **Repertoire**

Dr. Sushila Pandey

Assistant Professor (Political Science)

Dr. R.P.M. Degree College, Lucknow

## Gender Inequality and Potential Productivity

Dr. Anjali Singh, Assistant Professor, Department of Economics, Dr. S.M.N.R. University, Lucknow

A woman in the society is mother, home maker, business tycoon politician, teacher, and many more. At the work place any type of harassment is a common phenomenon. Harassment is a trauma that affects the receiver adversely and often it cannot even let reported. In India sexual harassment at work place is very common. Harassment affects the body, mind, and intellect. Obviously work performance can't remain unaffected. In the age of globalization participation of every head count in GDP is indispensable. The contribution of Indian women to GDP is only 17 percent much lower than the global average of 37 per cent, and the lowest among all 10 regions in the world. Under this preview the case of women harassment emerges as a major cause of lowering the potential production of women. The half population of economy is under stress of harassment. It is also a kind of gender inequality. The Indian economy will obviously perform better if it bridges the gender inequality at the workplace. The society, social attitudes, and unconscious biasness towards women create anarchy thus the ultimately goal of welfare state get hampered. The central idea of this paper revolves around the dilemma of women and her potential ability to perform at work place.

### काम के स्थान पर महिलाओं के यौन उत्पीड़न की रोकथाम के लिए अच्छा व्यवहार

स्वीटी वर्मा, विद्यार्थी, महिला पी.जी. कालेज गृह विज्ञान अमीनाबाद, लखनऊ  
अणिमा जामवाल, असिस्टेंट प्रोफेसर, महिला पी.जी. कालेज गृह विज्ञान विभाग अमीनाबाद, लखनऊ

जब यह सुनिश्चित किया जा सके कि किसी भी कर्मचारी, अधिकारी का व्यवहार एक निश्चित अपराध की श्रेणी में आता हो तो नियोक्ता को उसके खिलाफ समुचित प्राधिकारी के सामने समुचित कानून के अन्तर्गत शिकायत दर्ज करानी चाहिए और दंडित किया जाना सुनिश्चित किया जाए। जिन महिलाओं की यौन प्रताड़ना सम्बन्धी शिकायतें हो, ऐसे मामले में सुनिश्चित गवाहों का शोषण न हो या उन्हें सुविधा हीनता ही हालत में न रखा जाए। यौन प्रताड़ना से पीड़िताओं के सामने यह विकल्प होना चाहिए कि वे अपराधी का या अपना अपने पंसद के स्थान पर ट्रांसफर करा लें। अगर किसी कर्मचारी के खिलाफ कदाचार का मामला सामने आता है तो सेवा नियमों के अनुसार उसके खिलाफ समुचित कार्यवाही हो। इन्हीं नियमों के आधार पर उसके खिलाफ कठोर अनुशासनात्मक कार्यवाही भी की जानी चाहिए। कोई आचरण कानून के खिलाफ दंडनीय अपराध है या नहीं यह तय होने के बाद शिकायत करने की एक ऐसी व्यवस्था मौजूद होनी चाहिए ताकि दोषी के खिलाफ कार्यवाही की जा सके। इसके लिए रोजगार के स्थल पर एक शिकायत व्यवस्था भी उपलब्ध होनी चाहिए। शिकायतों का निश्चित समय के अन्दर निराकरण भी सुनिश्चित किया जाए। संस्थानों या कार्यालय पर एक शिकायत समिति, एक विशेष सलाहकार होने चाहिए और शिकायतों के मामलों में पूरी तरह से गोपनीयता सुनिश्चित की जाए। वरिष्ठ स्तर से किसी अवांछित दबाव या प्रभाव का सामना करने के लिए शिकायत समिति में तीसरे पक्ष के तौर पर ई एन जी ओ या यौन प्रताड़ना से जुड़े मुद्दों को जोड़े रखा जाए। जांच समिति को इन शिकायतों से सम्बन्धित सरकारी विभागों को वार्षिक तौर पर एक रिपोर्ट भी सौंपी जाना चाहिए। जिसमें यह भी बताया जाए कि शिकायतों पर क्या कार्यवाही की गई।

### भारत में कार्यस्थल पर महिलाओं का यौन उत्पीड़न

डॉ निशा गुप्ता एसोसिएट प्रोफेसर, विभागाध्यक्ष, गृह विज्ञान विभाग, महिला महाविद्यालय, लखनऊ  
रश्मि दीक्षित अतिथि प्राध्यापक, गृह विज्ञान विभाग, विश्वविद्यालय, लखनऊ

भारतीय संविधान के अनुच्छेद 98 में महिलाओं और पुरुषों दोनों के लिये समानता का अधिकार प्रदान करता है। महिलाओं को कार्य करने के लिये किसी भी क्षेत्र या व्यवसाय को चुनने का अधिकार प्राप्त है। लेकिन व्यवहार में देखा जाये तो महिलाओं के साथ घर और घर के बाहर दोनों जगह भेदभाव होता है। यह भेदभाव, अधिकतर, महिलाओं के खिलाफ उत्पीड़न और हिंसा का रूप ले लेता है। बार-बार शारीरिक उत्पीड़न यौन उत्पीड़न यौन हिंसा का रूप लेता है। सामान्य स्थलों पर यौन उत्पीड़न और कार्यस्थलों पर यौन उत्पीड़न बहुत कड़वी वास्तविकता है जिसका कार्यशील लड़कियों और महिलाओं द्वारा दिन प्रति दिन सामना किया जाता है। स्पष्ट रूप से ये मानवाधिकार का हनन है यद्यपि ये परिभाषित करना कठिन है कि कार्यस्थल पर यौन हिंसा गठित करने वाले तत्व क्या है, लेकिन भारत के सुप्रीम कोर्ट ने राजस्थान बनाम विशाखा केस 1997 में इसे इस प्रकार परिभाषित किया है "कोई भी अस्वीकृत यौन निर्धारित व्यवहार (प्रत्यक्ष या दबाव में) शारीरिक सम्पर्क या प्रस्ताव, यौन अनुग्रह के लिये मांग या प्रार्थना, अश्लील टिप्पणी, अश्लील साहित्य या यौन प्रकृति के अन्य अप्रिय शारीरिक, मौखिक या गैर-मौखिक आचरण को शामिल किया जाता है।"

इस व्यवहार के पीछे के प्रमुख कारण पित्रसत्तात्मक सोच, यौन विकृति, कार्यस्थल पर ईर्ष्या, पुरुष श्रेष्ठता, अपमान की भावना, महिलाओं का सामाजिक प्रतिष्ठा का डर आदि हैं ओक्सफेम इण्डिया की ओर से भारत में कार्यस्थलों पर यौन उत्पीड़न पर कराये गए जनमत सर्वेक्षण से ज्ञात होता है कि भारत में 99 प्रतिशत कामकाजी महिलाएं यौन उत्पीड़न का शिकार होती हैं सूचना प्रौद्योगिकी और आउटसोर्सिंग उद्योग की 600 महिला कर्मचारियों के बीच हुए सर्वेक्षण से ज्ञात हुआ कि उनमें से 22 प्रतिशत महिलाओं को कार्यस्थल पर किसी न किसी प्रकार के यौन उत्पीड़न का सामना करना पड़ता है यद्यपि 6 दिसंबर 2013 में कार्यस्थल पर महिलाओं के यौन उत्पीड़न रोकथाम निषेध और निवारण अधिनियम पारित किया गया परन्तु जमीनी तौर पर इसका पालन नहीं हो पा रहा है इसी विषय पर दक्षिण मुम्बई के 88 संस्थानों में महिलाओं से बात करने पर पता चला कि 26 प्रतिशत संस्थानों को अधिनियम की कोई जानकारी नहीं और 90.6 प्रतिशत इस अधिनियम को जानते हैं पर पालन नहीं करते। स्पष्ट है कि ऐसे में महिलाओं को या तो चुप बैठना पड़ता है या समझौता करना पड़ता है, इसलिए आवश्यकता है कि अधिनियम को जमीनी स्तर पर लागू किया जाये और लोगों में इसके प्रति जागरूकता फैलाई जाये। यह शोध पत्र भारत में कार्यस्थल पर होने वाली यौन हिंसा के कारणों और उपचार को जानने की कोशिश करता है।

## **Sexual Harassment of Women at Work Place**

Dr. Rubina Verma, Assistant Professor, Invertis University, Bareilly

Sexual Harassment of women at work place is an extension of violence in everyday life as it affects women's right to live and livelihood. Sexual harassment constitutes a gross violation of women's right to equality and dignity. It has its roots in male dominated society which have perception that men are superior to women and some forms of violence against women are acceptable. Workplace sexual harassment, like other forms of violence, is not harmless. It involves serious health, human, economic and social costs, which manifests themselves in the overall development indices of a nation. A safe workplace is therefore a woman's legal right. Indeed, the Constitutional doctrine of equality and personal liberty is contained in Articles 14, 15 and 21 of the Indian Constitution. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ensure that women are protected against sexual harassment at all the work places, be it in public or private. This will contribute to realization of their right to gender equality, life and liberty and equality in working conditions everywhere. The sense of security at the workplace will improve women's participation in work, resulting in their economic empowerment and inclusive growth. It is well established that ensuring safe working conditions for women leads to a positive impact on their participation in the workforce and increases their productivity, which in turn benefits the nation as a whole. Economically, empowered women are key to the nation's overall development and this can only be achieved if it is ensured that women's workspaces across all sectors and all over the country have a safe and secure environment for work.

## **Sexual Harassment of Women at Workplace in India: Emerging Perspective and Issues**

Sunaina Asthana, Assistant Professor, Department of Journalism & Mass Communication, Modern Girls College of Professional Studies, Lucknow

India is standing on the threshold of development and the accomplishment seems ambiguous, if the contribution of women population is fractured over the outbreak of sexual harassment at the workplace. Women have been robust enough to take such jibes in their strides and yet they continue to work meticulously. This paper aims at finding out the key reasons of sexual harassment and factors responsible for breeding of such crimes and allied crimes under sexual harassment. The companies policies for their most part is not geared to cater to the women employees but is geared to some notion of committees and surveys and are busy achieving such zero cases. The reality seems to be more nuanced in the unorganized sector where the employer do not have any official body for addressing such cases. The double jeopardy is achieved by the social and corporate frictions where such cases are not even voiced once. This paper also aims at discussing the wide lacuna in implementing the The provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. The objectives of this paper-To study the causes of sexual harassment at workplace.(Root cause analysis ). To examine the HR policy of the top Indian and MNC(s) operating in

India and to check whether these policies are in line with the best interest of working women. To evaluate the sexual harassment in unorganized sector. To examine the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. To study the top successful women who have faced sexual harassment at the workplace. To review the Ministry of Corporate Affairs for the constitution of Internal Complaints Committee with reference to such cases. To check the social and corporate frictions against such issues. To check the response time in such cases. Media Treatment to such cases.

### **Sexual Harassment at Workplace – Causes and Cures**

Rashmi Shukla, Assistant Professor, Department of Education, G.S.R.M. Memorial P.G. College, Lucknow  
Ayushi Shukla, Student, National Post Graduate College, Lucknow

Sexual harassment is unwelcome sexual behaviour, which could be expected to make a person feel offended, humiliated or intimidated. It can be physical, verbal or written. Sexual harassment is covered in the workplace when it happens: at work, at work-related events, between people sharing the same workplace, between colleagues outside of work. We know that everything has some causes and prevention measures, so has the sexual harassment. Causes: The causes of sexual harassment vary from person to person and from situation to situation. This discussion can only cover some of the main factors. Many of the causes are interrelated, and are linked to the culture and values in society and in companies, and to the roles, relative power and status of the men and women concerned. Some of the causes are Socialism, Power Games, Moral values, Divorces, Cultural differences, Credibility and victim-blaming, Aggressiveness or bravado, Lack of company policy, Women often resign rather than complain, since they do not know where to go, or if they do complain, it is either treated as a joke, or no action is taken by management. Cures: Clearly the hidden costs of harassment are enormous. It is in every employer's interest to be proactive and prevent the problem, rather than having to redress it after damages have been suffered. Aware individuals can play a major role: by bringing the seriousness of harassment to the attention of management and of employees, by helping to formulate and implement appropriate policies, and by helping victims to deal with the consequences of harassment. Some of the measures are: A clear policy from management, Awareness of the problem, and of own, and others' rights, Complaints and disciplinary procedure, Other supporting measures. Although no policy can be expected to eliminate the problem, we are convinced that awareness of the problem and of ways to deal with it will help to reduce its extent dramatically. Women, together with personnel and employee assistance professionals, must take initiative and get their companies to act against harassment if a programme is not yet in place. Equally importantly, the appropriate professionals must assist victims of past and present harassment to overcome the negative effects of that experience. The above points of causes and prevention measures are explained in the main paper.

### **Sexual Harassment at Work Place: A Start of Declining Humanity**

Vivek Kumar Tiwari, Assistant Professor, Career Convent Girls Degree College, Lucknow

Over the years, women in our society have been subjected to various injustices and inequalities at every stage of life. They face neglect, all kinds of physical and mental abuses, servitude and rejection. Today, women across the globe are making attempts to fight back the discrimination they face, but despite this, their struggle for equality, recognition and survival does not reach a conclusion. Work undertaken by women in every field is grossly underestimated, undervalued and subject to gender based discrimination. Despite a plethora of legislations that attempt to remove inequalities in the workplace, India is witnessing a steady decline in the participation rate of women in the labour workforce. Sexual harassment is a serious manifestation of sex discrimination at the workplace and a violation of human rights as well as fundamental rights, enshrined in the Constitution of India. It is yet another form of violence against women reflecting patriarchal mindsets and gender based discrimination that women experience at work. It is also a manifestation of power relations, as women are much more likely to be the victims of sexual harassment because of their already existing vulnerability, insecurity, and social conditioning to accept discrimination in silence.

## वर्तमान समाज में महिला सशक्तिकरण व लैंगिक शोषण—एक विश्लेषणात्मक अध्ययन

डा० अलका श्रीवास्तव, एस० प्रो०, समाजशास्त्र विभाग, रामाधीन सिंह महिला महाविद्यालय, लखनऊ

महिला किसी भी समाज का आधार है, यदि आधार मजबूत होगा तो समाज स्वयं ही मजबूत हो जाएगा। आज जब हम 21वीं सदी में प्रवेश कर चुके हैं तो इस क्रम में महिलाओं को सशक्त बनाने में अनेक प्रयास सरकार द्वारा किए जा रहे हैं। सशक्तिकरण की प्रक्रिया में समाज को पारम्परिक पितृसत्तात्मक दृष्टिकोण के प्रति जागरूक किया जाता है। जिसमें महिलाओं की स्थिति को सदैव पुरुषों से कम आंका गया है। महिला सशक्तिकरण भौतिक या अध्यात्मिक, शारीरिक या मानसिक सभी स्तर पर महिलाओं में आत्मविश्वास पैदा कर उन्हें सशक्त बनाने की प्रक्रिया है। क्या महिलाएं वर्तमान में सशक्त हैं या यह एक छलावा है। क्योंकि वर्तमान समाज में दिन-प्रतिदिन महिलाओं के लैंगिक प्रताड़ना से सम्बन्धित मामले मीडिया में भी स्पष्ट होते हैं। प्रस्तुत शोध पत्र वर्तमान में महिला सशक्तिकरण के युग में विभिन्न कार्य स्थलों पर महिलाओं की बढ़ती भूमिका परन्तु साथ ही साथ उनके साथ होने वाले लैंगिक प्रताड़ना की स्थिति को स्पष्ट करते हुए इस तथ्य को उजागर करने का प्रयत्न करता है कि क्या सरकारी नीतियों के माध्यम से इस प्रताड़ना को रोका जा सकता है या अनिवार्य रूप से सामाजिक समझ में परिवर्तन लाने की आवश्यकता है।

### कार्यस्थल पर महिला यौन शोषण : विशाखा निर्देश की प्रासंगिकता

डा० विजय कुमार वर्मा, एसि० प्रोफेसर, डा० श०मि०रा०पु० वि०वि०, लखनऊ

इस प्रपत्र में महिला विशाखा दिशा निर्देशों के अनुपालन में महिलाओं का कार्यस्थल पर लैंगिक उत्पीड़न अधिनियम 2013 लागू कर दिया गया है। वहीं वर्ष 2013 को महिला सुरक्षा वर्ष के रूप में भी मनाया गया है। वहीं एसिड हमले के सन्दर्भ में जस्टिस जे०एस० वर्मा समिति ने एक अभूतपूर्व निर्णय देते हुए ऐसे मामलों को आई०पी०सी० की धारा 326(ए) में दर्ज करने का निर्देश दिया जो निश्चित रूप से एक अभूतपूर्व निर्णय था। राजस्थान की समाज सेविका भंवरी देवी के सामुहिक बलात्कार के मामले से सम्बन्धित विशाखा बनाम राजस्थान सरकार (1997) प्रकरण में माननीय उच्चतम न्यायालय यौन उत्पीड़न को रोकने के लिए कुछ दिशा निर्देश जारी किये हैं। जिन्हें हम विशाखा गार्ड लाइन्स के नाम से जानते हैं। कार्यस्थल पर महिलाओं का लैंगिक उत्पीड़न से संरक्षण अधिनियम 2013 अप्रैल 2013 से लागू कर दिया गया है। प्रत्येक नियोजित को एक आन्तरिक समिति गठित करने की जिम्मेदारी दी गयी है। जिसकी संरचना 10 सदस्यीय होगी। विशाखा दिशा निर्देश में कुछ और बिन्दु सम्मिलित किये जाने की आवश्यकता है जिसके माध्यम से इस प्रकार की घटनायें समाज में किसी भी संस्था, संगठन या कार्यस्थल पर महिलाओं के साथ लैंगिक उत्पीड़न के मामले समाप्त किए जा सकते हैं।

### Overview of Sexual Harassment at Work Place

Deepti Mishra, Assistant Professor (Home Science), Ramadheen Singh Girls Degree College, Lucknow

Several agencies have been consistently drawing attention towards the existence of sexual harassment across countries in the world; it continues to be a neglected area for many employers. A survey in India stated that the biggest problem was not merely poor policies but lack trained human power to handle cases of workplace sexual harassment due to absence of commitment of industry heads to accord due importance to issues of workplace sexual harassment in their organisational agendas. Work places will become safe for women only when employers not only articulate policies on sexual harassment but rather implement them in letter and spirit with an aim to prevent and address sexual harassment. The term sexual harassment is construed to look at the world from the point of view of women. It is an endeavour to reflect and construct women's experience, and confirm that it is a behaviour that women will not endure passively rather can actively protest and resist. Sexual harassment at workplace is said to occur when personnel decisions are based on gender, an ascribed characteristic, rather than on an individual's qualifications or job performance then it can be stated, that sexual harassment at workplace is a clear gesture of gender discrimination targeted towards women. Sexual harassment is rampant in corporate India, most victims do not complain to supervisors or the management about their experiences of sexual harassment at work and dealt with it on their own. They do not report due to fear for further harassment, apprehension of adverse effect on their employment, lack of confidence in the complaints mechanism, possible defamation or threats from the perpetrators and other such reasons. Sexual harassment is a sensitive subject surrounded by shame, stigma and confusion. It is necessary that special policy is brought into operation which ensures

empathetic response, sensitive handling, mature investigation and prompt implementation of the recommendations given by the panel by the management.

### **Changing Scenario of the Education among the Apatani and Nyshi Community of Arunachal Pradesh: With Special Emphasis on the Role of Jawahar Navodaya Vidyalaya**

Dr. Santosh Upadhyay, Ex-Faculty Member, Department of Anthropology, Lucknow University, Ex-Faculty Member, Jawahar Navodaya Vidyalaya, Yachuli, L. Subansiri (AR), Presently Deputy Collector, Govt. of Uttar Pradesh

Apatani is an indigenous community basically living in the Ziro area in Lower Subansiri district of Arunachal Pradesh. These people are also known as Tanw or Tanv or Apa or Apa Tani. Their population is around 60,000. These people belong to Mongoloid Race. They speak 'Apatani language' that belongs to the Sino-Tibetan family as well as the Tibeto-Burman and North Assam groups. Nyshi is also an important community in this area. 'Nyi' means 'a man' and 'shi' refers 'a being'. Collectively, *Nyshi* means 'a civilized human being'. They are spread across six districts of Arunachal Pradesh viz., Papum Pare, part of Lower Subansiri, Kurung Kumey, East Kameng, parts of Upper Subansiri, Kra Dadi. They are also found in the Sonitpur and North Lakhimpur districts of Assam. The population of Nyshi community is around 3 Lakh. Ministry of HRD, government of India started establishing Jawahar Navodaya Vidyalaya in every district of India from 1986. In this regard, a Jawahar Navodaya Vidyalaya (JNV) was also set up in the Yachuli sub-division of Lower Subansiri district of Arunachal Pradesh. Most of the students of this vidyalaya belong to Apatani and Nyshi community. It has seen that just like other JNVs of India, this school also had drastically changed the education system of both these communities. The education level of both these communities has gone high due to this JNV. More about, an 'Atmosphere of Education' had been created by this school to its surroundings. And also, 'feeling of education' has emerged among the parents of the whole area. This paper focuses on this particular scenario. The author himself has been an ex-faculty member of the vidyalaya. He had been in a close contact with the Apatani and Nyshi students. Thus, he had understood the education level, mindset and education psychology of the students in the vidyalaya in better way. The paper is basically based on primary data. For this Field Work method is employed. Yet, secondary data is also used as per the necessity. The Primary Data Collection was done by employing different anthropological methods, viz. Survey, Sampling, Observation, Interview, Case Study, Case History, Group Discussion, Genealogical Method, Photography, and Content Analysis etc. Both Qualitative as well as Quantitative Method were applied. The study also used data collection tools like Schedules, Tape Recorder, Still Camera, Video camera, etc. For analysis and presentation of data, Statistical Method was applied. A little help of Psychological Methods was also taken in the study.

### **An Analytical Study on Sexual Harassment of Women at Work Place in India**

Mr. Raju Kashyap, Assistant Professor, Department of Commerce, Vidyant Hindu P. G. College, Lucknow

Sexual harassment is unwelcome acts or behavior (whether directly or by implication) by a supervisor toward an employee. It includes sexual assault, making sexually colored remarks, showing pornography, requests for sexual favors, and other verbal or physical harassment of a sexual nature in the workplace or learning environment such as Government sector organizations, Private sector organizations, NGO or other service providers. Workplace harassment affects both men and women in every stage of life and every level of employment. Sexual harassment interferes with your performance by threatening your job security or becoming an obstacle to effective work. Although sexual harassment laws do not usually cover teasing or offhand comments, these behaviors can also be upsetting and have a negative emotional impact. Sexual harassment can occur in a variety of circumstances. The harasser can identify with any gender and have any relationship to the victim, including a being a direct manager, indirect supervisor, co-worker, teacher, peer, or colleague. Some forms of sexual harassment include: Unwelcome sexual advances, Requests for sexual favors, Unwanted touching or physical contact, Verbal harassment of a sexual nature, Display of pornography,

Physical acts of sexual assault, Making conditions of employment dependent on sexual favors. This research paper identifies the range of workplace harassment that women experience and to examine the effects of their experiences in automotive industry in India. This research paper also shows the recommendations for reducing the risk of harassment and for providing employees with support and legal remedies if they are harassed. The purpose of this research is to prevent employees from losing their life and to stop the daily harm being done to employees through workplace harassment.

## **Guidance and Good Practices for Prevention of Sexual Harassment of Women at Work Place**

Dr. Meenu Mishra, Associate Professor, Department of History, Mahila P.G. College, Lucknow

Sexual Harassment is uninvited and unwelcome verbal or physical behaviour of a sexual nature especially by person in authority toward a subordinate (as an employee or student) such unwelcome sexually determined behaviour as physical contact and advances, sexually colored remarks, showing pornography and sexual demands, whether by words or actions. Such conduct can be humiliating and may constitute a health and safety problem; it is discriminatory when the woman has reasonable ground to believe that her objection would disadvantage her in connection with her employment, including recruitment or promotion, or when it creates a hostile working environment. Sex-based conduct in the workplace is unwelcome when: 1) An employee does not solicit or initiate the conduct. 2) When the employee regards the conduct as undesirable offensive. It is important to note that when persons in position of power within the workplace, such as supervisors and employers, must ensure that any social contact between employees is consensual and welcome. Furthermore, even though employees may not actively object to specific conduct, they may in fact find the work environment hostile because of the conduct of others. Frequently employees do not feel safe enough or strong enough to voice their objections. Particularly if an employee is in a relatively weak and vulnerable position, she may appear to acquiesce. Because the employee has appeared to acquiesce, however, this does not mean that the conduct was consensual or that sexual harassment has not occurred. In cases where the behaviour is not self-evidently offensive, however, express objection is required. In such cases, it is sufficient for a legal claim if the victim has expressed objection through body language, meaning that a verbal objection is not necessary. The most effective weapon against sexual harassment is prevention. Harassment does not disappear on its own. In fact, it is more likely that when the problem is not addressed, the harassment will worsen and become more difficult to remedy as time goes on. Prevention of sexual harassment in the workplace requires training programs for both employers and employees, which concretely address such topics as the national laws that prohibit sexual harassment, workplace policies and steps that individuals can take.

## **Problem of Sexual Harassment at Work Place: Prevention and Resolution Strategies**

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Workplace harassment is a relatively serious problem facing workers in their workplaces. Sexual harassment at workplace effects victims and their organizations in different ways. Victims of sexual harassment at work suffer both direct and indirect negative effect, including health, economic, social, psychological effects and difficulties in career development. Victims may be reluctant to come forward with complaints or confront their harassers because they may be shy or ashamed, fearful of retaliation, or may not know what to do about it. It has been shown to be responsible for increased stress, depression, and anxiety resulting in declines in organizational productivity. It is important to ensure that the emphasis is on prevention and resolution strategies rather than punitive action. So this paper widespread awareness for employers that ensuring safe working conditions for women leads to a positive impact on their participation in the workforce and increased their productivity, which in turn benefits the nation as a whole.

## **Sexual Harassment of Women at Workplace: An Emerging Issue**

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Though the principle of gender equality is guaranteed in Indian Constitution in its Preamble, Fundamental Rights and Directive Principles, women a wonderful creature on earth is alienated in her own social environment. In India during 2013 a total of 3,09,546 cases of crime against women was reported which indicates a total raise of 26.7% compared to 2012 (NCRB, 2013). The figure very much provides the insight that how much safe is women in the present society. The purpose of this research paper is to provide an in depth view of sexual harassment of women at workplace which has become a heated issue in today's life. Sexual harassment is a male tactic to make a woman vulnerable in the workplace and affects the victim's psychology greatly. Sometimes higher authority persons make use of their power to sexually harass women at workplace. There are many examples of sexual harassment at workplace like lawyer asked client to belly dance for him, Woman molested at interview, Boss asks for sex in e-mails to employees and job applicants. There are 526 such cases of sexual harassment reported at workplace in New Delhi, 2014. 57 cases were reported at office premises and 469 cases were registered at other places related to work. It is found illegal and results in the violation of the fundamental rights of women to gender equality under Article 14 of constitution of India. The legislature needs the support and commitment of all stakeholders for the successful prevention of sexual harassment of women at workplace. This is by employer's creating a workplace where all the employees treat each other with respect, understand and embrace their differences.. According to a FICCI-EY November 2015 report, 36% of Indian companies and 25% among MNCs are not compliant with the Sexual Harassment Act, 2013. This paper will provide proper reasoning as to why it is very important for the company heads to take this matter seriously and the what suitable measures should be taken to approach the subject.

## **Workplace-Harassment upon Indian Women: A Historical Perspective**

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Abstract: Feminist in the United States coined the term “sexual harassment”, only in 1975 to describe widespread sexual coercion and exploitation of women by men at the workplace. Though the term is recent in origin, working women have experienced sexual harassment throughout history and across the globe. In case of India, women have come a long way from female slaves in medieval and British period to women in the armed forces, IT sectors, politics, industry and other significant areas to gain the status of modern working women today. But unfortunately, the tale of plight is as much higher as was in the decades before. Study has shown, workplace-harassment in India is a prolonged illness, which discourages women, urban as well as rural, to enter the country's labour-force. To get rid of this malady, the government of India enacted the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 which, is an extension of the Vishakha Guidelines issued by the Supreme Court in 1997. It is in this background, this paper lays stress on the brief overview of women exploitation at workplace in India throughout centuries from a historical point of view.

## **Violence Against Women In India**

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Centuries have come, and centuries have gone, but the plight of women is not likely to change. Women of India constitute near about half of its population. A society that is unable to respect, protect and nurture its women and children loses its moral mooring and runs adrift. There are various forms of violence against women. Sometimes it is even before birth, sometimes it is adulthood and other phrases of life. Time has helplessly watched women suffering in the form of discrimination, oppressing, exploitation, degradation, aggression, humiliation. Sexual harassment at work

place is gradually increased in urbanization, industrialization, and women employment in organized sector. The Sexual harassment of women at workplace Act (Prevention, prohibition, and Redressal) Act 2013 will ensure that women are protected against sexual harassment at all the work places, be it in public or private. This will contribute to realisation of their right to gender equality, life and liberty and equality in working conditions everywhere. The sense of security at the workplace will improve women's participation in work, resulting in their economic empowerment and inclusive growth. It is important to understand the causes behind this tendency. Schedule have shown that many social, cultural psychological and economic factor have been responsible behind the problem and after knowing the causes it is equally significant combating the problem thus the paper is an attempt to analyze the data analyzing regarding violence against women the typology of crime and their cases .Also the paper tries to give suggestion for reducing violence against women.

### **A Study on Women Harassment at Workplace in India**

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Women face a number of harassment behaviors when they enter at workplace. Some women experience, the harassment is sexual in nature. Other women experience abusive harassment at workplace and situations that are based on their race, class, disability, sexual orientation, language. And many women experience harassment and violence in the workplace based on different grounds. The main aim of this report is to identify the variety of harassment and violence that women experience and to identify the effect of their experiences. We also provide recommendations and suggestions for this to reduce the risk of harassment and to provide support and legal remedies that women need if it does occur. In this we try to find out the main issue at workplace harassment and violence, and the point where violence against women and workplace harassment intersect. This research paper takes its place as a point of connection between efforts to understand workplace harassment and the needs of women who experience it. Our aimed at raising awareness and advocating for Sexual Harassment Awareness, and address the Problem of Women Harassment at workplace. Any type of harassment at workplace hampers women's legal and fundamental rights to equality, justice and dignity. It affects a woman's work performance & progress, affects working environments, results in frustrations & absenteeism. This report presents the information collected, compiled and analyzed from women experiencing workplace harassment and violence and community agencies that attempt to provide support. This research paper underlines and address some of the many gaps in understanding and responding to the problem. We hope that the resulting analysis and recommendations will benefit women who experience workplace harassment and violence, women who are at risk of experiencing it, the institutions and organizations whose mandate it is to address workplace harassment through remedies, prevention and/or support, companies that want to maintain harassment free workplaces, other groups providing services to women and all working people.

### **Sexual Harassment of Women at Workplace: A Threat to Our Society**

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Different types of offences and crimes are increasing in the society nowadays as compared to the ancient times. Long ago, there were only few offences and crimes and women were not much involved in offences such as murders, kidnappings etc. But as the society is developing very fast so the nature and types of crime are also increasing. In Indian society women were put down to lower grade and were meant for household duties only but with changing times, women started working outside with the aim of becoming financially independent. With this she was also able to contribute financially towards her. But with this positive result and development, we have also witnessed an increase in

the incidents of sexual exploitation and harassment of women at workplaces. There are many women who have faced sexual harassment at some point of time, maybe in the office or on her way to work. They're forced to keep quiet because if they raise their voice about it they are subject to worse crimes like physical and mental assault (grievous, indecent, etc.), rape, acid attack, etc especially in India. Thus its the employers' foremost responsibility and ours too, to develop absolute intolerance against sexual harassment at workplace and elsewhere respectively. We all know the amazing and important role a woman plays in a traditional Indian family. She is a responsible and efficient homemaker and a soft hearted hard worker. She is also the 21<sup>st</sup> Century woman; independent, confident & walking successful forward with long steps in many fields. But when there are so many crimes against women happening daily, so much of gender inequality, sexual harassment and hostile environment at her workplace does India really want to give her the freedom of equality & safeguard her fundamental rights? Or just expect her to compromise, stay down, listen quietly & back up like a woman as expected in India? The aim of this research paper is to suggest measures to empower women and provide protection against sexual harassment, various laws related to sexual harassment of women at workplace, preventive measures against sexual harassment of women.

### **Battle Against Sexual Harassment**

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Sexual harassment is a hazard encountered in workplaces across the world that reduces the quality of working life, threatens the well-being of a person and challenges gender equality. Gender based discriminations are undeniably prevailing in the current Indian society. Despite having equal education, work experience and other qualifications, women are neither considered equal to men, nor given equal opportunities. In prior times, women were confined to household duties only. But with changing times, women started working outside with the aim of becoming financially independent. But, with this positive development, an increase in the incidents of sexual exploitation and harassment of women at workplaces was also encountered. India is facing the problem of increasing cases of sexual harassment at workplace, be it sexual harassment of nurses in public and private hospitals, of air-hostesses by their colleagues and passengers and so on. Sexual harassment at a workplace is considered violation of women's right to equality, life and liberty. It sabotages a woman's work performance and progress. It creates an insecure and hostile work environment, which discourages women's participation in work, thereby adversely affecting their social and economic empowerment. Women have been suffering the humiliation of sexual harassment at workplace, either because of the patriarchal mind-set or out of fear of being exposed to further ridicule or expulsion from the job. This report is an attempt to position sexual harassment of women at workplace as human rights issue. The argument put forth is that discrimination against women anywhere in the world affects the human rights of women everywhere. The aim of this research paper is to understand the problem and perspective of problems of sexual harassment and legal approaches for prevention. This paper also includes certain recommendations with respect to the role of the state, government, media, NGOs, etc. in sensitizing the issues relating to violation of the rights of women and also to promote education and awareness.

### **Overview of Sexual Harassment at Work Place**

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In 1997, the Hon'ble Supreme Court of India, in Vishaka and Others Vs. State of Rajasthan and Others<sup>1</sup>("Vishaka Judgment") acknowledged the gravity of sexual harassment of the working women at the workplaces and laid down guidelines making it mandatory for employers to prevent the commission of acts of sexual harassment and to provide

the procedures for the resolution, settlement or prosecution of acts of sexual harassment. The guidelines issued by the Hon'ble Supreme Court were treated as law declared by the Hon'ble Supreme Court under Article 1412 of the Constitution of India. It was held by the Hon'ble Supreme Court that the guidelines framed by the Supreme Court would be strictly observed in all work places for the prevention and enforcement of the right to gender equality of the working women. It was observed by various Courts from time to time in the past that the guidelines and norms framed by the Hon'ble Supreme Court in Vishaka Judgment have not been followed in workplaces strictly. The increasing work participation rate of women made it imperative for enacting a comprehensive legislation focusing on prevention of sexual harassment as well as providing a redressal mechanism. In 2013, after a span of 16 years, India finally enacted the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter referred to as the 'Act') for prevention of sexual harassment against women at the workplaces. The Central Government vide notification SO 3606 (E) appointed 9 December 2013 as the date on which the provisions of the Act came into force and on the same day, the Central Government made the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 ("Rules").

### **Issues Related to Sexual Harassment at Work**

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Sexual Harassment affects all women in some form or the other. Lewd remarks, touching, wolf-whistles, looks are part of any woman so much so that it is dismissed as normal. Working women are no exception. In fact, working women most commonly face the backlash to women taking new roles, which belong to male domains within patriarchy. Sexual harassment at workplace is generally classified into two distinct types. 'Quid pro quo', means seeking sexual favors or advances in exchange for work benefits and it occurs when consent to sexually explicit behavior or speech is made a condition for employment or refusal to comply with a 'request' is met with retaliatory action such as dismissal, demotion, difficult work conditions. 'Hostile working environment' is more pervasive form of sexual harassment involving work conditions or behavior that make the work environment 'hostile' for the woman to be in. Certain sexist remarks, display of pornography or sexist/obscene graffiti, physical contact/brushing against female employees are some examples of hostile work environment, which are not made conditions for employment. Sexual Harassment at work is an extension of violence in everyday life and is discriminatory, exploitative, thriving in atmosphere of threat, terror and reprisal. Studies find that sexual harassment is still endemic, often hidden, and present in all kinds of organizations. Yet it is still not always viewed as a problem, which has to be systematically tackled. The issue is of concern for both women and the employers as studies show that sexual harassment touches lives of nearly 40-60% of working women. Thus, combating sexual harassment involves developing understanding of what is sexual harassment and change of attitudes in all- be it employees, colleagues, friends, administrators, employers or the law makers. In India, it has been only six years since sexual harassment was for the first time recognized by The Supreme Court as human rights violation and gender based systemic discrimination that affects women's Right to Life and Livelihood. The Court defined sexual harassment very clearly as well as provided guidelines for employers to redress and prevent sexual harassment at workplace. Preventing and avoiding sexual harassment involves all levels of employees/persons in any organization-employees and colleagues, management and bodies like trade unions. Most importantly it requires for the employer to act before a problem occurs.

### **Efficacy of Law Making To Stop Sexual Harassment and Bullying**

Manobhaw Kaushik, Assistant Professor, DHR, School for Legal Studies, BBAU (A Central University), Lucknow

While giving clarification for an act, a person can justify his/her act according to his/her own individual perception. In doing so, that person may even try to prove the concerned conduct in a right way which was originally intended for a

wrong to the targeted person but it failed to be depicted in actual appearance. But, the natural capacity to perceive the original motive has been endowed with almost all reasonable individual if he is not through any type of paranoid course. But, at the same time, the dilemma is that a motive cannot be the base of reaction against unless a conduct does not follow the same, resulting into the effect as a consequence of the intention which only is cognizable. Whether gender based humiliation gets recognition on the basis of universally- accepted norms or on the individual perception as how one takes and explain its own action remains a vague topic of debate unless a generalized rule of conduct is made and inculcated in every individual's conduct as a social norm. In the light of this synthesis, the present paper intends to discuss the efficacy of judicial laws made in respect of sexual harassment and bullying in the present scenario of increasing urbanization, industrialization, women employment and problem of social cohabitation with a man made unequal society.

### **Sexual Harassment of Women in Workplace**

Dr. Suman Lata Singh, Assistant Professor, Khun Khun Ji Girls Degree Collage, Lucknow

In almost every field of economic activity, women form a substantial part of the workforce. This has been exacerbated by economic pressures, increased globalization and shifting social structures. This has inevitably resulted in an increase in the number of working women. Unfortunately many women now have to work under the most disadvantageous service conditions and in certain establishments are the victims of sexual harassment and violence. The increasing incidences of Sexual Harassment at Workplace in India have emerged as a major concern for the society. Though the legal definition of Sexual Harassment does not distinguish a particular sex but it is predominately experienced by women at workplace. Recent cases against retired Supreme Court Justice A K Ganguly and Tehalka's Managing Editor Tarun Tejpal have sparked a fuming debate all across the country on how safe women actually are at workplace. On one hand there are talks of women liberalization and their changing position in the society while on the other they continuously face humiliation. This comes as a great setback to the efforts of those who are striving for gender equality in the society. Taking note of the inadequacy of the then civil and penal laws to provide protection to women at workplace, the Supreme Court of India laid down the Vishaka guidelines on August 13, 1997 for prevention and redressal of sexual harassment and exploitation as well as their abidance under Article 141 of the constitution.

# **Technical Session-02**

## **Chair Person**

Dr. Preeti Misra

Associate Professor (Human Rights)

B.B.A. University (Central University), Lucknow

## **Co-Chair**

Dr. Rashida Athar

Assistant Professor (Human Rights)

B.B.A. University (Central University), Lucknow

Dr. Sharad Srivastava

Advocate, High Court, Lucknow

## **Repertoire**

Dr. Pramod Bihari Shukla

Assistant Professor (Anthropology)

Lucknow University, Lucknow

## महिलाओं का कार्य स्थल पर लैंगिक उत्पीड़न अधिनियम 2013 – क्रियान्वयन की यथार्थ स्थिति

Dr. Saumya Shanker, Assistant Professor, Sociology, Dr. Shakuntala Misra National Rehabilitation University,  
Lucknow

Abdullah, Master of Arts Student, Dr. Shakuntala Misra National Rehabilitation University, Lucknow

आधुनिक भारत में भारतीय संविधान में महिलाओं की सामाजिक, आर्थिक एवं राजनैतिक स्थिति को सुधारने के लिए पूर्ण प्रावधान है। संविधान में वर्णित मूल अधिकारों व राज्य के नीति निर्देशक तत्वों के द्वारा महिलाओं को सामानता व स्वतंत्रता का अधिकार दिया गया है। जिससे महिलाएँ गरिमा के साथ कोई भी कार्य पुरुषों के समान कर सकती हैं। परन्तु भारत में महिलाओं की सामाजिक स्थिति आज भी सोचनीय है। क्योंकि भारत एक पुरुष प्रधान देश रहा है और आज भी व्यक्तियों की सोंच पूर्णतः परिवर्तित नहीं हुई जिस के साक्ष्य हमें कार्य स्थल पर महिलाओं के शारीरिक व मानसिक शोषण के रूप में देखने को मिलते हैं। वर्तमान समय में महिलाओं के शारीरिक व मानसिक उत्पीड़न को रोकने के लिए सरकार व न्यायालय ने कई प्रावधान किए हैं। माननीय उच्चतम न्यायालय ने विशाखा व अन्य बनाम राजस्थान राज्य के वाद में संज्ञान लेते हुए कुछ निर्देश 1997 में जारी किए जो विशाखा निर्देश के रूप में सामने आया। न्यायालय द्वारा जारी विशाखा निर्देश द्वारा महिलाओं को कार्य करने के लिए स्वस्थ व उत्पीड़न मुक्त दशा के निर्माण की जिम्मेदारी कार्यालयों की होगी। केन्द्रीय सरकार ने महिलाओं का कार्य स्थल पर लैंगिक उत्पीड़न अधिनियम 2013 का निर्माण किया। उक्त निर्देश व अधिनियम द्वारा महिलाओं के आर्थिक सशक्तिकरण व समावेशी विकास के मार्ग में आने वाली बाधा को समाप्त करने का प्रयास किया गया है। परन्तु आज भी महिलाओं के शारीरिक शोषण की घटनाएँ समाप्त नहीं हुई हैं। उक्त व्यवस्था से महिलाओं की सामाजिक स्थिति में आने वाले परिवर्तनों तथा व्यवस्था के सफल कार्यान्वयन का आकलन करने हेतु ऑक्सफेम संस्था ने एक सर्वे किया है जिसमें सरकारी, अर्ध सरकारी व गैर सरकारी संस्थाओं में लैंगिक उत्पीड़न अधिनियम के द्वारा बनाये गये नियमों का पालन सुचारु रूप से हो रहा है या नहीं तथा उसका कार्यालयों पर कितना प्रभाव पड़ा है, जानने का प्रयास किया गया है। ऑक्सफेम की रिपोर्ट के द्वारा धरातलीय वास्तविकता को मंच प्रस्तुत करना ही लक्ष्य है। इस लेख में ऑक्सफेम द्वारा किये गए सर्वे से उजागर हुए तथ्यों के बारे में विस्तार से चर्चा की जायेगी।

### **Sexual Harassment of Women at Workplace in India**

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Manoj Kumar Mishra, Assistant Professor, B.Ed. Department, Dr. R. P. M. Degree College, Lucknow

Sexual harassment is a serious manifestation of sex discrimination at the workplace and a violation of human rights as well as fundamental rights, enshrined in the Constitution of India. It is yet another form of violence against women reflecting patriarchal mindsets and gender based discrimination that women experience at work. It is also a manifestation of power relations, as women are much more likely to be the victims of sexual harassment because of their already existing vulnerability, insecurity, and social conditioning to accept discrimination in silence. Women have been made to face all kinds of violence, physical abuse, denial of right to live, subordination and neglect. The acts of abuses like eve-teasing, molestation, sexual abuse and rape cover both physical and verbal abuses. However, they all are different parts of what is commonly known as sexual harassment. The research methodology adopted for this paper is doctrinal, statutes and secondary sources of information like case laws, books, articles, websites, newspapers etc. The aim of this research paper is to suggest measures to empower women and provide protection against sexual harassment and offer the right to work with dignity and non discrimination, based on the Human Rights treaties and the ratification of International Conventions by the Indian Government. Hence, there is a strong need to strengthen the Sexual Harassment Act and consider the recommendations provided that would make its protection more comprehensive and effective. This study includes the various causes which lead to an increase in the number of sexual abuses and rape against women. They include: lack of awareness, illiteracy, upbringing of the abusers, their inability to appreciate the feminine glory of women, etc. An emphasis has also been laid on the possible emotional, psychological and mental impacts which may be suffered by the women. Finally, the paper also includes certain recommendations with respect to the role of the state, government, media, NGOs, etc in sensitizing the issues relating to violation of the rights of women and also to promote education and awareness with respect to the same.

## Overview of Sexual Harassment at Work Place

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Sexual Harassment affects all women in some form or the other. Lewd remarks, touching, wolf-whistles, looks are part of any woman's life, so much so that it is dismissed as normal. Working women are no exception. In fact, working women most commonly face the backlash to women taking new roles, which belong to male domains within patriarchy. Sexual Harassment at work is an extension of violence in everyday life and is discriminatory, exploitative, thriving in atmosphere of threat, terror and reprisal. Sexual harassment is all about expression of male power over women that sustain patriarchal relations. It is used to remind women of their vulnerability and subjugated status. In a society where violence against women, both subtle and direct, is borne out of the patriarchal values operating in society, force women's conformity to gendered roles. These patriarchal values and attitudes of both men and women pose the greatest challenge in resolution and prevention of sexual harassment. Studies find that sexual harassment is still endemic, often hidden, and present in all kinds of organisations. Yet it is still not always viewed as a problem, which has to be systematically tackled. The issue is of concern for both women and the employers as studies show that sexual harassment touches lives of nearly 40-60% of working women. Thus, combating sexual harassment involves developing understanding of what is sexual harassment and change of attitudes in all- be it employees, colleagues, friends, administrators, employers or the law makers. Sexual Harassment takes place if a person: subjects another person to an unwelcome act of physical intimacy, like grabbing, brushing, touching, pinching etc. makes an unwelcome demand or request (whether directly or by implication) for sexual favours from another person, and further makes it a condition for employment/payment of wages/increment/promotion etc. makes an unwelcome remark with sexual connotations, like sexually explicit compliments/cracking loud jokes with sexual connotations/ making sexist remarks etc. shows a person any sexually explicit visual material, in the form of pictures/cartoons/pin-ups/calendars/screen savers on computers/any offensive written material/pornographic e-mails, etc. engages in any other unwelcome conduct of a sexual nature, which could be verbal, or even non-verbal, like staring to make the other person uncomfortable, making offensive gestures, kissing sounds, etc. It is sexual harassment if a supervisor requests sexual favours from a junior in return for promotion or other benefits or threatens to sack for non-cooperation. It is also sexual harassment for a boss to make intrusive inquiries into the private lives of employees, or persistently ask them out. It is sexual harassment for a group of workers to joke and snigger amongst themselves about sexual conduct in an attempt to humiliate or embarrass another person.

### ग्रामीण क्षेत्रों में महिलाओं पर होने वाली शारीरिक प्रताड़ना का अध्ययन

डॉ. देविना सहाय, प्रवक्ता, गृह विज्ञान विभाग, लखनऊ विश्वविद्यालय, लखनऊ  
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महिलाओं के प्रति दुर्व्यवहार एवं छेड़छाड़ की समस्या विगत समय से एक भीषण समस्या रही है, परन्तु वर्तमान समय में यह समस्या और भी अधिक विकराल हो गई है। एक ओर जहां बढ़ती हुई मंहगाई से जूझने के लिए महिलाओं का कार्यक्षेत्र पर जाना अनिवार्य है, वहीं दूसरी ओर उन्हें कार्य के दौरान अभद्रता एवं अश्लीलता का शिकार होना पड़ता है। बेहद दुःख की बात यह है कि यह समस्या निरंतर ग्रामीण इलाकों में बढ़ती जा रही है। बड़ी उम्र की महिलाओं के साथ-साथ नन्हीं बालिकाओं को मानसिक एवं शारीरिक प्रताड़ना का शिकार होना पड़ रहा है। प्रस्तुत अध्ययन लेखिकाओं के द्वारा गोण्डा जिले के गौरा चौकी क्षेत्र के आस-पास के गांव के 50 महिलाओं एवं किशोरी बालिकाओं के मध्य किया गया है जिससे हमें इन महिलाओं के साथ हो रहे निम्नलिखित तथ्यों का ज्ञान हुआ। प्रस्तुत अध्ययन के द्वारा हमें यह ज्ञात हुआ कि 30 प्रतिशत महिलाओं को खेत में काम करते समय, 20 प्रतिशत महिलाओं को मजदूरी करते समय एवं 25 प्रतिशत महिलाओं को अपने रिश्तेदारों द्वारा एवं 25 प्रतिशत महिलाओं को यातायात के दौरान विभिन्न प्रकार के दुर्व्यवहार का सामना करना पड़ता है। इसी प्रकार किशोरी बालिकाओं को भी कई प्रकार की प्रताड़ना का शिकार होना पड़ता है। 15 प्रतिशत बालिकाओं को अपने स्कूल में, 25 प्रतिशत बालिकाओं को स्कूल जाने के दौरान, 35 प्रतिशत बालिकाओं को अपने बहुत करीबी रिश्तेदारों द्वारा, 20 प्रतिशत बालिकाओं को अपने आस पड़ोस में खेलने जाने के दौरान शारीरिक प्रताड़ना का शिकार होना पड़ता है।

## ग्रामीण महिलाओं में गर्भावस्था के दौरान होने वाली पोषण सम्बन्धी एवं मानसिक कठिनाईयों का अध्ययन

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गर्भावस्था के दौरान शारीरिक एवं मानसिक स्वास्थ्य के लिए उचित मात्रा में संतुलित आहार का लेना एवं प्रसन्न रहना आवश्यक होता है, परन्तु बहुत से ऐसे तथ्य सामने आये हैं, जिसके द्वारा यह ज्ञात होता है कि अभी भी गर्भवती एवं धात्री महिलाओं को कई ऐसे पौष्टिक तत्वों को नहीं दिया जाता है, जो कि उनके शारीरिक स्वास्थ्य के लिए आवश्यक होता है। पुरानी परम्परा को ध्यान में रखते हुए आज भी गर्भवती स्त्रियों से इतना अधिक काम लिया जाता है, जो कि उनके स्वास्थ्य के लिए हितकर नहीं होता है। ऐसा माना जाता है कि गर्भावस्था में अधिक श्रम करने से प्रसव में आसानी होती है। परन्तु अत्यधिक श्रम एवं बहुत कम विश्राम के कारण स्त्रियां मानसिक अवसाद से ग्रस्त हो जाती हैं। रुढ़ियों के कारण स्त्रियों को पुरुषों के भोजन ग्रहण करने के उपरान्त भोजन दिया जाता है, जिससे कई बार उन्हें पौष्टिक तत्व भी नहीं प्राप्त हो पाते हैं या कभी-कभी भोजन की अपर्याप्त मात्रा ग्रहण करनी पड़ती है। गर्भावस्था के दौरान उनको सही समय पर चिकित्सालय भी नहीं ले जाया जाता है, उन्हें आयरन, कैल्शियम एवं आवश्यक टीकों का भी प्रयोग नहीं करने दिया जाता है। अप्रशिक्षित दाईयों के द्वारा कराये गये प्रसव के कारण, प्रसव के समय अधिक मात्रा में रक्त स्राव एवं संक्रमण की समस्या बढ़ जाती है, जो कि गर्भवती स्त्रियों के मृत्यु का कारण भी बन सकती है। कुपोषण के कारण उनके भावी जीवन में कई बीमारियों के होने की सम्भावना बढ़ जाती है, जैसे कि कैल्शियम की कमी के कारण हड्डियों में दर्द, आस्टियोपोरोसिस, आयोडीन की कमी से घेंघा एवं विटामिन्स की कमी से आंखों सम्बन्धी एवं अन्य समस्याएं उत्पन्न हो सकती हैं। प्रस्तुत अध्ययन 100 ग्रामीण महिलाओं के मध्य किया गया। उक्त अध्ययन द्वारा यह तथ्य सामने आये कि 35 प्रतिशत महिलाएं असंतुलित आहार ले रहीं थीं, 20 प्रतिशत महिलाएं अपर्याप्त चिकित्सीय सुविधाओं एवं स्वास्थ्य सम्बन्धी विभिन्न कठिनाईयों से ग्रसित थीं। 20 प्रतिशत महिलाओं के भोजन में सामाजिक रुढ़ियों एवं परम्पराओं के कारण मांसाहारी भोज्य पदार्थों, हरी साग सब्जियों एवं कुछ विशिष्ट भोज्य पदार्थ वर्जित थे। 25 प्रतिशत महिलाएं परिवार के अन्य सदस्यों को अधिक पोषण देने के कारण स्वयं पर्याप्त मात्रा में संतुलित आहार का सेवन नहीं कर रहीं थीं। गर्भावस्था के दौरान यह स्थिति महिलाओं के स्वास्थ्य एवं जीवन के लिए गम्भीर समस्या उत्पन्न कर सकती है।

### **Knowledge, Attitude and Practices Regarding Balanced Diet and Healthy Food among Women of Lucknow City**

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Inappropriate life style and improper food are the biggest threats to a person's good health in the present times. In older times, women were not so much affected by obesity and cardio-vascular diseases burden but now a days more and more women are falling pray to these conditions. The main reasons for this is that they neither have time nor inclination to have well balanced diet, regular exercise and proper rest. In addition to that physical and mental stress possesses a bigger health burden on them. This study was done among 100 women of Lucknow city. The sample comprised of both working and non-working women between the age of 25-40 years of age. Among the respondents almost 35% ladies did not have a proper breakfast, some of them almost always skipped it. The working women were always in a hurry and so they skipped their breakfast and had fast food in the canteens of their work place instead. 40% women avoided having milk and milk products, nuts and fruits daily because they felt that these were most important for their growing children and men of the house. 60% women did not have proper medical check ups and health foods were not bought in the house because of being too expensive. In the backdrop of growing burden of cardio-vascular and other diseases, this scenario can be a serious threat to the ladies health.

## स्त्री सशक्तीकरण : दशा और दिशा

अलका तिवारी, शोध छात्रा, हिन्दी विभाग, लखनऊ विश्वविद्यालय, लखनऊ

भारत की सौ करोड़ से ज्यादा आबादी में लगभग आधी स्त्रियाँ हैं। इनमें से यदि छोटी बच्चियों और वृद्ध महिलाओं को निकाल दिया जाये तो भी लगभग बाईस करोड़ स्त्रियाँ हैं जो काम करने योग्य हैं, अभी भी यह कुल कामकाजी स्त्री-संख्या का आठ प्रतिशत ही है। शेष ग्रामीण स्त्रियाँ ही उत्पादन शक्ति का अभिन्न अंग हैं। तब भी उन्हें मानवीय आधार पर जीने की सुविधायें नहीं मिलती। पुरुषों की बराबरी में श्रम करते हुए भी ये निरन्तर उपेक्षा का शिकार बनी हुई हैं। वस्तुतः स्त्रियों का बाहर निकलना, मानों पुरुषों के लिए, स्त्रियों ने स्वयं को छेड़छाड़ हेतु प्रस्तुत कर दिया, यह दृष्टिकोण एक तरह से पुरुषों की घृणित मानसिकता को उजागर करता है। परन्तु फिर भी भेदभाव, अपमान, पुरुषों द्वारा शोषण आदि सब कुछ सहते व इससे निपटते हुए स्त्रियाँ प्रत्येक क्षेत्र में तेजी से आगे बढ़ रही हैं। विज्ञान, तकनीक, शिक्षा व व्यवसाय सभी जगह विभिन्न पदों पर उनकी उपस्थिति "स्त्री सशक्तीकरण" के सबल पक्ष के रूप में देखी जा सकती है।

### **An Overview of Sexual Harassment at Workplace**

Dr. Tarkeshwar Pandey, Assistant Professor, Nagar Nigam Degree College, Lucknow

Sexual harassment is prohibited under both federal and state laws. It is a type of sex discrimination that violates Title VII of the Civil Rights Act of 1964 a federal statute that covers employers that have a minimum of 15 employees. Although many people assume a victim and perpetrator must be opposite sexes, or that the perpetrator is most often male, a victim doesn't have to be the opposite sex of the perpetrator, and perpetrators can be of either sex or any gender identity. For example, a female supervisor who watches pornography in an open office space during work hours and makes frequent lewd jokes to male employees may be subject to a claim of harassment by a transgender employee who is emotionally distressed by this behavior. The most commonly recognized form of sexual harassment involves quid pro quo harassment, in which a supervisor propositions a subordinate for sexual favors in exchange for a promotion, salary raise, or favorable shift assignment. Alternatively, quid pro quo harassment occurs when a rejection of a supervisor's sexual advances results in a tangible loss of job benefits. Employers bear the burden of proving sexual harassment didn't occur or that it happened for nondiscriminatory reasons. If an employee is successful, he or she can recover compensatory damages, including medical expenses, economic losses, loss of enjoyment, and back pay. In certain cases when an employee can establish an employer's malice or reckless indifference, punitive damages may be appropriate as well.

### **An Overview on Sexual Harassment of Women at Workplace: Prevention, Prohibition and Redressal Act, 2013**

Dr. Deepti Jaiswal, Academic Counselor, IGNOU, Lucknow

In the age of fast track life in 21st century there is no difference between men and women as it is said in the constitution of India but Indian women face so much problem in their workplace. "Sexual harassment is termed as a violation of the fundamental rights of a woman to equality under Articles 14 and 15 of the constitution of India and right to life and to live with dignity under article 21. Sexual harassment is also considered a violation of right to practice any profession or to carry on any occupation or business which includes a right to a safe environment free from sexual harassment." This legislation which is specifically addressing the issue of workplace sexual harassment was enforced December 09, 2013 by the ministry of women and child development, India. This act has been enacted with the objective of preventing and protesting women against sexual harassment at workplace and attempt to fill the legislative void on the subject and provide every Indian woman to safe and secure working environs free from all forms of harassment. In this paper I have attempted to provide an overview of the prevention of workplace sexual harassment act and other laws in India relating to workplace sexual harassment.

## भूमण्डलीकरण एवं महिला सुरक्षा

डॉ निरुपमा सिंह, असिस्टेंट प्रोफेसर, समाजशास्त्र विभाग, डी0 ए0 वी0 पी0 जी0 कॉलेज, लखनऊ

भूमण्डलीकरण के वर्तमान दौर में व्याप्त संचार क्रान्ति, तकनीकी क्रान्ति, राजनीतिक और सामाजिक परिवृश्य ने परम्परागत सामाजिक सांस्कृतिक संरचना का विध्वंस कर दिया है। आर्थिक और सामाजिक असुरक्षा से ग्रस्त महिलाओं को इस विकास की धारा में गति बनाये रखने के लिए पुनः परम्परागत सुरक्षा की आवश्यकता है। वर्तमान दौर में महिलाओं को नवीन रोजगार की प्राप्ति के साथ गृह और कार्यस्थल के कार्यों का दोहरा बोझ उठाना पड़ रहा है। भूमण्डलीकरण के कारण उनके यौन उत्पीड़न और श्रम शोषण की घटनायें भी बढ़ रही हैं। भारत में पुरुष प्रधान समाज ने जहाँ नारी को पराधीनता और शोषण के चरम पर पहुँचाया वहीं नारी ने अपनी स्वतंत्रता और स्वावलम्बन को शनैः शनैः प्राप्त किया। भूमण्डलीकरण के वर्तमान दौर में महिलाओं की कार्यस्थल पर सुरक्षा सुनिश्चित होनी चाहिए। जिसके लिए महिलाओं को आत्मसुरक्षा प्रशिक्षण दिये जाने के साथ-साथ सामाजिक, आर्थिक, राजनीतिक और सांस्कृतिक संरचनाओं में परिस्थितियों के अनुसार आमूलचूल परिवर्तन की भी आवश्यकता है। तभी महिलायें राष्ट्र के निर्माण में सक्रिय योगदान दे सकेंगी।

### Combating Sexual Harassment at the National and International Levels

Dr. Usha Rani Singh, Assistant Professor, Department of Chemistry, Mahila Vidyalaya P. G. College, Lucknow

In the last 50 years, various international human rights organizations have been focusing on promoting and protecting women's rights. The United Nations has acknowledged that women's rights are synonymous with human rights. The same was reiterated in the Beijing Declaration. Most international women's human rights movements have raised their voice against abuse and violence perpetrated against women in general. In 1979, the UN General Assembly adopted the Convention on the Elimination of all forms of Discrimination against Women (CEDAW). Areas where discrimination was found to be rampant include political rights, marriage, family and employment. The convention emphasized that discrimination and attacks on a woman's dignity violated the principle of equality of rights. Sexual harassment is a form of sex discrimination. There is no single, universally accepted definition of sexual harassment. However, the definition adopted should be consistent with the legal definition to avoid any confusion. The most important element to emphasize in any definition is that sexual harassment is unwelcome behavior of a sexual nature. For example, sexual harassment can be defined in the following way: Sexual harassment is any unwanted, unwelcome or uninvited behavior of a sexual nature which makes a person feels humiliated, intimidated or offended. Sexual harassment can take many different forms and may include physical contact, verbal comments, jokes, propositions, the display of offensive material or other behavior which creates a sexually hostile working environment. Over the last decade, there has been a growing awareness worldwide of the existence and extent of sexual harassment in the workplace. Governments, employers' and workers' organizations in both industrialized and developing countries have introduced a range of laws, policies and procedures aimed at preventing and combating it. This paper is providing an overview of what is being done to prevent and combat workplace sexual harassment at international and national level across the world. It reviews international standards and national legislation; the activities of governments, employers' and workers' organizations, and NGOs; and workplace policies and programmes. It finds that in countries in which research has been conducted, workplace sexual harassment is relatively widespread. Especially those in less-powerful positions in the labor market. It has also become apparent that it can impose substantial costs on both its victims and their employers

### Conventional Fashion vs Modern Fashion: A Comparative study on Sexual Harassment

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It is a natural phenomenon that culture taught us protection which includes covering of our physical body to make and show us as civilized people but our attire is also affected by different geographical areas. Fashion is also a mode of change in life and appearance which needs a periodical and alternate change in routine life and this change occurs by the

adoption of geographical affected attire which also creates a drift between culture and modernity. Due to fashion society divides in two parts as conventional society and modern society. A person who leads a modern society especially in term of fashion faces so many hurdle and opposition by conventional ridden fashion and sexual harassment is one of the serious attempts by some societal fundamentalist who consider a modern woman will be free in all matter as free in choice of fashion and attire. Sexual harassment at work place is a misconception of a male about a female who prefers to lead her life as free as she could manage but male thinks in other ways and he chases and crosses his limit upto that extent where a lady feels herself as abused. So in my proposed paper I have tried to focus on the perception of attire as a main factor of fashion in the acceleration of sexual harassment due to misconception of male about the personality of a female.

### कामकाजी महिलाओं का लैंगिक उत्पीड़न : एक मानवशास्त्रीय अध्ययन

पूजा अग्रवाल, अंशकालिक प्रवक्ता, मानव शास्त्र विभाग, नारी शिक्षा निकेतन पी.जी. कालेज, लखनऊ

पितृसत्तात्मक समाज में स्त्रियों की स्थिति पुरुषों से निम्न होती है। जब स्त्रियाँ गृहस्थ कार्य के साथ बाहर पुरुषों के क्षेत्र में प्रवेश करती हैं, तब उन्हें ज्यादा नवीन भूमिकायें निभाने के कारण अनेकों कठिनाइयों का सामना करना पड़ता है। वर्तमान समय में महिलाओं की बढ़ती समस्याओं में सबसे प्रमुख समस्या लैंगिक उत्पीड़न है। यह वास्तव में पुरुषों की शक्ति का स्त्रियों पर प्रभाव है। यह उत्पीड़न समस्त संगठनों में छिपे हुए रूप में व्याप्त है। कई बार पुरुष सहकर्मी स्त्रियों का उत्पीड़न करने के लिए कई प्रकार के दबाव डालते हैं जैसे— बातचीत में अभद्र भाषा का प्रयोग करना व देर रात्रि तक उन्हें कार्य करने के लिये रोकना आदि। प्रस्तुत शोधपत्र उपरोक्त समस्या के अध्ययन हेतु 200 कामकाजी महिलाओं पर किया गया है।

### कार्य स्थल पर महिलाओं का लैंगिक उत्पीड़न (कारण एवं प्रभाव)

स्नेहलता, रिसर्च स्कॉलर, गृह विज्ञान विभाग, लखनऊ विश्वविद्यालय, लखनऊ  
डॉ० वन्दना सिंह, प्रो०, महिला महाविद्यालय अमीनाबाद, लखनऊ

नियोजन प्रक्रिया के प्रारम्भ वर्ष इस सिद्धान्त और विश्वास पर आधारित थे कि विकास का लाभ समाज के सभी वर्गों तक समान रूप से पहुंचेगा। लेकिन ऐसा नहीं हो पाया और समाज का एक प्रमुख अंग महिलाएं विकास चक्र के दायरे से बाहर छूट गयी। लैंगिक आधार पर समाज दो वर्गों में विभाजित है— पुरुष और महिलाएं। लैंगिक चेतना का प्रभाव एवं विभिन्न क्षेत्रों में व्याप्त लैंगिक विसंगतियों को स्पष्ट करने के साथ समस्या और उसके प्रभाव को बताया गया। भारत में संगठित और असंगठित दोनों क्षेत्रों में काम करने वाली महिलाओं की संख्या निरन्तर बढ़ रही है। संगठित क्षेत्र पर नजर डाले तो वर्ष 2001 तक 49.5 लाख महिलाएं सार्वजनिक एवं निजी दोनों तरह के प्रतिष्ठानों में कार्यरत थी। यह संख्या संगठित क्षेत्र में उपलब्ध कुल रोजगार का 18.1 प्रतिशत है। सरकारी एवं गैरसरकारी कार्यालयों के ऊचे पदों पर काम करने वाली महिलाओं से ज्यादा दर्दनाक समस्याएं हैं उन महिलाओं की जो बड़े-बड़े शॉपिंग सेंटर में सेल्स गर्ल्स हैं। कार्यालयों में क्लर्क हैं। होटलों में रिसेप्शनिस्ट हैं या छोटे-बड़े संस्थानों में स्टेनो या पर्सनल सेक्रेटरी हैं। ये महिलाएं कभी-कभी अपने निकटतम पदाधिकारियों उच्च पदाधिकारियों एवं सहकर्मी के यौन उत्पीड़न का शिकार बन जाती हैं। महानगरों के कार्यालयों उद्योगों में कार्यरत महिलाओं को देखकर महिलावादी खुश होते हैं कि देखो महिला सशक्तिकरण सफल हुआ। लैंगिक चेतना सम्पूर्ण सामर्थ्य के लिए किया गया प्रतिबद्ध और प्रमाणित प्रयास है। महिलाओं द्वारा अपनी छवि और अपना कार्य दोनों के निर्धारण सम्बन्धी स्वयं निर्णय लेने का अधिकार है। जिसकी सार्थकता किसी के देने में नहीं स्वयं आगे बढ़कर ले लेने में। भारत में महिला आन्दोलनों में व्यापक स्तर पर चेतना उत्पन्न की और लैंगिक उत्पीड़न सम्बन्धी मुद्दों में केन्द्रीय रूप धारण किया। कामकाजी महिलाओं की पारिवारिक सामाजिक एवं आर्थिक परिस्थितियों का जो परिदृश्य उभरता है उसे देखकर शायद ही कोई इन्कार कर पाये कि इन कामकाजी महिलाओं की समस्याएं और इनका संघर्ष बहुआयामी हैं। लेकिन फिर भी महिलाएं इन सब के बीच अपना रास्ता तलाश रही हैं।

## महिलाओं के प्रति यौन हिंसा

गीता, प्रवक्ता गृह विज्ञान विभाग, लखनऊ विश्वविद्यालय, लखनऊ  
सोनिया आनन्द, प्रवक्ता गृह विज्ञान विभाग, लखनऊ विश्वविद्यालय, लखनऊ  
रश्मि दीक्षित, अतिथि प्रवक्ता गृह विज्ञान विभाग, लखनऊ विश्वविद्यालय, लखनऊ

स्त्री के खिलाफ हिंसा एक ऐसी काली चट्टान है जो बहुत गहरे घँसी है। कई-कई परतें हैं इसकी, सबको भेदने की जरूरत है। हमारी निगाहें अभी कालिख के इस दलदल के ऊपरी सतह से ही लौट जा रही हैं। नेशनल क्राइम रिकार्ड ब्यूरो का आंकड़ा यह बता रहा है कि 1953 से 2011 के बीच बलात्कार की दर में 87.3 प्रतिशत की बढ़ोत्तरी हुई है तो वह कुछ गम्भीर विश्लेषण को इंगित कर रहा है। मध्यवर्गीय स्त्रियों को यह खुशफहमी रहती है कि पुरुष थोड़ा उदार हुआ है। वह घर से निकलने, नौकरी करने की अनुमति दे रहा है। लेकिन अधिकांश मामलों में यह उपभोक्तावादी दबाव है, यह बाजार के प्रोडक्ट्स से घर भरने और 'क्वालिटी लाईफ' जीने की ऐशाना है, वही उदार हुई। पुरुष उदार नहीं हुआ है। वह उदार होता तो साथ-साथ किचन में भी दिखता। कार्यालय-कार्यस्थल भी जेंडर जनति भेदभाव और पितृसत्तामक सर्वस्व से मुक्त नहीं हैं। आखिर कब तक हमारी बेटियाँ अपनी देह को शर्म की तरह ओढ़ती रहेंगी, आंकड़े बता रहे हैं, कि हर 52 मिनट पर एक स्त्री मारी जा रही है और 40 मिनट पर बलात्कृत हो रही है। अब हम और कितनी प्रतीक्षा करना चाहते हैं? बदलना होगा-हमें, परिवार की संरचना को, समाज के पिरामिडीय ढाँचे को, राज्य की प्रकृति को, सब को। हम बेटे के जन्म पर कांसे की थाली बजायेंगे, कन्या दान और दहेज को ना कहेंगे, रसोईघर में पत्नी के साथ खड़े होंगे, बेटियों को पोषण, कैरियर और जीवनसंगी चयन करने की आजादी देंगे, दलित-आदिवासी स्त्रियों के लिए भी इतना ही आक्रोशित होंगे तभी संसद 50 प्रतिशत स्त्रियों के लिए अपने दरवाजे खालेंगे। छोटे-छोटे बदलाव के रास्ते उपभोक्तावादी पूँजीवाद के खिलाफ बड़ी और गहरी लड़ाई की तैयारी शुरू होगी। लेकिन शुरुआत तो जेंडर, पितृसत्ता, और जातिव्यवस्था पर की गई चोट से ही होनी है।

## Sexual Harassment of Women at Workplace Affects Work Environment

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Sexual harassment in workplace includes unwelcome verbal, visual or physical conduct of a sexual nature that is severe or pervasive and affects working conditions or creates a hostile work environment. It is a serious factor that renders women's involvement in works unsafe and affects her right to work with dignity. It endangers the victim's job, negatively affect her job performance or undermine the victim's personal dignity. It may manifest itself physically or psychologically. Sexual harassment at work can have very serious consequences both for the harassed individual as well as for other working women who experience it secondhand. The consequences to the individual employee can be many and serious. In some situations, a harassed woman risks losing her job or the chance for a promotion if she refuses to give in to the sexual demands of someone in authority. In other situations, the unwelcome sexual conduct of co-workers makes the working conditions hostile and unpleasant- putting indirect pressure on her to leave the job. Sometimes, the employee is so traumatized by the harassment that she suffers serious emotional and physical consequences—and very often, becomes unable to perform her job properly. The consequences to working women as a group are no less serious. Sexual harassment has a cumulative, demoralizing effect that discourages women from asserting themselves within the workplace, while among men it reinforces stereotypes of women employees as sex objects. Severe or pervasive sexual harassment in certain types of businesses creates a hostile or intimidating environment that causes women to leave their jobs and look elsewhere for work or discourages them from seeking those jobs in the first place. While there are provisions under the Indian Penal Code (IPC) to address sexual harassment but not all instances of sexual harassment can be covered in IPC. The sexual harassment cases are barely taken to employers or law agencies, because women fear adversely affecting their career and work environment especially when a senior official is involved. In April 2013 Parliament passed the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, which has stronger enforcement mechanism. The act imposes certain obligations on all employers, to ensure prevention of sexual harassment at workplace. Employers are required to constitute an Internal Complaints Committee (ICC) to deal with cases of sexual harassment at work. Any woman facing sexual harassment can approach the ICC, which is empowered to award certain solutions to the woman.

## हमारे समाज का स्याह पहलू : कार्यस्थल पर महिला यौन उत्पीड़न

डा० प्रीति अग्रवाल, प्रवक्ता, हिन्दी विभाग, नारी शिक्षा निकेतन पी०जी०कालेज, कैसरबाग, लखनऊ

मार्क्स ने कहा था कि "स्त्रियों की सामाजिक स्थिति से सामाजिक प्रगति को ठीक ठाक मापा जा सकता है।" हमारे भारतीय संविधान ने भी महिलाओं को पुरुषों के समान अधिकार दिए हैं किन्तु महिलाओं के प्रति होने वाले अपराधों, मुख्यतः यौन उत्पीड़न के मामलों का बढ़ता ग्राफ धर्मसार करने वाला है। महिला आयोग द्वारा तैयार की गयी आचार संहिता के मुताबिक यौन उत्पीड़न एक ऐसा गम्भीर अपराध है जो व्यक्ति की गरिमा और स्वतन्त्रता को आघात पहुंचाता है। किन्तु व्यावसायिक परिसरों, कार्यालयों, उद्योग-धन्धों तथा अन्य ग्रामीण अथवा शहरी क्षेत्रों में कामकाजी महिलाओं को यौन उत्पीड़न का शिकार होना पड़ता है। यौन उत्पीड़ित महिलाओं का एक ऐसा वर्ग भी है जो छोटे-छोटे कारखानों, ईंट के भट्टों और निर्माण क्षेत्र में मेहनत मजदूरी करता है। दो जून की रोटी के लिए भटकती ये महिलाएं यौन उत्पीड़न का सबसे अधिक शिकार होती हैं क्योंकि न तो इन्हें अपने अधिकारों का ज्ञान है न ही इस जुल्म के खिलाफ आवाज बुलन्द करने की हिम्मत। इस सन्दर्भ में समय-समय पर किए गए विभिन्न सर्वेक्षणों के नतीजे बेहद दुर्भाग्यपूर्ण हैं। महिला आयोग ने अपने अध्ययन में पाया कि लगभग 50 प्रतिशत महिलाएं कार्यस्थल पर शारीरिक व मानसिक उत्पीड़न का शिकार होती हैं किन्तु उनमें केवल 7.8 प्रतिशत महिलाएं ही अपनी शिकायत लेकर पुलिस या थाने तक जाती हैं। 'स्वप्निल भारत' नामक गैर-सरकारी संगठन द्वारा किए गए सर्वेक्षण में लगभग 60 प्रतिशत कामकाजी महिलाओं ने स्वीकार किया कि उन्हें यौन उत्पीड़न का शिकार होना पड़ता है। 'अवाग' नामक गैर-सरकारी संगठन द्वारा किए गए सर्वेक्षण में यह तथ्य सामने आया कि 48 फीसद महिलाओं को कार्यस्थल पर मौखिक, शारीरिक एवं मानसिक शोषण का हमला झेलना पड़ता है और यह हमला करते हैं उनके ही सहकर्मी। स्वयंसेवी संस्था 'साक्षी' द्वारा किए गए सर्वेक्षण के मुताबिक पुरुषों की दृष्टि में उन्हीं महिलाओं का यौन उत्पीड़न अधिक होता है जो खुले विचारों की, अधिक बोलने वाली और आक्रामक होती हैं। एक ताजा सर्वेक्षण के अनुसार कॉलसेंटर्स पर काम करने वाली युवतियों का भी जमकर शोषण होता है। अधिकांश महिलाएं यह सब चुपचाप सहन करने को विवश हैं क्योंकि अपराधी के बजाय पीड़िता पर ही उंगलियां उठती हैं। पारिवारिक विरोध, अनिवार्यतः होने वाले चरित्र हनन, तथा अप्रिय पुलिस कार्यवाही के माध्यम से एक बार नहीं बार-बार वे ही उत्पीड़ित होती हैं तथा कटघरे में खड़ी की जाती हैं।

### यौन उत्पीड़न के लिए कानूनी प्रतिक्रिया

तन्वी सिंह, विद्यार्थी महिला पी०जी० कालेज गृह विज्ञान, अमीनाबाद, लखनऊ  
अणिमा जामवाल, असिस्टेंट प्रोफेसर महिला पी०जी० कालेज गृह विज्ञान, अमीनाबाद, लखनऊ

सामान्य स्थलों पर यौन उत्पीड़न और कार्यस्थलों पर यौन उत्पीड़न बहुत कड़वी वास्तविकता है। जिसका कार्यशील लड़कियों और महिलाओं द्वारा दिन-प्रतिदिन सामना किया जाता है। सरल शब्दों में इसे कार्यस्थल पर महिला सहयोगियों के खिलाफ पुरुष सहयोगियों की ओर से अवांछित प्रत्यक्ष या अप्रत्यक्ष रूप से यौन सम्पर्क टिप्पणी या आचरण के रूप में समझा जा सकता है। इस प्रकार कार्य स्थल पर यौन उत्पीड़न में शारीरिक तथा मानसिक पहलूओं को शामिल किया गया। यद्यपि ये परिभाषित करना कठिन है कि कार्य क्षेत्र पर यौन हिंसा गठित करने वाले तत्व क्या हैं? लेकिन भारत के सुप्रीम कोर्ट ने राजस्थान बनाम विशाखा केस 1997 में इसे परिभाषित किया है। कोई भी अस्वीकृत यौन निर्धारित व्यवहार (प्रत्यक्ष या दबाव में) शारीरिक सम्पर्क या प्रस्ताव यौन अनुग्रह साहित्य या यौन प्रकृति के अन्य अप्रिय शारीरिक मौखिक या गैर मौखिक आचरण को शामिल किया जाता है। भारत दण्ड सहित 1860 कार्यस्थल पर महिलाओं के साथ यौन उत्पीड़न के मामले को एक अलग अपराध के रूप में सुलझाने के लिए कोई अलग धारा नहीं थी। केवल यौन उत्पीड़न को परिभाषित किया गया था। आई०पी०सी० की धारा 354 के अन्तर्गत इसे दण्डनीय अपराध के मामलों में आज इसी धारा के अन्तर्गत फौसला लिया जाता है। अधिनियम 2013, 9 दिसम्बर 2013 को प्रकाश में आया। जैसे कि इसका नाम ही इसके उद्देश्य रोकथाम निषेध और निवारण को स्पष्ट करता है। और उल्लंघन के मामले में पीड़िता को निवारण प्रदान करने के लिए भी कार्य करता है। ये अधिनियम निजी सरकारी दोनों क्षेत्रों की महिला कर्मचारी की कार्यस्थल पर यौन उत्पीड़न से सुरक्षा के लिए बनाया गया। ये अधिनियम विशाखा केस में दिये गये लगभग सभी दिशा निर्देशों को धारण करता है। और ये बहुत से अन्य प्रावधानों को भी धारण करता है। जैसे शिकायत समितियों को सुबूत जुटाने में सिविल कोर्ट वाली शक्तियाँ प्रदान की हैं। यदि नियोक्ता अधिनियम के प्रावधानों को पूरा करने में असफल होता है, तो 50,000 रू० से अधिक आर्थिक दण्ड भरना पड़ेगा। अधिनियम 2013 में धारा 9 की उप धारा (2के) प्रयोजन के लिए जहाँ व्यथित महिला अपनी शारीरिक असमर्थता के कारण शिकायत करने में असमर्थ है, वहाँ उसके नातेदार, मित्र सहकर्मी, राष्ट्रीय महिला आयोग या राज्य महिला आयोग के अधिकारी द्वारा शिकायत की जाती है। यदि महिला मानसिक अक्षमता के कारण शिकायत करने में असमर्थ है। तो उसके नातेदार, मित्र कोई विशेष शिक्षक, संरक्षक या प्राधिकारी जिसके आधीन वह उपचार या देखभाल प्राप्त कर रही हो शिकायत कर सकती है। 2014 के दौरान 520 मामले प्रकाश में आये, जिसमें से 57 मामले कार्यपरिसर में प्रकाश में आये 469 मामले कार्य से सम्बन्धित अन्य स्थानों से जुड़े थे। (गांधी मेनका, 2014) यद्यपि कार्यस्थल पर महिलाओं के साथ हो रहे अत्याचार को रोकने के लिए भारत की सुप्रीम कोर्ट ने ऐतिहासिक दिशा निर्देश दिये हैं। लेकिन बुराई पर तब तक नियंत्रण नहीं किया जा सकता जब तक पुरुषों के द्वारा महिलाओं की बुनियादी मानवता को सम्मान न दिया जाये।

## परिवर्तित होते समाज में स्त्री असमानता का विश्लेषण

राखी सिंह, प्रवक्ता, समाज शास्त्र विभाग, मुंशी रघुनन्दन प्रसाद सरदार पटेल महिला स्नातकोत्तर महाविद्यालय, बाराबंकी

प्रस्तुत प्रपत्र समाज में स्त्री असमानता के विश्लेषण पर आधारित है। प्राचीन समय से ही स्त्री पुरुष असमानता समाज में विद्यमान रही है जिसका प्रमुख कारण स्त्रियों की जैविकीय संरचना को माना जाता रहा है। काम्ट के अनुसार परिवार महिला के प्राकृतिक अधीनस्थता के आधारभूत सिद्धान्त के रूप में परिलक्षित होता है। प्रकार्यवादियों के द्वारा दिये गये दृष्टिकोण के अनुसार स्त्री व पुरुष दो भिन्न-भिन्न मनुष्य हैं व इनमें एक अन्तर मुख्यतः जैविक है तथा यह अन्तर पारसन्स व मरडॉक ने रेखांकित किया। पारसन ने स्त्री की भूमिका को औद्योगिक समाज के सन्दर्भ में देखा तथा स्पष्ट किया कि परिवार में स्त्री की जिम्मेदारी नये लोगों को समाजीकृत करने की होती है। स्त्रियां भावनात्मक भूमिका निभाने में निपुण मानी गयी हैं। पुरुष की भूमिका यन्त्रवत होती है जिससे तनाव व चिन्ता उत्पन्न होती है और स्त्री की भूमिका इस तनाव को खत्म करती है। अतः स्त्री की घर की भूमिका महत्वपूर्ण है। भारत में स्वतन्त्रता प्राप्ति के पश्चात महिलाओं की स्थिति वैधानिक, प्रशासनिक, शैक्षिक, आर्थिक आदि क्षेत्रों में पहले की अपेक्षा ज्यादा सशक्त हुई है। किन्तु इसका अभिप्राय यह नहीं है कि भारत में लैंगिक समानता/ स्त्री समानता पूर्ण रूप से पाया जाने लगा है बल्कि स्थिति यह है कि संवैधानिक, सामाजिक अधिनियमों के बाद भी व्यावहारिक स्तर पर स्त्री असमानता परिलक्षित होती है। यह कहा जा सकता है कि स्त्री असमानता सैद्धान्तिक रूप में तो नहीं परन्तु व्यावहारिक रूप से आज भी विद्यमान है। प्रस्तुत प्रपत्र स्त्री असमानता के अनेक पक्षों के अध्ययन पर आधारित है।

### **Sexual Harrasment of Women in Work Place: Some Issues**

Dr. Mukesh Srivastava, Ex-Head, Department of Commerce, Vidyant Hindu P.G. College, Lucknow

Dr. Rajiv Shukla, Head of the Department of Commerce, Vidyant Hindu P.G. College, Lucknow

Of late there has been a phenomenal rise in cases where women's modesty has been outraged in work place in India. The law makers, the sociologists and psychologists are genuinely concerned about the spiral in this tendency as it is full of dangerous consequences for the nation as a whole. Before we move on to discuss this topic, we want to make certain observations of import in our opinion. Firstly we must see that sexual harassment of women in work place is not a phenomenon which is confined to India only. Recent newspaper reports suggested that every four out of five women in Britain have suffered from this traumatic experience. In Africa, violence against women is a common practice. In Asian countries particularly India, Pakistan, Sri Lanka and Bangladesh, sexual harassment is symbolic of male pride. The war in west Asia region has brought to the force that warnong groups have been torturing women. Their chastity is being violated with impurnty. Secondly, work place does not mean as office only. It also includes farms and factories, schools and colleges, and even battle fronts because now women are joining armed forces in large numbers in India, Pakistan, U.S.A., Israel and Saudi Arabia. The malady may strike anywhere. Thirdly, it is a common notion that women belonging to weaker sections of the society, or placed at lower echelons in the set up are sexually abused. This is not true because the highly paid women have also reported this type of treatment. Cine artistes in Hollywood to Bollywood are not immune to this malady. Fourthly, sexual harassment is not necessarily at the hands of colleagues only. They may be exploited by bosses in the higher wrung of hierarchy. Now the question rises as to how to prevent this drift in social behavior? In our opinion, a multi pronged strategy is the need of the hour to combat this diabolical tendency. In the first place a legislative Act on the lines of domestic violence law should be passed to provide very stringent punishment for sexual misadventures in the work place. Special fast track courts be created to deal speedily with such cases. What is also needed is that strict precautions be taken to hide the identity of the victim. This is essential to save the woman from social disgrace because Indian society is still very orthodox. Secondly sexual grievance redressal committee be strengthened at different echelons in the offices, schools, colleges, sports centers etc. For offences committed in unorganized sector, police posts should provide help. Thirdly, spread of education inculcating social values particularly

respect for the women folk is dire need of the hour. Quality education with regards to age old traditions of offering respect to the women can help in preventing drift in the behavior. Fourthly, families where in ladies are working in offices, factories or farms, must stand firmly in support of the women who complains about such victimization. Sexual harassment of women in workplace is a disease assuming a global proportion. There is worldwide concern on this issue. We are of the opinion that the malady cannot be banished by a magic wand. It would require patient and sustained endeavors lasting over a period of time.

### **Preventing Violence and Sexual Harassment at the Workplace**

Dr. Priyanka Singh, Lecturer, Department of Psychology, Bhartiya Vidhya Bhawan Girls Degree College Lucknow

Haspels, Kasim, Thomas and Mckann (2001) defined sexual harassment as clear form of gender discrimination based on sex, a manifestation of unequal power relations between men and women. They explain that the problem relates not so much to the actual biological differences between men and women rather, it relates to the gender or social roles attributed to men and women in social and economic life, and perceptions about male and female sexuality in society that can lead to unbalanced male-female power relationships. Sexual Harassment affects all women in some form or the other. Lewd remarks, touching, wolf-whistles, looks are part of any woman's life, so much so that it is dismissed as normal. Working women are no exception. In fact, working women most commonly face the backlash to women taking new roles, which belong to male domains within patriarchy. Sexual Harassment at work is an extension of violence in everyday life and is discriminatory, exploitative, thriving in atmosphere of threat, terror and reprisal. Sexual harassment is all about expression of male power over women that sustain patriarchal relations. It is used to remind women of their vulnerability and subjugated status. In a society where violence against women, both subtle and direct, is borne out of the patriarchal values operating in society, force women's conformity to gendered roles. These patriarchal values and attitudes of both men and women pose the greatest challenge in resolution and prevention of sexual harassment. "About 17 percent of working women in India feel that they have experienced acts of sexual harassment at workplace, indicating a high incidence of sexual harassment among working women from both the organised and unorganised sectors," the survey found. A survey in India stated that the biggest problem has not merely poor policies but lack trained human power to handle cases of workplace sexual harassment due to absence of commitment of industry heads to accord due importance to issues of workplace sexual harassment in their organisational agendas (Sharma, 2010). The argument put forward here is that workplaces will become safe for women only when employers not only articulate policies on sexual harassment but rather implement them in letter and spirit with an aim to prevent and address sexual harassment.

### **Occupational and Demographic Factors of Sexual Harassment at Work Place**

Anvit Jauhari, M.A IVth Semester, Department of Geography, Lucknow University, Lucknow  
Dr. S.Sachan, Subject Expert, Department of Geography, Lucknow University, Lucknow

Some Humans never learn from their own mistakes even after thousands of years of evolution that's why the land of amalgamation of several culture influenced by a history that is several millennia old cannot respect their own women which is a huge mistake that has to be rectified but this problem has only lingered with time conflicting our social and cultural values. But actually the same vary fibers of our culture does not allow us to disrespect the women's but it does not seems to fit in the thought process of our society as today's generation does not only face the problem of disrespecting them but it has gone leaps and bounds into the territory of Sexual Harassment. Many people does not know what is sexual harassment is, so I will like to give a gist about it: "An Unwelcome sexual advancement, requests for sexual favours, and other verbal or physical conduct of a sexual nature that tends to create a hostile or offensive work environment can be termed as Sexual harassment." In my research paper I will be studying the basic characteristics

inidentifying the demographic and occupational factors of sexual harassment at work place and I will also be looking into the matter how India has changed from the landmark decision of Vishakavs state of rajasthan(1997) to this present time and how this decision will affect the safety of women's in future. This paper will also cover the political, social and geographical aspects in finding solutions to this problem if possible as Sexual harassment was the only category of violence that was affected by gender with females having a greater frequency to be affected by it at their work place. So this paper will also try to remind them about their rights and ways to make their workplace much safer and suitable for work.

### सशक्त नारी सशक्त समाज

डॉ. संतोष कुमार, समाजशास्त्र, समाजविज्ञान एवं समाजकार्य विभाग, डॉ शकुंतला मिश्रा राष्ट्रीय पुनर्वास विश्वविद्यालय, लखनऊ

सुप्रसिद्ध बॉग्ला लेखक शरतचन्द्र का मत था कि "मानव का मरना उतना दुखदायी नहीं होता है जितना कि मानवता की मौत"। निश्चित तौर पर आज हम और हमारा भारतीय समाज संक्रमण के दौर से गुजर रहा है। अन्य समस्याओं की तुलना में श्रम हत्या सबसे जटिल समस्या है जिसका दुष्परिणाम आने वाले वर्षों में समाज में अस्थिरता पैदा करेगा। यदि समाज में एक हजार पुरुषों की तुलना में मात्र 500 महिलायें ही बचती हैं, तो समाज में और सामाजिक व्यवस्था कैसी होगी, बनी बनायी परम्पराओं का क्या होगा, निश्चित ही कन्या भ्रूण हत्या से देश की संस्कृति, सभ्यता, नैतिकता और प्राकृतिक न्याय की भी हत्या हो रही है। यदि लड़कियों की संख्या दिनो-दिन कम होती गई तो एक दिन समाज का पतन हो जायेगा। "महिला सशक्तीकरण" की शब्दावली का प्रयोग 20वीं शताब्दी के अन्तिम वर्षों में जोर-शोर से किया जा रहा है। यहाँ तक कि यह बात सरकारी एवं गैर सरकारी दोनों ही क्षेत्रों की भाषा का हिस्सा बनने लगी है। हजारों वर्षों की मान्यता के इतिहास में जहाँ प्रकृति ने स्त्री और पुरुष दोनों को रचा, दोनों को मन, शरीर, बुद्धि एवं क्षमता समान रूप से दी है। जिसका उपयोग करके मनुष्य पाषाण युग से चलकर आज आधुनिक युग तक आ पहुँचा है। वहाँ इतने सहस्र वर्ष बाद स्त्री की सशक्तीकरण की बात कैसे उठी, क्यों उठी? सदियों से ही विश्व की सामाजिक व्यवस्था में विश्व की आधी जनसंख्या को शक्तिहीन कर दिया गया था या शक्तिहीन मान लिया था। उसे विश्वास दिला दिया था कि वह (स्त्री) वास्तव में ही शक्तिहीन है। अपने अथक परिश्रम, परिवार का पोषण, घर के बाहर के काम, पारिवारिक दायित्वों का निर्वाह, बच्चों के लालन-पालन एवं सारे त्याग, बलिदान एवं चुप्पी के बावजूद औरत को अबला कहा जाता रहा है और उनमें ऐसी मानसिकता पैदा कर दी गई कि वह इस सम्बोधन का प्रतिकार न करके इसे अपनी पहचान मानने लगी।

# **Technical Session-03**

## **Chair Person**

Prof. Himanshu Shekhar Jha  
Head, Department of Sociology &  
Dean, Faculty of Art

Dr. Shakuntala Misra  
National Rehabilitation University, Lucknow

## **Co-Chair**

Dr. Ansu Kedia  
Sr. Asstt. Professor (Sociology)  
A.P.Sen P.G. College, Lucknow.

Dr. Shekhar Srivastava  
Medical Consultant, Lucknow

## **Repertoire**

Sandeep Kumar Patel  
Assistant Professor (AIH)  
Dr. Radheshyam Degree College, Lucknow

## **Sexual Harassment of Women at Workplace in India: An Overview**

Prof. Priyadarshini Singh, Chief-coordinator, Reena Mehta College, Mumbai

Sexual harassment at the workplace has been one of the central concerns of the women's movement in India since the '80s. Presently, women's groups are lobbying to get the bill on sexual harassment at the workplace, 2005, passed by the Parliament. Sexual Harassment affects all women in some form or the other. Lewd remarks, touching, wolf-whistles, looks are part of any woman's life, so much so that it is dismissed as normal. Working women are no exception. In fact, working women most commonly face the backlash to women taking new roles, which belong to male domains within patriarchy. Sexual Harassment at work is an extension of violence in everyday life and is discriminatory, exploitative, thriving in atmosphere of threat, terror and reprisal. Sexual harassment is all about expression of male power over women that sustain patriarchal relations. It is used to remind women of their vulnerability and subjugated status. In a society where violence against women, both subtle and direct, is borne out of the patriarchal values operating in society, force women's conformity to gendered roles. These patriarchal values and attitudes of both men and women pose the greatest challenge in resolution and prevention of sexual harassment. Studies find that sexual harassment is still endemic, often hidden, and present in all kinds of organisations. Yet it is still not always viewed as a problem, which has to be systematically tackled. The issue is of concern for both women and the employers as studies show that sexual harassment touches lives of nearly 40-60% of working women.

### **Online Harassment of Women**

Dr. Pankaj Bala Srivastava, Associate Professor, Department of English, Mahila Vidyalaya P.G. College, Lucknow

It has almost become a matter of great ennui to discuss the ways in which technology, irrespective of its supposed benefits, is unleashing its evils on society. One of them is online sexual harassment. Cybercrime is a global phenomenon. With the advent of technology, cybercrime and victimization of women are on the high and it poses as a major threat to the security of a person as a whole. On the Internet, women face large amounts of sexist harassment, abuse and discrimination on the basis of their gender, rather than their opinions, thoughts or beliefs. Bloggers, Tweeters, journalists and Facebook users with prominent profiles face rape threats, violent pornographic vitriol, sexual harassment, accusations of promiscuity, and various forms of humiliation on a daily basis – simply because they are women. Even though India is one of the very few countries to enact IT Act to combat cybercrimes. Section 66A of the IT (Amendment) Act, 2008 prohibits the sending of offensive messages through a communication device (i.e. through an online medium). The types of information this covers are offensive messages of a menacing character, or a message that the sender knows to be false but is sent for the purpose of 'causing annoyance, inconvenience, danger, obstruction, insult, injury, criminal intimidation, enmity, hatred, or ill will.' There is a provision of up to 3 years of imprisonment along with a fine under this Section. The present paper reveals that Indian women armed with smartphones are using the clout of social media to fight sexual harassment by filming and publicly shaming men who molest them as greater awareness of violence against women spreads. It leaves the woman with more power than usual to fight for her own cause with little need of either empathy or logistical help from a man. It pins a man down for his crimes with little scope of escape.

### **भारतीय समाज में महिलाओं का उत्पीड़न**

साधना वर्मा, गृह विज्ञान विभाग, लखनऊ विश्वविद्यालय, लखनऊ  
सोनिया आनन्द, गृह विज्ञान विभाग, लखनऊ विश्वविद्यालय, लखनऊ  
रश्मि दीक्षित, गृह विज्ञान विभाग, लखनऊ विश्वविद्यालय, लखनऊ

भारतीय समाज में महिलाओं का विशेष स्थान है। प्राचीन काल में महिलाओं को भारतीय सांस्कृतिक में देवी के रूप में माना जाता था और भारतीय

साहित्य में कहा गया है कि जहाँ पर महिलाओं का सम्मान नहीं होता वहाँ पर देवी-देवताओं का निवास या वास नहीं होता है। लेकिन समय व्यतीत होने के साथ-साथ संस्कृति के प्रभाव के कारण भारतीय नारी को भी अब उपभोग की वस्तु समझा जाने लगा है। भारतीय समाज में उपभोक्ता वाली संस्कृति का प्रवेश होने से भारतीय नारी को तरह-तरह की प्रताड़ना का शिकार होना पड़ रहा है। उनका शारीरिक, मानसिक और आर्थिक उत्पीड़न किया जा रहा है। तथा उनके साथ विभिन्न प्रकार के भेदभाव किये जाते हैं। भारतीय नारी जब अपनी योग्यता से एक अच्छे नागरिक के रूप में देश में योगदान देना चाहती है तो वहाँ भी उसको मानसिक और शारीरिक प्रताड़ना का शिकार होना पड़ता है। जब नारी किसी नौकरी करने के लिए सरकारी या प्राइवेट विभाग में नियुक्त होती है तो वहाँ उसे अपने सहयोगी एवं अपने उच्च अफसरों से मानसिक प्रताड़ना मिलने की सम्भावना रहती है। इसी कारण वह डरी और सहमी सी रहती है और वह पूरी क्षमता से अपना कार्य नहीं कर पाती है। समाज में कुछ बुरी विचार धारा के लोग नारी को उपभोग की वस्तु समझते हैं। इसी कारण उसका शारीरिक एवं मानसिक उत्पीड़न करते हैं। नारी का शारीरिक एवं मानसिक उत्पीड़न कई प्रकार से होता है विभाग में कुछ सहयोगी लोग या उसके अफसर अनावश्यक रूप से अधिक समय तक काम करने के लिए बाध्य करते हैं या उसको डरा धमकाकर प्रतिकूल प्रविष्टि देने पर अमादा हो जाते हैं या नारियों पर तरह-तरह के कमेंट करते हैं, जिससे उसके स्वाभिमान पर ठेस पहुँचती है। या उसका तबादला दूर कराने की धमकी देकर उसको डराते हैं ताकि किसी भी प्रकार से नारी का शारीरिक एवं मानसिक उत्पीड़न किया जा सकता है। भारतीय समाज में स्त्रियों को निर्भीक होकर काम करने के लिए महिलाओं को शसक्त बनाना एवं उनकी सुरक्षा करना बहुत जरूरी है इसीलिए समय-समय पर भारत सरकार भी महिला उत्पीड़न को रोकने के लिए भारतीय संसद ने कई कानून बनाये हैं तथा महिला शसक्तीकरण पर विशेष बल दिया है। समाज में बढ़ते हुये अपराध को रोकने के लिए कठोर कानून बनाया है। भारतीय समाज में नैतिकता का विशेष महत्व है। महिलाओं के प्रति अपराध रोकने के लिए कठोर कानून के साथ ही साथ बचपन से ही बच्चों में अच्छे संस्कार एवं नैतिक मूल्यों का बढ़ावा दिया जाना चाहिए इस प्रकार एक सुसंस्कारित एवं नैतिक मूल्यों वाला व्यक्ति महिलाओं को सम्मान एवं सहयोग देगा। अतः महिलाओं का शारीरिक एवं मानसिक उत्पीड़न रोकने के लिए कठोर कानून के साथ-साथ परिवार एवं समाज द्वारा नैतिक मूल्यों एवं अच्छे संस्कारों का समावेश लोगों में किया जाना चाहिए ताकि महिलाएं स्वतन्त्र एवं निर्भीक होकर समाज एवं देश के विकास में अपना योगदान दे सकें।

### **Sexual Harassment - Stop Violence Against Women**

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Dr. Geeta Chaurasia, Assistant Professor, Department of Economics, Exon Girls Degree College, Lucknow

Some two decades after the federal courts are first recognized sexual harassment as a form of sex discrimination, debate still continues about what sexual harassment is, why it might be sex discrimination, and what law can and should do about it. What can history bring to our understanding of sexual harassment? Sexual harassment is a social practice. Social practices have lives, institutional lives and semiotic lives. And so social practices like sexual harassment have histories. Considering sexual harassment in historical perspective allows us to ask some fundamental questions about the nature of the practice, Sexual harassment is a violation of women's human rights and a prohibited form of violence against women in many countries. Sexually harassing conduct causes devastating physical and psychological injuries to a large percentage of women in workplaces around the world. Harassment directed against women in the workplace by their supervisors, fellow employees, or third parties interferes with the integration of women in the workforce, reinforces the subordination of women to men in society, violates women's dignity and creates a health and safety hazard at work. Power is at the core of feminist theories of sexual harassment, although it has rarely been measured directly in terms of workplace authority. Popular characterizations portray male supervisors harassing female subordinates. We also propose to find that this context harassment linkage improves understanding of the often reported relationship between sexual harassment and job dissatisfaction, job stress, and intention to quit.

### **Legal Responses to Sexual Harassment**

Mrs. Neelam Singh, Psychologist, Dr. Shakuntala Misra National Rehabilitation University, Lucknow

Sexual harassment is not something new to our ears. Every woman of this country faces some kind of sexual harassment at some point or other in her life. This paper reviews some recent incidents related to this bitter truth of our society and major laws on it. In the first part of the paper the author will try to throw some light on the experiences of victims of sexual harassment, as only the victim can tell the true definition and how it feels when you are being harassed. Second part of the paper will tell us what all constitutes harassment so that we can raise a voice against it next time when it

happens. Then the paper will focus on the laws related to sexual harassment and the journey from Vishakha Case to Nirbhaya Case. For the first time sexual harassment at work place was talked in Vishakha Case and court gave guidelines to be followed by every office. After Nirbhaya Case in Delhi we witnessed a lot of change in the law and subsequently, Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 came into force. Then the paper will deal with grass root level problems in implementing these laws. We have fought a lot for new laws but do these laws really solve the purpose? Does crime rate came down? Are women safe now? No, in fact the situation worsened; instead of implementing harassment rules in office they stopped hiring women. They came with new slogan, "No women in office no harassment," the paper will come up with real life problems like this. Finally the paper will try to analyze the problems and give plausible solutions to it. So that one can get a clear picture of our society and can think to resolve these problems in future.

### **Policy and Legal Perspective Related To Violence against Women and Particularly Sexual Harassment at Work Place**

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Sexual harassment in India is termed "eve teasing" and is described as unwelcome sexual gesture or behavior whether directly or indirectly as sexual coloured remarks: physical contact and advances showing phonographic a demand or request for sexual favors, any other unwelcome physical verbal, nonverbal conduct being sexual in nature and passing sexually offensive and unacceptable remarks. The sexual harassment of women at work place (prevention, prohibition and redressal) act 26 April 2013. Almost 16 years after the supreme courts landmark guidelines on prevention of sexual harassment in the work place (known as "vishaka guidelines"). The criminal law (amendment) act 2013 introduced change to the Indian penal code, making sexual harassment an expressed offence under section 354A, which is punishable up to three years of imprisonment and or with fine. The amendment also introduced new section making act like disrobing a women without consent stalking and sexual acts by person in authority an offence.

### **Sexual Harassment of Women at Work Place India**

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With improves access to education and employment, millions of Indian women are entering the country's workforce today. According to "World Development Report 2014" population of our India is 1237 million. Sex ratio of our country is 924 women's per 1000 men's .every second women in our country is engaged in any workforce. And most of them facing harassment problem in day to day life. It is crucial therefore that as a country, we strive to eliminate work place sexual harassment since women have the right to work in a safe and secure environment. In October 2013, the media widely reported about a lab assistant who set herself ablaze outside the Delhi secretariat and succumbed to injuries. She was protesting against sexual harassment from the college principal and termination from job. There are many cases pending in our country on which government didn't show any interest to solve or protect any women. Here, we talk about India which is known for their land of customs and moral values but really it is so. In today's era customs means nothing. It's very harmful for us that every women afraid of going out for doing jobs. India got freedom in 1947 but still women's are not free of doing anything. Ether workplace employers, prevention and redress of workplace sexual harassment. Employers misbehave with their female employees which is completely ashamed. The time has come when women must be able to feel liberated from what could be fundamentally oppressive conditions, but unfortunately our society neglected this until women's have face many problems. Why our country never awake before any scandal? Why our country only show their protest by moving out with banners or candles. If we really hope and want to stop this ashamed things like sexual harassment the first steps should be taken by our self .there was a saying that" without any

strong root, tree can't be grown up.” Likewise women's are that root of our country without her India never developed. Government should take strict steps to get rid of these problems than only our India became real “BHARAT”.

### **Impact of Sexual Harassment on Women at Working Place**

Dr. Shubhria Sharma, Assistant Professor, Department of Anthropology, V.H.P.G. College, Lucknow

Sexual harassment as defined by the Equal Employment opportunity Commission in 1980, consist of any unwelcome sexual advance favors, and other verbal or physical conduct of a sexual nature that is connected to employment decisions or that makes a working environments intimidating hostile or offensive. Commission of the “European Union states” sexual harassment pollutes the working environment and can have devastating effect upon the health. It is noted that only few harassed women formally report problems of harassment to their employers or fair employment agencies, women are sometimes reluctant to make allegation of sexual harassment for a numbers of reasons, including fear of losing their jobs or fear of not being believed, the belief that nothing can or will be done about the harassment, it can lead to the loss of self esteem and confidence. These psychological problems strike at the heart of victims' economic self sufficiency, disrupting their earning capacity by forcing them out to the work place. Every situation is different and only victim can evaluate the problem, it can be noted that self blame and being quiet about the harassment can cause depression thus in this section some of the more common effects of women will be explained and some suggestions will also be discussed that do not blame yourself for the harassment.

### **Sexual Harassment at Work Place in India: An Appraisal**

Dr. Alok Chantia, President, All Indian Rights Organization(AIRO), Lucknow

Other than male a female is considered as a life of behind the door step but we are living in modern world where human being has become as resource instead of a mere cultural entity. This change made an environment for women to come out from their homes and serve this nation by their knowledge in different jobs and they did but life is not so easy as we think because our ancestor knew the behavioural aspect of mankind and that is why they put women in homes. Today away from many myths women are doing very well but they are also victim of sexual harassment at work. Culture restricts them to keep mum against any harassment but law and constitution of modern India put women at dignified place and aware them against any kind of harassment at work place. After having all safeguards women are not feeling well at work place. Tejpal case, Dr. Pachauri case are example of sexual harassment but picture is not so lucrative. Which factors are responsible to avail safeguard against sexual harassment will be main thrust area of discussion of my paper.

### **Sexual Harassment at Work Place in South India: A Study of Kottayam, Kerala**

Dr. Kiran Mathew, Assistant Professor, English, St. Peter's College, Kolenchery, Mahatma Gandhi University, Kottayam

Life begets life, this parlance becomes true when we are living with women, female feticide, harassment, etc make a woman vulnerable but we are not sensitive about them and about their rights. Increasing number of sexual harassment against women show our behaviour and attitude for them while they are also taking breathe in free and independent country like India. Today every state and district are in clutch of sexual harassment incidents which is due so many factors but the most common point is decreasing level of social and self control which could safe women at work place. Present paper is not an aim to describe my intelligentsia but a pain inside me resides to push me present a paper on the cruel face of humanity when a woman undergoes with unwanted sexual harassment. That is why I have taken my own district Kottayam to understand this problem culturally and legally too. I have interviewed 350 women (200 working

and 150 non working women) to examine the real and concrete factors behind this unhealthy practice at work place. I have chosen interview technique to complete this work and this research paper reveals so many factors related to sexual harassment at work place which was hidden so far.

### **Prevention and Prohibition of Sexual Harassment at Workplace**

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This paper highlights the growing exploitation of women at workplace. Thereby, it suggests the remedies and the act initiated by the government of India to control this problem. In 1997, the Hon'ble Supreme Court of India, in Vishaka and Others Vs. State of Rajasthan and Others (“Vishaka Judgment”) acknowledged the gravity of sexual harassment of the working women at the workplaces and laid down guidelines making it mandatory for employers to prevent the commission of acts of sexual harassment and to provide the procedures for the resolution, settlement or prosecution of acts of sexual harassment. The guidelines issued by the Hon'ble Supreme Court were treated as law declared by the Hon'ble Supreme Court under Article 141 of the Constitution of India. It was held by the Hon'ble Supreme Court that the guidelines framed by the Supreme Court would be strictly observed in all work places for the prevention and enforcement of the right to gender equality of the working women. It was observed by various Courts from time to time in the past that the guidelines and norms framed by the Hon'ble Supreme Court in Vishaka Judgment have not been followed in workplaces strictly. The increasing work participation rate of women made it imperative for enacting a comprehensive legislation focusing on prevention of sexual harassment as well as providing a redressal mechanism.

### **Sexual Harassment of Women at Work Place in India: Emerging Perspective and Issue**

Dr. Santosh Kumar Mishra, Assistant Professor, Faculty of Commerce, Career Convent Girls Degree College,  
Lucknow

Sexual harassment may be verbal (like making comments about someone), but it doesn't have to be spoken. Bullies may use technology to harass someone sexually (like sending inappropriate text messages, pictures, or videos). Sometimes sexual harassment can even get physical when someone tries to kiss or touch someone that does not want to be touched. Sexual harassment doesn't just happen to girls. Boys can harass girls, but girls also can harass guys, guys may harass other guys, and girls may harass other girls. Sexual harassment isn't limited to people of the same age, either. Adults sometimes sexually harass young people (and, occasionally, teens may harass adults, though that's pretty rare). But most of the time, when sexual harassment happens to teens, it's being done by people in the same age group. Sexual harassment and bullying are very similar — they both involve unwelcome or unwanted sexual comments, attention, or physical contact. So why call one thing by two different names? Sometimes schools and other places use one term or the other for legal reasons. For instance, a school document may use the term "bullying" to describe what's against school policy, while a law might use the term "harassment" to define what's against the law. Some behaviors might be against school policy and also against the law. For the person who is being targeted, though, it doesn't make much difference if something is called bullying or harassment. This kind of behavior is upsetting no matter what it's called. Like anyone who's being bullied, people who are sexually harassed can feel threatened and scared and experience a great deal of emotional stress.

## **Sexual Harassment of Women at Work Place: Emerging Issues and Challenges in Present Scenario**

Dr. Saltanat Benazeer, Faculty, Department of Anthropology, University of Lucknow, Lucknow

Women are the wealth of India and they have contributed in almost every field and made country feel proud at every occasion. However, another reality of Indian society is that there is systematic discrimination and neglect of women in India, vis-a-vis denial or limited access to education, health and property rights, child labor domestic violence, rape, abuse and sexual harassment at workplace. The fear of sexual violence has been a powerful factor in restricting women's behavior and sense of Freedom. India is fast emerging as a global power but for half of its population, the women across the country. Sexual harassment at work place is emerging challenge for female employees working across the country. Women working at odd hours are prone to professional, personal and health hazards that need to be addressed by the government and the private sector. There should be awareness among women about sexual harassment at workplace policies and regulations so that they can stand up for themselves and not get sidelined by their male counterparts. India has laws against rape and molestation but the recently passed law for sexual harassment at workplace is the nation's first one dedicated to this issue. The law defines harassment as unwelcome physical contact, making sexually colored remarks and any behavior that creates offensive or hostile work environment for a woman .women's roles and rights are as important as any issue we can list. Women are the key of economic growth. Men should perceive women not as subservient being but as empowered individuals who are equal partners. Women are not only entitled for survival but also to a life with dignity, grace and equal opportunities so that they can grow to their full potential. There is an urgent need to pay attention to the issues that concern this section of population.

### **Sexual Harassment of Women in Higher Education in India**

Dr. Brij Mohan Srivastava, Assistant Professor, Department of Sociology, Dr. Rajendra Prasad Memorial Girls Degree College, Lucknow

Sexual harassment in our educational institutions is a topic that, for some unfathomable reason, has not been given the due consideration that it essentially requires. Therefore, in order to propagate discussion in this area, there are two concrete facts that need to be brought to light; first, sexual harassment is prevalent in Indian campuses, and second, the hierarchical power system in the Indian Higher Education System emboldens such occurrences. Sexual harassment on campuses exists, and very much so. HRD minister Smriti Irani earlier this month told the Lok Sabha that 75 sexual harassment cases in higher educational institutes have been reported between April 2014 and March 2015, 27 of which are from Delhi alone. Uttar Pradesh is at the second position with 23 cases. These figures are adapted from the report received by UGC about cases of sexual harassment against women lecturers, professors and research scholars from 84 universities. The figure would presumably be larger if we include undergraduate and graduate women pursuing taught courses in Indian universities.

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

Dr. Sunita Singh, Associate Professor, Department of Education, N.S.N.P.G. College, Lucknow

Across the globe today, workplace sexual harassment is largely increasing and is understood as a violation of women's rights and a form of violence against them. In essence, sexual harassment is a mirror reflecting male power over women who sustains patriarchal relations. In a society where violence against women, both subtle and direct, is borne out of the patriarchal values, women are forced to conform to traditional gender roles. These patriarchal values and attitudes of both women and men pose the greatest challenge in resolution and prevention of sexual harassment. It involves serious health, human, economic and social costs, which manifest themselves in the overall development indices of a nation.

The Supreme Court defined sexual harassment as any unwelcome, sexually determined physical, verbal or non-verbal conduct. Examples included sexually suggestive remarks about women, demands for sexual favours, and sexually offensive visuals in the workplace. The definition also covered situations where a woman could be disadvantaged in her workplace as a result of threats relating to employment decisions that could negatively affect her working life. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 was enacted to ensure safe working spaces for women and to build a work environment that respect women's right to equality of status and opportunity. An effective implementation of the Act will contribute to the realization of their right to gender equality, life and liberty. In a landmark judgment, *Vishakha vs. State of Rajasthan* (1997)<sup>4</sup>, the Supreme Court of India created legal guidelines based on the right to equality and dignity accorded under the Indian Constitution as well as by the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). It included: The definition of sexual harassment, shifting accountability from individuals to institutions, Prioritizing prevention, Provision of an innovative redress mechanism. India's innovative history in tackling workplace sexual harassment beginning with the Vishakha Guidelines and subsequent legislation has given critical visibility to the issue which would be discussed in the present paper.

### **Sexual Harassment of Women at Work Place in India: Emerging Perspective and Issue**

Priyanka Saklani, M.A. (4<sup>th</sup> SEM), Anthropology Department, Lucknow University, Lucknow

India is rapidly advancing in its development goals. As we all know that India is the second largest country in the world on the population basis. In which around 48.16% were the women. Therefore the proper & overall development of the country it is must that women should be treated equal to man in each and every walk of life, though our constitution provide the gender equality, Ex. – Article 14,15,16,19. But we can say that these Articles were in papers only not in function. A large number of women were sexually harassed every day at workplace.

According to Maneka Gandhi (Ministry of Women and Child Development) the numbers of complaints of sexual harassment of women at work places registered with National Commission of Women (NCW) during the previous year shows increasing trends. many cases whose complains was not registered, and the women neither discuss with their co-worker, officers or with the family member, just because of the hesitation and keeps on suffering till the time can bear the pain of suffering. The problem of Sexual Harassment of women at the workplace is increasing at alarming rate, it poses a serve threat to women and towards the development of India. At different places the women were sexually harassed in different ways. Women were sexually harassed while giving the home tuition. Sexually harassment of women in public & private hospitals by Doctors, Patient, his friends & relative, Air hostess by their colleagues. Hotel receptionist by the co-workers and the tourist. In school women teachers was harassed by the senior males. The PhD. scholars were harassed by the guide. The women selling fruits & vegetables by the general public and buyers, The Sale Girls by the shopkeeper. It is must for all women to take step against Sexual Harassment and to discuss with their Family, Co-workers and Senior and to register a case against it. Otherwise the Sexual Harassment will decay the society.

### **Sexual Harassment at Work Place: Major Issue and Challenge**

Dr. Tarkehwar Pandey, Assistant Professor, Nagar Nigam Degree College, Lucknow

Sexual Harassment at the Workplace (SHW) has remained one of the central concerns of the women's movement in India since the early-'80s (Patel, 2002). During the 1980s, militant action by the Forum Against Oppression of Women (Mumbai) against the sexual harassment of nurses in public and private hospitals by patients and their male relatives, ward-boys and other hospital staff; of air-hostesses by their colleagues and passengers; of teachers by their colleagues, principals and management representatives; of PhD students by their guides and so on and so forth received a lukewarm response from the trade unions and adverse publicity in the media (FAOW, 1991). But this trivialization did not deter

the women's rights activists. More and more working women started taking systematic action against SHW. *Baailancho Saad* ('Women's Voice') in Goa mobilized public opinion against the chief minister, who allegedly harassed his secretary, through demonstrations, rallies and sit-ins till the minister was forced to resign. In 1990, the same organization filed a public interest litigation to bring amendments in the antiquated rape law that defined rape in the narrowest sense of 'penile penetration into the vagina'. Several women's groups came forward in support of a new concern about a variety of sexually violent acts against women, including SHW (Chorine *et al*, 1999).

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

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Lucknow

In 1997, the Hon'ble Supreme Court of India, in *Vishaka and Others Vs. State of Rajasthan and Others* (“Vishaka Judgment”) acknowledged the gravity of sexual harassment of the working women at the workplaces and laid down guidelines making it mandatory for employers to prevent the commission of acts of sexual harassment and to provide the procedures for the resolution, settlement or prosecution of acts of sexual harassment. The guidelines issued by the Hon'ble Supreme Court were treated as law declared by the Hon'ble Supreme Court under Article 141 of the Constitution of India. It was held by the Hon'ble Supreme Court that the guidelines framed by the Supreme Court would be strictly observed in all work places for the prevention and enforcement of the right to gender equality of the working women. It was observed by various Courts from time to time in the past that the guidelines and norms framed by the Hon'ble Supreme Court in *Vishaka Judgment* have not been followed in workplaces strictly. The increasing work participation rate of women made it imperative for enacting a comprehensive legislation focusing on prevention of sexual harassment as well as providing a redressal mechanism.

### **Sexual Harassment in Work Place as Gender Abuse: An Anthropological Study**

Dr. Vibha Agnihotri, Associate Professor and Head, Department of Anthropology, N.S.N. P.G. College, Lucknow

Gender is a part of the broader socio-cultural context. Other important criteria for socio-cultural analysis include class, race, poverty level, ethnic groups and age. Equality does not mean that women and men should attain the same positions but that women's and men's rights, responsibilities and opportunities will not depend on whether they are born male or female. But in reality women face subjugation at various levels. Sexual Harassment is a sexual dominance whether physical or non-physical that is based on a person's sexuality or gender. Workplace dominance occurs when an employee experiences a persistent pattern of mistreatment in the form of verbal, non-verbal, psychological, physical abuse or humiliation. Equality between women and men is seen both as a human rights' issue and as a precondition for, and indicator of sustainable people centered development. In India, it has been only 6 years since sexual harassment was for the first time recognized by the Supreme Court as human rights. Sex-ratio is continuously declining and females are quite unsafe not just at workplaces but also at other places Today we need to give this problem a hard thought. Thus in above urgency present study explores sexual harassment in work place as a gender dissemination among 250 women of Lucknow city. From the study it is evident that the social environment of adolescent girls is influenced by a lot of factors including gender, caste, class discrimination among educational and employment opportunities. Since the discrimination made against them is also in nutrition and diet their physical health conditions also deteriorate. In fact, their menarche age height, arm girth and BMI also get affected by the nutritional and dietary discrimination made against them. Unfortunately the prevalent social conditions have transformed and developed the thinking of female population in a way that they have accepted the inferior treatment as a way of their life and have adapted to the thought pattern of giving a superior treatment to their male counterparts as against their own selves. They take it as a way of life that the male members in their families have to be served food first and more nutritious food should be served to them. Females, however should refrain from taking a rich diet as that may give them a physical maturity early in time. Besides

this, even the menarche age has a direct influence on their height arm girth and BMI.

### **Social Protection, Social Security among the Unorganised Sectors: Anthropological Perspective**

Tripti Shukla, Doctoral Student, Department of Anthropology, University of Lucknow, Lucknow

In developing countries like India, the majority of workers engaged or employed in unorganised sector as informal workers. According to NSSO report of 2004-05, only 7.6 percent of total workers in the country are formal worker, and the rest 92.4 percent are informal workers. These informal workers are excluded from any kind of social protection, so the policies made by the government must combine protective and promotional aspect of social protection for the integration of work with security (Saha, 2012). Social protection to these workers in unorganised sector is the biggest challenge for Indian economy as only 3 percent of total workers are covered under social security in this sector. Social security is essential for the well-being of people and society as it contribute to achieve various development goals of the nation. It help to enhance as well as to protect the capability and nourishment of the people by providing well food, well cloth, and well lodging facility so that the mortality rate and other diseases can be controlled. In this way, it can be understood that the social security is an important weapon to protect the social, economic, and physical interest of the human being. The measurement of social security among workers in the economy is considered as herculean task. Therefore, the concept of employment matrix may be helpful in this respect to explain the status of social security among workers in terms of both requirement and availability.

### **An Appraisal of Sexual Violence against Women in Contemporary India**

Shruti Sharma, Research Scholar (UGC-JRF), Department of Geography, University of Lucknow, Lucknow

Women across the world have tasted allflavours of life; from the glory and respect which shewas ascribed in the Vedic period, to the denial and subordination in the post Vedic period and finally to the struggle for equality, recognition and survival in the contemporary world. But one thing that has been common throughout these phases is the disadvantaged status of the women. Women have been made to face all kinds of violence, physical abuse, denial of right to live, subordination and neglect. There are many women who have faced sexual harassment at some point of time, maybe in the office or on her way to work. The objective of this study is to try to gain a deeper understanding of some of the underlying factors of increased reporting of sexual violence in India, and to understand in what way the 'modernization' process possibly could be put in relation to this, something that is analysed with help from Durkheim's theory of anomie (French sociologist) in India context. This paper covers a brief study of the various aspects of such offences which have led to the growing harassment of women. The entire paper is based on secondary sources of information like articles, newspapers, websites, case laws, UNDP-HDR (GEM) report etc. are relied upon. Various statute books like the Indian Penal Code, 1860 and The Criminal Law (Amendment) Act 2013 'Vishakav. State of Rajasthan' have also been referred.

### **Rights of Women When Sexual Harassment in Work Place By "Vishaka Guideline"**

Rashmi Sharma, Home Science, Lecturer, Radheshyam Degee College, Lucknow

Sexual harassment includes such unwelcome sexually determined behaviour (whether directly or by implication) as: a) Physical contact and advances; b) A demand or request for sexual favours; c) Sexually coloured remarks; d) Showing pornography; e) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature. Having regard to the definition of 'human rights' in Section 2 (d) of the Protection of Human Rights Act, 1993. Vishaka Guideline - 1- Preventive Steps- All employers or persons in charge of work place whether in public or private sector should take appropriate steps to prevent sexual harassment. Without prejudice to the generality of this obligation they should take

the following steps: A. Express prohibition of sexual harassment as defined above at the work place should be notified, published and circulated in appropriate ways. B. The Rules/Regulations of Government and Public Sector bodies relating to conduct and discipline should include rules/regulations prohibiting sexual harassment and provide for appropriate penalties in such rules against the offender. C. As regards private employers, steps should be taken to include the aforesaid prohibitions in the standing orders under the Industrial Employment (Standing Orders) Act, 1946. D. Appropriate work conditions should be provided in respect of work, leisure, health and hygiene to further ensure that there is no hostile environment towards women at work places and no employee woman should have reasonable grounds to believe that she is disadvantaged in connection with her employment. Need to awareness - Awareness of the rights of female employees in this regard should be created in particular by prominently notifying the guidelines (and appropriate legislation when enacted on the subject) in a suitable manner. Government Law - Indian Penal Code, 1860 - Conduct that may be construed as sexual harassment not only violates the Prevention of Workplace Sexual Harassment Act, but also could constitute an offence under the IPC. Listed out below are the key offenses under the IPC that could be triggered in a case of sexual harassment.

### महिला जीवन में अवसर स्थायित्व और समाज का कार्यस्थल पर यौन उत्पीड़न के प्रति दृष्टिकोण – एक अवलोकन

डॉ महिमा देवी, सहायक आचार्य, मानवशास्त्र, डॉ राजेन्द्र प्रसाद मेमोरियल गर्ल्स डिग्री कालेज, लखनऊ

महिला को हमेशा से ही अबला के रूप में देखने का दृष्टिकोण आज भी जिन्दा है और उसमें कमी लाने के लिए देश में स्वतंत्रता के बाद सरकार बराबर ये प्रयास कर रही है कि महिला के सशक्तीकरण के पहलू को समाज में स्थापित करके उसके अबला होने के मिथ को खत्म कर दिया जाये पर ये बात उपेक्षित नहीं की जा सकती है कि भारतीय समाज आज भी पहले की अपेक्षा ज्यादा संस्कृति पूर्ण होने का दावा कर रहा है और उस संस्कृति के अंतर्गत अभी भी महिला को एक संस्कृति की वाहक के रूप में ज्यादा देखने का प्रयास किया जा रहा है। जिसके कारण जब एक कार्यस्थल पर यौन उत्पीड़न से प्रभावित महिला अपने सम्मान के लिए लड़ने का प्रयास करती है तो सबसे पहले समाज में यही प्रश्न आता है कि आपके ही साथ ऐसा क्यों हुआ और भी तो महिलाये हैं? और एक दोषी व्यक्ति को समाज अच्छा और उत्पीड़ित महिला को गलत बताने में लग जाता है जिसके कारण महिला के लिए कई कानून होने के बाद भी महिला उन सब का लाभ लेने में डरती है और ऐसा इसलिए और भी होता है जब लड़की की नौकरी में स्थायित्व ना हो या फिर वो महिला सशक्तीकरण के विमर्श पर विश्वास करके नौकरी को पाने के लिए प्रयास करती है। तो उसके जीवन की यही अस्थायी प्रकृति उसके उत्पीड़न का ज्यादा कारण बन जाती है जिसे मैं अपने शोध पत्र में विस्तार से प्रस्तुत करूँगी।

# **Technical Session-04**

## **Chair Person**

Prof. A.P. Singh

Head, Department of Anthropology  
University of Lucknow, Lucknow

## **Co-Chair**

Dr. Renu Srivastava

Associate Professor (Education)  
J.N.P.G. College, Lucknow

Dr. Keya Pandey

Assistant Professor (Anthropology)  
Lucknow University, Lucknow

## **Repertoire**

Dr. Shailendra

Dept. of Sociology  
University of Lucknow, Lucknow.

## कार्यक्षेत्र में महिलाओं के अधिकारों के प्रति बदलते दृष्टिकोण — एक अध्ययन

डॉ श्वेता तिवारी, सहायक आचार्य, समाजशास्त्र, ए.पी. सेन डिग्री कालेज लखनऊ

इस मान्यता को सुनते हुए सब भारतीय समाज में बढ़ते हैं कि पुरुष और महिला एक ही गाड़ी के दो पहिये हैं। पर दर्शन के स्तर पर कही गयी ये बात भारतीय संविधान में तो आदर्श अवस्था में दिखाई देती है। परन्तु संस्कृति के दायरे में ऐसा वास्तविक धरातल से काफी दूर है और यही कारण है कि महिला को समय समय पर कई तरह की हिंसा का सामना करना पड़ता है जिसमें कार्यक्षेत्र में हो रही हिंसा भी एक अत्यंत गंभीर प्रकरण है। क्योंकि यदि इस तथ्य को सही तरह से नहीं समझा गया कि महिला की स्वतंत्रता नौकरी के स्तर पर तो दिखाई दे रही है। पर मानसिक स्तर पर आज भी भारतीय महिला को एक डर है और वो डर है संस्कृति का। जिसको सरकार ने कई तरह के विधि को बना कर दूर किया है लेकिन विधि और समाज की विवेचना करना समाजशास्त्रीय विधिशास्त्र का विषय क्षेत्र है। जिस पर भारत जैसे देश में बहुत कुछ किया जाना शेष है। प्रस्तुत शोध पत्र में मैंने ये समझने का प्रयास किया है कि समाज की संरचना में आ रहे तीव्र बदलाव के साथ क्या कार्य क्षेत्र में काम करने वाली विभिन्न सांस्कृतिक परिवेश से आने वाली महिलाये अपने अधिकारों के लिए भी सचेत हुई हैं या और संकुचित हो गयी हैं।

## कार्यस्थल पर यौन उत्पीड़न और बैंक में कार्यरत महिलाये — एक मूल्यांकन

डॉ विजय प्रकाश मिश्रा, सहायक आचार्य, एप्लाइड इकोनॉमिक्स, जे. एन. पी. जी. कालेज, लखनऊ

भारत में जिस कार्य क्षेत्र का सबसे ज्यादा विस्तार हुआ है वो है। बैंकिंग प्रणाली क्योंकि आज सरकार की नीतियों के कारण देश के सभी व्यक्ति को बैंक से जोड़ा जा रहा है और ऐसे में बैंकों का विस्तार शहर से लेकर गाँवों तक होना एक स्वाभाविक प्रक्रिया है। जिसने महिला सशक्तीकरण के दौर में महिलाओं को भी इस क्षेत्र में प्रवेश का मौका दिया और उसी का परिणाम है कि देश के कई राष्ट्रीयकृत बैंक और प्राइवेट बैंक की प्रमुख महिलाये हैं, लेकिन ये भी एक स्वाभाविक तथ्य है कि महिला को कुछ ऐसी परेशानियों का भी सामना करना पड़ता है जो उनकी गरिमा और व्यक्तिगत जीवन के खिलाफ है जिसमें सबसे संवेदनशील बात कार्यस्थल पर उनके साथ होने वाला उत्पीड़न है। वर्ष 2013 तक आर्थिक कार्यों से जुड़ी कंपनियों में 415 यौन उत्पीड़न के मामले दर्ज किये गए थे, जो इस बात का प्रमाण है कि आर्थिक कार्यों में संलग्न संस्थाएँ भी इस तरह के उत्पीड़न से अछूती नहीं हैं। इसी क्रम में स्टेट बैंक ऑफ इंडिया के एक शाखा प्रबंधक को दो वर्ष की सजा हुई थी और भी ऐसे बहुत से प्रकरण हैं जिसके कारण महिलाओं के लिए सुरक्षित समझे जाने वाले बैंक अब उनके उत्पीड़न के केंद्र बनते जा रहे हैं। प्रस्तुत शोध पत्र में इन्हीं बिन्दुओं को रखने का प्रयास किया गया है।

## घरेलू महिला और कामकाजी महिला के उत्पीड़न का अध्ययन

डॉ निक्की सक्सेना, असिस्टेंट प्रोफेसर, होम साइंस, डॉ.आर.पी.एम.जी. डिग्री कालेज, लखनऊ

इस बात से इन्कार करने का कोई भी प्रश्न ही नहीं उठता कि घरेलू महिला भी यौन हिंसा का शिकार नहीं होती है लेकिन उसको लेकर भी देश में कई कानून बने हैं। पर जिस महिला ने अपने अस्तित्व और जन्म को सार्थक करने के प्रयास के लिए नौकरी का प्रयास किया उसको ये भी स्वीकार करना पड़ रहा है कि कार्यक्षेत्र पर यौन हिंसा या उत्पीड़न से उसको कभी न कभी सामना करने की संभावना बनी ही रहेगी। कार्यक्षेत्र में भी यौन उत्पीड़न के लिए कई विधि बना दिए गए हैं पर विधि को लागू करने वाले समाज में महिला को ऐसी स्थितियों का सामना करना पड़ता है कि वह अपने उत्पीड़न पर कुछ कहने के बजाये चुप रहना ज्यादा अच्छा समझती है और यही कारण है कि कार्यस्थल पर होने वाले उत्पीड़न के प्रकरण दिन पर दिन बढ़ते ही जा रहे हैं। प्रस्तुत अध्ययन में ये देखने की कोशिश की गयी है कि घरेलू महिला के साथ ज्यादा हिंसा हो रही है या फिर कार्यस्थल पर काम करने वाली महिला के साथ हिंसा और ऐसी हिंसा या उत्पीड़न के पीछे कौन कौन से ऐसे तथ्य हैं जो कामकाजी महिला को अपने उत्पीड़न के खिलाफ बोलने से रोकते हैं। इन्हीं तथ्यों का परिक्षण इस शोध में विस्तार से किया गया है।

## पितृ सत्ता और स्त्री यौनिकता

डॉ संध्या सिंह, असिस्टेंट प्रोफेसर, हिंदी, डी.ए.वी.पी.जी. कॉलेज, लखनऊ

इस विषय का सामाजिक अध्ययन अपनी जड़ें दूढ़ने की प्रक्रिया में हमें मिथकों तक ले जाता है। उसके बाद ज्ञात इतिहास तथा इतिहास और संस्कृति के बीच का घटना विहीन वह अंतराल जो साहित्य में परिलक्षित होता है, वहीं से मिलना शुरू हो जाता है स्त्री का वह संघर्ष जो अपने

अस्तित्व की स्वीकारोक्ति की चाहना लिए इस अबूझ चक्रव्यूह में प्रवेश कर जाती है। स्त्री का कोमल, कमनीय पक्ष कब क्यों उसकी सबसे बड़ी कमजोरी बनता गया यह अब भी शोध का विषय है। चाहे अनचाहे, जाने अनजाने उसका रूप, सौंदर्य बिसात पर बिछता गया। भूमंडलीकरण, विश्वग्राम, पूर्वी का आवारा बहाव, सूचना की आंधी और स्त्री स्वतंत्रता के नारे का फायदा उठाता यह अत्याधुनिक समय किस लिखित कानून से संचालित, परिचालित हो रहा है और कानून, और उसकी कार्यान्वयन के बीच की फाँक का कितना फायदा उठा रहा है यह सर्वविदित है। सामंती और पितृसत्तात्मक मानसिकता ने जो चोला बदला है, उसे मानसिकता बदलनी है अभी, पर सूचना, ज्ञान और अधिकारों की समझ ने स्त्री को आत्मविश्वास की सौगात अवश्य दी है, और यह महत्वपूर्ण सोपान है।

### भारत में कार्यस्थल पर महिलाओं का यौन उत्पीड़न

रश्मि दीक्षित, अतिथि प्राध्यापिका, गृह विज्ञान विभाग, लखनऊ विश्वविद्यालय, लखनऊ  
 डॉ निशा गुप्ता, एसोसिएट प्रोफेसर, विभागाध्यक्ष, गृह विज्ञान विभाग, महिला महाविद्यालय, लखनऊ

भारत का संविधान महिलाओं और पुरुषों दोनों के लिये समान अधिकार प्रदान करता है। महिलाओं को कार्य करने के लिये किसी भी क्षेत्र या व्यवसाय को चुनने का अधिकार प्राप्त है। लेकिन व्यवहार में महिलाओं के साथ घर और घर के बाहर दोनों जगह भेदभाव होता है। भेदभाव, अधिकतर, महिलाओं के खिलाफ उत्पीड़न और हिंसा का रूप ले लेता है। बार-बार शारीरिक उत्पीड़न यौन उत्पीड़न या यौन हिंसा का रूप ले लेता है। सामान्य स्थलों पर यौन उत्पीड़न और कार्यस्थलों पर यौन उत्पीड़न बहुत कड़वी वास्तविकता है जिसका कार्यशील लड़कियों और महिलाओं द्वारा दिन प्रति दिन सामना किया जाता है। भारत में महिला समानता को बढ़ावा नाम की रिपोर्ट में अन्तराष्ट्रीय संस्था ने दावा किया कि भारत के घरेलू सकल उत्पाद में अतिरिक्त वृद्धि का ७० प्रतिशत हिस्सा श्रम बल में महिलाओं की मौजूदा ३१ प्रतिशत हिस्सेदारी को २०२५ तक ४१ प्रतिशत करने से आएगा। महिला श्रम बल में १० प्रतिशत वृद्धि का मतलब है देश की अर्थव्यवस्था में ६ करोड़ ८० लाख अतिरिक्त महिलाओं का योगदान परन्तु एमजीआई के मानदंडों के अनुसार भारत में काम, कानूनी सुरक्षा और राजनैतिक अधिकारों के मामले में लैंगिक समानता, महिलाओं की सुरक्षा और स्वायत्ता का सर्वथा अभाव है। यद्यपि आर्थिक उदारकरण ने पढ़ी-लिखी महिलाओं के लिये और इसके समान ही महिलाओं को घर से निकलकर अपनी पसंद की बहुत सी नौकरी के अवसर और विकल्प प्रदान किये हैं और वर्तमान में, महिलाएं पहले से कहीं अधिक कैरियर उन्मुख हैं। समाज में उपर्युक्त परिवर्तन इस अर्थ में सकारात्मक बदलाव लाया है कि कामकाजी महिलाएं आर्थिक रूप से स्वतंत्र और मुक्त महसूस करती हैं लेकिन साथ ही इसने महिलाओं की असुरक्षा को बढ़ा दिया है जैसे कार्यस्थल पर यौन शोषण।

### महिला, समाज और उत्पीड़न – एक विवेचना

डॉ अंजना सिंह, प्रवक्ता, समाजशास्त्र, करियर कान्चेंट डिग्री कालेज, लखनऊ

उत्पीड़न शब्द महिला के साथ उसके पैदा होने से ही शुरू हो जाता है और तब तक चलता रहता है जब तक उसकी मौत नहीं हो जाती है। ऐसा नहीं है कि आज पहली बार कार्य शटल पर महिला के साथ होने वाले यौन उत्पीड़न की बात इस देश में सामने आई है ये उत्पीड़न असंगठित क्षेत्र में ना जाने कब से चल रहा है। पढ़ी लिखी महिला तो आज घर से बाहर निकली है नौकरी की तलाश में लेकिन अनपढ़ महिला तो जब से संस्कृति बनी तभी से अपने घर और बच्चों को पालने के लिए घर से बाहर काम कर रही है और अपने शोषण को होता देख रही है पर उसके पास चुप रहने के सिवा कुछ भी नहीं था। आज सबसे बड़ी बात ये हुई कि जिस महिला ने पढाई लिखाई कर ली जब उसके साथ भी समाज उसी तरह के शोषण को करने की लगातार कोशिश में दिखा तो सरकार और स्वयं महिला ने ऐसे शोषण का विरोध किया जिसके कारण कुछ पन्नों पर सार्थक कानून बन गए। इस अर्थ में लड़की के पढ़ने लिखे होने को एक अच्छे दृष्टि से देखा जा सकता है क्योंकि इसका प्रभाव ये पड़ा कि एक दबी कुचली अनपढ़ लड़की का भी अपने कार्य स्थल जैसे ईट भट्टा, सड़क, निर्माण आदि में अपने शोषण के विरुद्ध बोलने का अधिकार प्राप्त हो गया जिसको और गहरे से समाज के साथ समझने आवश्यकता है जो मेरे शोध पत्र का आधार है।

### सामाजिक परिवर्तन और कार्यस्थल पर होने वाले महिला उत्पीड़न

डॉ मणीन्द्र तिवारी, सहायक आचार्य, समाज शास्त्र, डी. ए. वी. डिग्री कालेज, लखनऊ

सामाजिक परिवर्तन एक सतत चलने वाली घटना है और मानव ने संस्कृति बना कर इसी परिवर्तन को प्रमाणित भी कर दिया पर संस्कृति स्वयं में भी परिवर्तनशील है समय, स्थान, परिस्थिति आदि में संस्कृति के स्वरूप बदलते रहे हैं जिसने सांस्कृतिक प्रतिमान को बढ़ावा दिया लेकिन संस्कृति के परिवर्तन के केंद्र सदैव से ही मानव रहा है। जिसमें महिला की सहभागिता एक सामने सा तथ्य है परन्तु पुरुष केन्द्रित समाज और संस्कृति ने इस

तथ्य को कभी स्वीकार नहीं किया जिसके कारण महिला सदैव ही एक ऐसे मानव के रूप में चिन्हित हुई जिसको दबाया गया है और इसी लिए जब महिला को सामूहिक संस्कृति के कर्तव्यों से दूर राष्ट्र राज्य की संकल्पना में समानता का अधिकार प्रदान करते हुए उसके श्रम को कार्य में परिवर्तित करने का प्रयास किया गया तो सत्ता के प्रभाव में ये कार्य प्रदर्शित तो होने लगा। परन्तु जो सामाजिक और सांस्कृतिक सोच में संकुचन है वो कार्यस्थल पर भी प्रदर्शित होने लगा और महिला एक ऐसी हिंसा का शिकार होने लगी जिसको संस्कृति की तरफ से कभी मान्यता नहीं दी गयी पर इसका दूसरा पहलु ये रहा कि महिला भी अपने साथ होने वाले उत्पीडन पर बोलने के लिए एक सांस्कृतिक दबाव का आभास करती रही और उसको तोड़ कर अपनी गरिमा और अस्मिता के लिए महिला का बोलना एक बहुत बड़ा सामाजिक परिवर्तन था जिसको अभी और शोधित होने है और यह परिवर्तन मेरे शोध प्रस्तुति का आधार है।

### कार्यस्थल पर यौन उत्पीडन का मनोविज्ञान – एक चिंतन

डॉ० माधुरी रावत, सहायक आचार्य, मनोविज्ञान विभाग, महिला डिग्री कालेज, लखनऊ

सिमोन द बोआ के शब्द पर अगर हम चिंतन करें तो स्वतः ही ये स्पष्ट है कि महिला इतनी अशक्त होती नहीं है जितनी कि वो बना दी जाती है और इसके पीछे संस्कृति का बहुत बड़ा सहयोग है और संस्कृति के कारण ही आज ये भी संभव हो सका है कि महिला सिर्फ प्राकृतिक उपादेयता से हट कर अपनी क्षमता को समाज देश के निर्माण में लगा कर अपनी सार्थकता प्रमाणित कर सके लेकिन इसी सरकारी और व्यक्तिगत प्रयास के बीच ये कटु सत्य भी है कि महिला जिस समाज में अपनी क्षमता को प्रमाणित करने के लिए उतर रही है। वो समझ एक लम्बे समय से पुरुष अधीन रहा है और अपनी वर्चस्वता को खोते देख और प्राकृतिक आवश्यकताओं का पर्याय समझने के कारण कार्यस्थल पर ये एक सहज सी बात है कि महिला को किसी न किसी तरह के उत्पीडन का सामना करना पड़े। परन्तु ये भी एक कटु सत्य है कि यौन उत्पीडन के प्रति महिला के जागरूक होने में एक संक्रमण का दौर भी चल रहा है अभी भी महिला में संकोच है कि वो कैसे अपने साथ हुए किसी अप्रिय कार्य को दुनिया के सामने रखे और इसी मानसिक संकोच के कारण अभी ये विषय भारत में प्रासंगिक सा नहीं लग रहा है जबकि किसी ना इसी प्रतिशत पर महिला को उत्पीडन का शिकार होना पड़ रहा है। महिला अपने साथ हुए यौन उत्पीडन को क्यों नहीं बताती और इस उत्पीडन के पीछे ही क्या मनोविज्ञान है पुरुष समाज का यही मेरे शोध पत्र का मुख्य बिंदु है।

### कार्यस्थल पर यौन उत्पीडन का मानवशास्त्रीय अध्ययन

डॉ० प्रमोद बिहारी शुक्ल, सहायक आचार्य, मानवशास्त्र, मानवशास्त्र विभाग, लखनऊ यूनिवर्सिटी, लखनऊ

मानवशास्त्र एक ऐसे विषय के रूप में सदैव ही प्रासंगिक है जब समाज के सामने किसी समस्या का मूल जानने का प्रयास किया जा रहा हो। मानव की मूलभूत आवश्यकताओं को समझा जा चुका है और उसमें भोजन और सुरक्षा के अतिरिक्त जो एक और मूल आवश्यकता को मेलानावोस्की ने उल्लेखित किया है वो है यौन सम्बन्ध की आवश्यकता जो हर समाज और पृथ्वी के समस्त प्राणियों में पाई जाती है पर ये भी मानवशास्त्रीय रूप से अध्ययन किया जा चुका है कि सेक्स को लेकर हर समाज में खुलापन अलग अलग है और इसी लिए भारत जैसे देश में सेक्स जैसे विषय पर ज्यादा संवेदनशीलता आ जाती है और इस विषय पर बोलना लिखना आदि एक निषेध की तरह देखा जाता है। जिसके कारण इसके उत्पीडन को समाज के सामने लाना भी एक निषेध का ही हिस्सा बन जाता है। इसी लिए कार्यस्थल पर यौन उत्पीडन के तथ्यों को समझने के लिए मानवशास्त्रीय विश्लेषण को ज्यादा प्राथमिकता दी जानी चाहिए। प्रस्तुत शोध पत्र में शोधकर्ता ने भारतीय समाज में उन तथ्यों को जानने का प्रयास किया है जिसके कारण कार्यस्थल पर होने वाली यौन उत्पीडन की घटनाये रोज बढ़ती जा रही है और महिलाओं के सामने न्याय के अभाव में इसके अलावा को विकल्प ही नहीं है कि वे अपने शोषण को जान कर देख कर चुप रहे।

### Sexual Harassment of Women at Workplace: A Sociological Study of Uttar Pradesh

Dr.Yatindra Kumar Jha, Assistant Professor, Department of Sociology, Dr.Rajendra Prasad Memorial Girls Degree College, Lucknow

Gender inequality is found in varying degrees in most societies around the world. India is no exception for gender inequality. Despite policy measures to overcome gender discrimination in India .You can find gender inequalities in every field as like education, employment, health, wages and socio-cultural practices. Violence against women is a cause of concern for the policy makers and administrators. Sexual harassment at work place is gradually increasing with the

increase in urbanization, industrialization and women employment in organized sector. Some of the administrators and supervisors usually have skeptical ideas about the occurrence of sexual harassment. According to them, it depends on the perception of an individual, how one takes an action. For instance, some individuals might take an unnecessary dinner invitation by a colleague/ manager as an attempt to sexually harass and some might take it positively as a friendly gesture. The literature here is merely comprised of sexual harassment theories, how it happens at workplaces, individual and organizational characteristics related to it. Also, we have tried to find out as to how much sexual harassment is affecting the workplace setting, job satisfaction and overall performance of individuals. As much as sexual harassment is increasing day by day at workplaces, in institutions and even in government sectors, it is taken less leniently as ever. The Supreme Court observed that gender equality includes protection from sexual harassment. The Court held that such conduct would constitute discrimination if a woman has reasonable grounds to believe that objecting to the conduct would disadvantage her in terms of her recruitment or promotion or if it creates a hostile work environment. Furthermore acts amounting to sexual harassment also include objectionable acts in the workplace that either humiliate the woman or threaten her health and safety. The Guidelines are applicable to all Government and private sector organizations, hospitals, universities. They provide protection to all working women whether drawing salary, honorarium, or working in a voluntary capacity, whether in Government, public or private enterprise.

### **An Empirical Study of Sexual Harassment at Workplace in Lucknow**

Dr. S.K.Kaushal, Assistant Professor, Department of Business Administration, University of Lucknow  
Miss. GurvinderKaur, SRF, Department of Business Administration, University of Lucknow

In present days, sexual harassment has become a global problem. Unlike Men, Women's have all those qualities which can take her to the top but generally Men's thinking does not change. They Dominated, Harassed, assaulted women's wherever they found women work. Women's are having equal capability of doing any work these days. This era is full of opportunity to all women's and women's are getting their place. But what we are hoping for no gender biasness, no harassment and safe place to work. Time has been changed now many places are free from these kinds of things. The objective of the present study is to measure the Sexual harassment at workplace of government and private employee in the Lucknow City. and findings are showing that many places are safe to work, no harassment no biasness is there but then also there is some places where women's are feeling harassed by man. Our strength is in our Voice against Sexual Harassment. An Act also provides protection against sexual harassment of women at workplace and for the prevention and redressed of complaints of sexual harassment.

### **Sexual Harassment of Women at Work Place**

Dr. Neeta Saxena, Lecturer, Department of History, Bhartiya Vidya Bhawan Girls Degree College

Sports, parliament, entertainment, corporate world and what not, 21<sup>st</sup> century woman has made her mark in all the fields. Today's woman is empowered to take her own decisions. She is independent in all aspects. It goes without saying that the modern society has started identifying this individuality of women. However, even after creating her identity and niche, women still are striving hard to get over the curse of sexual harassment. Data shows that working women have to face this harassment more...on a daily basis. Though there are laws and acts to prevent sexual harassment at workplace, but there seems to be no stopping. What is sad is the fact that many a times, women are scared to raise a concern and fall victim over and over again. Many a times, they don't even know if a particular act can be reported under sexual harassment or not. Thus, it is utmost important that woman know that sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when either: "The conduct is made as a term or condition of an individual's employment, education, living environment or participation in a University community. The acceptance or refusal of such conduct is used as the basis or a factor in decisions affecting an individual's employment, education, living environment, or participation in a University community." There is no

denying that the government has formulated many strategies and have also initiated many processes if any case of harassment is reported, yet it is important that women take a stand and raise their voice against this curse. Women constitute half population of the whole country's population and need to be independent and stay in a fear free surrounding for the holistic development.

### भारत में कार्यस्थलों पर महिलाओं का यौन शोषण : उद्भूत सम्भावनाएं एवं मुद्दे

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किसी भी सभ्य समाज का आधार बिन्दु स्त्री और पुरुष होते हैं। प्रकृति ने दोनों की ही भूमिकाएं सम रखी हैं, न किसी का अल्प और न किसी का अधिक, वरन् जीवन के सभी क्षेत्र में सहभागिता बराबर होती है, तभी परिवार का गठन होता है। महिलाएं समाज का महत्वपूर्ण व अभिन्न अंग हैं फिर भी उन्हें जीवन के विभिन्न स्तर पर अन्याय और असमानता का दंश झेलना पड़ता है। हर क्षेत्र में महिलाओं द्वारा किये गये कार्य को कम करके आंकना, लिंग के आधार पर भेद-भाव करना मानसिक शोषण के अधीन है। कार्यस्थलों में असमानता को दूर करने के अनेक प्रयासों के बावजूद भारत में स्त्रियों की भागीदारी में गिरावट दिखायी देती है। विभिन्न प्रकार के कार्य स्थलों की विभिन्न प्रकार की कार्य प्रणालियां होती हैं। भारत में यौन शोषण एक जघन्य अपराध है, यह स्वीकार करते हुए सरकार ने कार्यस्थल (रोक-थाम, निषेध और निवारण) अधिनियम 2013 पारित किया। कार्य स्थल पर लैंगिक भेदभाव, मानव अधिकारों का उल्लंघन आदि मौलिक अधिकारों के हनन की अभिव्यक्ति है। पितृसत्तात्मक मानसिकता एवं लिंग आधारित भेद-भाव महिलाओं के विरुद्ध हिंसा का एक रूप है। महिलाओं के अन्दर पहले से ही विद्यमान असुरक्षा की भावना और सामाजिक डर यौन उत्पीड़न के शिकार होने की सम्भावना को प्रबल बना देती है। शोध पत्र के स्रोत के रूप में विभिन्न सैद्धान्तिक विधियां, घटनाएं, कानून, समाचार पत्र और लेख आदि हैं। शोध पत्र का उद्देश्य महिलाओं को सशक्त बनाना और यौन उत्पीड़न के खिलाफ सुरक्षा प्रदान करने तथा मानव अधिकार संधियों पर आधारित गरिमा एवं गैर भेद-भाव के साथ कार्य करने का अधिकार दिलाना है।

### कठवारा ग्राम (बक्शी का तालाब) में ग्रामवासियों का स्वास्थ्य एवं महिलाओं की स्थिति

सौरभ कुशवाहा, रिसर्च स्कॉलर, लखनऊ विश्वविद्यालय, लखनऊ

गाँव के लोगों का स्वास्थ्य सामान्य स्तर का है एवं महिलाओं की स्थिति निम्न है और इन्हे विभिन्न प्रकार के उत्पीड़न का सामना करना पड़ता है। इस समाज में जैसे तो महिलाओं को पूरी स्वतंत्रता सुरक्षा और बराबरी का अधिकार दिया जाता है परन्तु सामाजिक रूढ़ियों के कारण परिवर्तन की गति बहुत धीमी है। कठवारा गाँव के पांच मजदूरों का साक्षात्कार, अवलोकन, छायाचित्रण तथा अन्य तकनीकों द्वारा शोध कार्य किया गया है जिनमें कुल 100 पुरुष एवं महिलाओं से सूचना प्राप्त की गई है। अध्ययन से यह निष्कर्ष निकला है कि अधिकतर लोग स्वास्थ्य के प्रति समान अवधारणा रखते हैं। ग्रामीण सरकार द्वारा उपलब्ध करायी जा रही सुविधाओं से असंतुष्ट हैं। महिलाएं घर की आमदनी में भी बराबरी की भागीदार हैं परन्तु इसके बाद भी उन्हें परिवार व समाज में उचित सम्मान प्राप्त नहीं होता है। ग्रामीण महिलाओं में यौन उत्पीड़न की समस्या व्याप्त है। कामकाजी महिलाओं का समाज के पुरुषों द्वारा उत्पीड़न किया जाता है, उन्हें प्रताड़ित किया जाता है। महिलाएं प्रायः अपने कार्यक्षेत्र पर सुरक्षित महसूस नहीं करती हैं। कुछ क्षेत्रों में दलित महिलाओं में असुरक्षा की भावना व अन्य महिलाओं की अपेक्षा अधिक है।

### महिलाओं का शारीरिक शोषण तथा जीवनशैली के विकार

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विकास व आधुनिकता के दौर में आज की नारी पुरुषों के समकक्ष आने एवं सशक्त बनने हेतु हर क्षेत्र में काम कर रही है। कामकाजी महिलाओं का प्रतिशत दिन-प्रतिदिन बढ़ता जा रहा है। इसके पीछे उनकी मंशा खुले आकाश में उड़ने की है, अपनी निहित कामनाओं के विकास और उपयोग की है, स्वयं को आत्म-निर्भर बनाने की है, अपने परिवार को आर्थिक सहायता करने की है, बेटे और बेटी का भेद मिलाने की है, हम भी कुछ कर सकते हैं यह सब दिखाने की है। आज की महिला चूल्हे-चौके से बाहर निकलकर चाँद पर पदार्पण कर अपनी क्षमता को लोहा मनवा चुकी है, शिक्षा, स्वास्थ्य, अभियांत्रिकी, उद्यमिता, प्रसाधन एवं राजनीति सभी जगह उसकी उपस्थिति को आज हम महसूस कर सकते हैं। किन्तु इस हकीकत से मुँह नहीं मोड़ा जा सकता कि महिला समुदाय का एक बड़ा भाग आये दिन शोषण का शिकार हो रहा है। कार्य स्थल की बात हो या घर की ही। उसकी आर्थिक लाचारी हो या अन्य कोई सामाजिक-सांस्कृतिक विवशता जिसके चलते वे आवाज नहीं उठा पाती है तथा समाज के दबंग और अत्याचारी वर्ग के सामने उनकी आवाज घुटकर रह जाती है, विरोध के स्वर उठाने वालों को बद से बदतर जिंदगी जीने के विवश किया जाता

है, मानवीयता की सभी हदों को ताक में रखकर उन्हें जबरन जुर्म के दलदल में ढकेल दिया जाता है और फिर उनके माध्यम से जुर्म व शोषण का सिलसिला अनवरत चालू रहता है। हैरानी तो तब होती है जब कई जगह महिलाएं ही महिलाओं के शोषण का सबब बनती हैं। कई बार अतिमहत्वाकांक्षाओं को पूरा करने के लिए वे महिलाएं स्वयं शोषित होने के लिए तैयार हो जाती हैं और जब उन्हें धोखा मिलता है तब पश्चाताप, हताशा, निराशा, ग्लानि के अलावा उनके हाथ में कुछ भी नहीं रहता। तथकथित विकसित समाज में सांस्कृतिक खुलेपन के नाम पर स्त्रियोचित नैतिक मर्यादाओं का उल्लंघन करने में गुरेज नहीं किया जाता और वे अंततः स्वेच्छा से अथवा बलात् शोषण का शिकार बन जाती हैं। इस शोषण का प्रभाव शारीरिक रूप से ही नहीं होता अपितु मानसिक तौर पर पीड़ित व्यक्ति टूट जाता है उसे संभलने में काफी समय लग जाता है, समाज उसे जीने नहीं देता और उसे ही अपराधी नजरों से देखता है, घृणित व्यवहार करता है तथा हर जगह उपेक्षा करता है। आज के सभ्य समाज में इस विषय पर चर्चा करना अशोभनीय समझा जाता है जबकि इसकी उपस्थिति आज समाज के हर वर्ग में कोढ़ की भाँति फैल चुकी है, पीड़ितों की संख्या में दिनोदिन इजाफा हो रहा है, किसी को चीखे सुनाई नहीं दे रही अथवा हमारी ज्ञानेन्द्रियां व हृदय संवेदनहीन हो चुके हैं इस तरफ से, सोच अपने तक सिमट कर रह गई है इसीलिए हर कोई अकेला होता है ईमानदारीपूर्वक चिंतन—मनन नहीं किया गया, निराकरण के उपायों के बारे में नहीं सोचा गया, लोगों में जागृति नहीं लायी गई, लोगों को नैतिक रूप से मजबूत नहीं बनाया गया तो यह कैसर का रूप ले लेगी तब इसके विस्फोटक प्रभाव से कोई अछूता नहीं रह पायेगा। समस्या की समसामयिकता को देखते हुए गुजरात राज्य के अहमदाबाद शहर की 15—35 वर्ष की युवा 60 महिलाएं जिनमें विद्यार्थी, कामकाजी महिलाएँ तथा घरेलू महिलाओं का समानुपातिक रूप से समावेश किया गया है को यष्टुच्छ पद्धति द्वारा पसंद किया गया। उनसे साक्षात्कार कर शोषण की स्थिति तथा उसके कारणों के बारे में समझने का प्रयास इस लेख में किया गया है। यहाँ यह भी जानने का ईमानदारीपूर्वक प्रयास किया है कि इस शोषण के चलते इन महिलाओं की जीवनशैली किस तरह प्रभावित होती है और कौन—कौन से जीवनशैली के विकार उत्पन्न होते हैं, कौन—कौन से रोग उनके शरीर में घर कर जाते हैं, उनके जीवन के विकास की गति किस प्रकार अवरुद्ध होती है। निराकरण की दिशा में ये लोग क्या महसूस करते हैं और इस दिशा में इनकी स्वयं की भूमिका क्या हो सकती है?

### **Sexual Harassment of Women in Government Organisations**

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Governments are promoting & giving reservation to women for jobs in government organisations. Now a days the reservation is going to increase 35% or above in some states. More and more women are inducted in government jobs but most are in various categories of Group-C and Group-D jobs. But with this there are no prevention policies or mechanism to prevent harassment at work place. This creates haphazard situations for women. How they manage work place, society and family & home and feel safe at all the said places. Governments are busy only to make more and more laws & acts to stop crime against women but they not try good implementation of that laws & acts. In this paper I will explore various threats at government organization & propose a mechanism to prevent and stop crime against women.

### **Sexual Harassment of Women at Workplace in India: Nature, Issues and Prevention**

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India is a land where millions of people offer their prayers and bow their heads before Goddess Durga, Laxmi and Saraswati but it is a bitter irony that in the same country women finds themselves insecure. For centuries, women in this country have been socially and economically handicapped. In order to bring a change in their predicament, women today sought economic independence by moving out of the confines of their homes in search of work. But this has resulted in the beginning of a series of sufferings at workplace – harassment, humiliation, exploitation and violence that shadows her sex. Women's dignity has been ripped apart blatantly and openly at workplaces despite the fact that India has the lowest ratio of working women in the world. Most of the researches reveal by the survey done in India that, in terms of who is most likely to be harassed in the workplace are most likely women. Women are constantly exposed to gender bias in recruitment, gender inequality and sexual harassment at work place. Today, the biggest need before a working woman is the assurance that her fundamental rights to live life with dignity, to enjoy personal liberty and to carry on any occupation of her choice will not be violated. Her economic empowerment is incomplete until she receives

a barrier free environment at work place. The present scenario highlights the need of taking some strict measures to ensure the protection of women at workplace. Legal literacy should be made compulsory to combat this serious issue. Public should be made aware of the legal provisions for the protection of women. This paper also highlights the role of education, media, NGO's and government agencies to check the exploitation of women.

### **Sexual Harassment and Bullying**

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This study fills a gap in the literature by examining how the women staff members view and bear bullying and sexual harassment and their role in preventing both. This is to discriminate both; the sexual bullying and the sexual harassment. Sexual bullying is a serious issue that needs to be tackled. Sexual bullying includes a wide range of behaviour from name calling to physical sexual assault. It is as serious as racism and needs to be treated as such by parents, teachers and society in general. Sexual harassment is unwelcome sexual behaviour, which could be expected to make a person feel offended, humiliated or intimidated. It can be physical, verbal or written. Sexual harassment at workplace (SHW) such as coercion of sexual nature, violence and inappropriate promise of rewards in the form of promotion and salary hikes in exchange of sexual favors at workplaces is a gross violation of women's rights inflicting regression on the development of 3.5 billion women in the world and therefore, acting as an impediment to women empowerment. Sexual harassment against women at workplaces by their supervisors and fellow employees trigger devastating physical and psychological injuries while reinforcing the subordination of women to men in the society by violating her dignity and creating health as well as safety hazard at work making a huge chunk of population vulnerable to oppression. Laws that protect workers from sexual harassment may reflect different theories of sexual harassment. Laws may treat sexual harassment as discrimination based on sex, as an offense against dignity, or as an issue of health and safety in the workplace. In many developing countries, sexual harassment is viewed as an offense against dignity that results in criminal punishment for the perpetrators. Harassment is unlawful under the Act Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (SHWA), 2013.

### **Sexual Harassment of Women at Workplace In Relation To the Negative Effect on India's Financial Upliftment**

Zia Afroz, Research Scholar, Department of Applied Economics, University of Lucknow  
Isha Dhar, Research Scholar, Department of Applied Economics, University of Lucknow

Now and then populace in authority use wrongly their authority to stalk women. There are a lot of women who have countenanced sexual stalking at some spot of time, perhaps in the agency or on her approach to work. They are required to keep hush for the reason of condition that in case they make a clamor about it they are issued to shoddier crimes like physical attack and rape, acid attack, etc especially in India (Laxmi case). Thus it's the manager's foremost accountability and ours too, to build up complete rebellion in opposition to sexual pestering at workplace and somewhere else respectively. We all know the magnificent & vital role a woman has in a routine Indian family unit. She is a accountable homemaker and a yielding hard worker. She is moreover the 21st Century woman; self-governing, positive & making triumphant onward marches in a lot of areas. But when there are so many misdeeds against women occurring every day, so much sexual category inequality, sexual pestering and unsympathetic surroundings at her workplace, India has to get unanimous on actually trying to give her the autonomy of equal opportunity & preserve her elementary rights. It cannot just anticipate her to cooperate, hang about in a meaningless manner.

## **Diversification of Chikankari Industry and the New Social Pattern**

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Every human society has developed various types of arts to its survival as well as entertainment. These arts and cultural forms face many changes according to new demands and necessity. Handicraft work is one of the arts developed to fulfill the need of the human whether it is physical or psychological. Chikankari work is one form of the handicraft art is prevalent in the Lucknow and its adjoining areas of Uttar Pradesh. As the new market demands and necessity arises the Chikankari work of handicraft art also face change in its style, tangible and intangible form. The diversity of style has been observed in the Chikankari work. This diversity found in the form of different types of fabric and design as the changing pattern of culture demands new style of Chikankari. These diversity-led-demands forced to develop the new pattern of competition in the Chikankari market which developed the new gender as well as client-entrepreneur relation. The present paper is focusing on the diversity observed in the style of Chikankari art and the newly arisen social relationship pattern. The paper has taken the gender and class relation as the primary criteria in observing the changing pattern of Chikankari work. Various anthropological tools and techniques have been used to collect and analyze the data. The sample size of the study is 50 households taken from the Chowk area in Lucknow. The paper concludes that the new demands of the Chikan industry arisen new social relationship pattern by diversifying its very style.

## **The Exploited Portrayal of Women in Media Hype and Their Impact on Society**

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Media hype is a means that helps the businesses to grow and create their brand value. In our day to day life we come across with the different types of Media. Media plays an essential and important role in a successful business, not only by selling the products even by creating awareness among the people. But in a today's time, Medias have taken a completely different meaning than ever before. 'Gender Representation' is a one facet of today's media hype world. Today lakhs and crores of money are spent out by the companies to prepare the Media in a most effective manner and in an appealing way. Now a day media industry focus more and more on a female's models and used them as the center of appeal in their Media, by represent them as a sex object and provoking their images to sell product. Clothing designer Calvin Klein has himself been a critic of the use of women in media hype, having said -"Jeans are about sex..." Today, the advertisers are playing a big role in building negative thoughts among the opposite gender causing increase in the number of molesting cases. This Paper is an attempt to show that how media hype industry is exploiting the woman's image, instigating negative thoughts among the society.

## **Unfinished Sexual Harassment against Women at Workplace: A Serious Challenge before 21<sup>st</sup> Century India**

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Dr. Rashida Ather, Assistant Professor, Department of Human Rights, School for Legal Studies, BBA University, Lucknow

Centuries have come and centuries have gone but the plight of women is not likely to change. Time has been helplessly watching women suffering in the form of discrimination, oppression, exploitation, degradation aggression, humiliation. In Indian society women occupies a vital position and venerable place. The Vedas glorified women as mother, goddess but their glorification was rather mythical for at the same time. In India women found herself totally suppressed and subjugated in patriarchal society. Despite having the principles of equality and non-discrimination

under Indian Constitution, sexual harassment against women at work place still continues. According to huff post report February 2015, found that one in three women between the ages of 18-34 has been sexually harassed at work .report also says that 75% women are harassed by coworkers,49% women by male clients or customers ,38% women by male managers 10% by female co-workers. The paper explores the issue of unfinished sexual harassment against women at workplace as a serious challenge before 21<sup>st</sup> century India. The paper has been developed with the help of secondary sources and concludes with some concrete suggestion in the light of Vishakha Judgment guidelines and human rights.

### **Sexual Harassment of Women at Work Place in India: Emerging Perspective and Issues (Need To Rethink Over Our Values)**

Dr. Renu Singh, Assistant Professor (Education), Ramadheem Singh Girls Degree College, Lucknow

In today's world of globalization, liberalization and industrialization equalization of opportunities is a key factor of success in any field. The Constitution of India also enshrined the equal opportunities and freedom to all irrespective of caste, creed, colour and gender. But in this globalized and modernized world the increasing percentage of female infanticide, rape cases, acid attacks, sexual harassment of women at their workplaces and many more offences against women shows that sex discrimination has deep roots in our social system. The environment for women to work is becoming more and more negative and pessimistic as they are facing continued persistent remarks and criticism of sexual nature from their employers, superiors and colleagues. These actions against women at their work places comes in the category of harassment as harassment may be defined as the act of systematic and or continued unwanted and annoying actions of one party or a group including threats and demands. The impacts of sexual harassment are known to be traumatic to the women with long lasting emotional, mental, physical and psychological effects. There is a negative impact on their progress of career as well as financial and social status resulting in their low morale, self esteem and self confidence. So the harassment of women at their work places became one of the burning issues amongst the nation which need the attention of policy makers and administrators to review their policies, To discuss the magnitude, dimensions, causes and factors responsible for, to suggest measures and guidelines for prevention of sexual harassment of women at their work places, to modify the existing laws and legislatures. But it is one of the bitter truths that this condition of women can't be changed unless there is a change in the mentality of our society. Lots of policies, rules, regulations and guidelines have been framed to overcome such a big problem but there is a need to reevaluate our moral values and ideologies keeping in mind the equality of opportunities and freedom for all irrespective of their caste, creed, colour and sex if we want to execute and implement these policies and guidelines successfully.

# **Technical Session-05**

## **Chair Person**

Dr. Ramesh Chandra  
Ex. Deputy Director  
Anthropological Survey of India, New Delhi

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All Indian Rights Organization (AIRO)  
Lucknow.

Dr. Shweta Tiwari  
Senior Assistant Professor (Sociology)  
A.P. Sen Degree College, Lucknow

## **Repertoire**

Mr. Sandeep Kumar Singh  
Department of Business Administration  
University of Lucknow, Lucknow

## **Policies Addressing Sexual Harassment at Work Place**

Kranti Singh, M.A. IV SEM., Dept. of Geography, University of Lucknow, Lucknow

Gender equality in all dimensions is a basic human right and the Constitution of India guarantees all its citizens equality of status and opportunity. Sexual harassment is considered as a violation of a woman's fundamental right to equality, which right is guaranteed by Articles 14 and 15 of the Constitution. Workplace sexual harassment creates an insecure and hostile work environment, thereby discouraging women's participation in work and adversely affecting their social and economic growth. The Constitution also provides every citizen the 'right to practice or carry out any occupation, trade or business', which includes the right to a safe environment, free from all forms of harassment'. India's first legislation specifically addressing the issue of workplace sexual harassment was enacted in 2013. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, was made effective from December 09, 2013 by the Ministry of Women and Child Development, India. The Government has also notified rules under the Prevention of Workplace Sexual Harassment Act titled the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 ("Prevention of Workplace Sexual Harassment Rules"). In the last 50 years, various International human rights organizations have been focusing on promoting and protecting women's rights. The United Nations has acknowledged that women are synonymous with Human Rights. In any civilized society, it is fundamental right of the people to lead a dignified and respectful life, free from mental or physical torture. To ensure this transgressors must pay for their unsolicited sexual advances. At the same time organizations such as Men Against Violence and Abuse, that conduct gender-sensitization programmes and self-defence classes to combat sexual harassment in or out the workplace, must be encouraged.

### **राजनीति में महिलाओं के प्रति बढ़ती यौन शोषण व आपराधिक घटनाएं**

डॉ० सविता शाही, असिस्टेंट प्रोफेसर, राजनीतिशास्त्र, डी०ए०वी०पी०जी० कालेज, लखनऊ

राजनीति में महिलाओं के शोषण, उत्पीड़न, चरित्र हनन, छेड़छाड़, बलात्कार व आपराधिक घटनाओं का अस्वच्छ वातावरण विगत कुछ वर्षों में निरन्तर बढ़ते हुए विकराल समस्या का रूप ले रहा है। इसे अस्वच्छ व दूषित राजनीतिक वातावरण में महिलाएं अपने आप को असहज व असहाय महसूस करती हैं। महिलाओं का एक छोटा सा हिस्सा ही सही वह पहले की तुलना में ज्यादा सशक्त हुआ है। वर्तमान में महानगरों तथा शहरी क्षेत्रों में महिलाएं उच्च पदों पर काबिज होकर धर्नाजन कर रही हैं लेकिन इस सच्चाई का दूसरा पहलू यह है कि महिलाएं जब तक पुरुष और बाजार का साथ देती हैं और पुरुष सत्ता के खिलाफ नहीं खड़ी होती हैं वहीं तक उनको आगे बढ़ने का प्लेटफार्म मिलता है लेकिन जहाँ वे कार्यस्थल पर स्वतन्त्र और सशक्त उपस्थिति दर्ज कराती हैं वहीं से उनके साथ हत्या, अपराध, यौन शोषण, छेड़छाड़ व मानसिक प्रताड़ना जैसी घटनाओं की बाढ़ आ जाती है। जिस देश तथा जिस प्रदेश में महिलाएं कार्यस्थलों पर सुरक्षित नहीं हैं तो वह राष्ट्र निर्माण व राष्ट्र के विकास में सशक्त उपस्थिति कैसे दर्ज करा सकती है। इस असुरक्षित माहौल में बहुत सी महिलाएं 'स्टेट्स को' की स्थिति में बने रहना चाहती हैं तथा अपने घर गृहस्थी में ही सुख और आनन्द का अनुभव करती हैं। महिलाएं अपनी प्रबल इच्छा, क्षमता योग्यता के बाउजूद राजनीतिक क्षेत्र में प्रवेश तथा दमदार उपस्थिति दर्ज कराने में घबराती तथा कतराती हैं क्योंकि उन्हें असुरक्षा, सामाजिक अप्रतिष्ठा, हिंसा, धमकियाँ और अनुचित चरित्र हनन का डर बना रहता है। अतः उपरोक्त शोध पत्र के अन्तर्गत राजनीतिक कार्यस्थल पर महिलाओं के साथ होने वाले यौन शोषण से सम्बन्धित घटनाओं व आकड़ों की समीक्षा करते हुए राजनीतिक कार्यस्थल पर यौन शोषण की घटनाओं पर रोक लगाने से सम्बन्धित सुझावों व उपायों का विश्लेषणात्मक अध्ययन किया जायेगा जिससे महिलाएं कार्यस्थल पर निर्भय होकर अपना कार्य करते हुए सशक्त उपस्थिति दर्ज कराकर न केवल अपना विकास करे वरन राष्ट्र निर्माण व राष्ट्र विकास में भी समुचित योगदान दे सके।

### **Sexual Harassment and Bullying**

Rakhi Saxena, Assistant Professor, B.Ed. Department, Dr. R.P.M. Degree College, Lucknow  
Ram Autar Kanaujia, H.O.D., B.Ed. Department, Dr. R.P.M. Degree College, Lucknow

In present time women have contributed in every field of work. They walk with men in every field of life and identify themselves through their work. But over the years, women in our society have been subjected to various injustice at

every stage of life. They face different kinds of Physical, mental abuse and rejection. Sexual Harassment - Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favours, and other verbal and Physical conduct of a sexual nature when either : the conduct is made as a term or condition of an individual's employment, education, living environment or participation in a university community. Sexual harassment is a form of sex discrimination that occurs in the work place. Person who are the victims of sexual harassment may sue under Title VII of the civil Rights Act of 1964, which prohibits sex discrimination in work place. Bullying -Bullying is unwanted, aggressive behaviour among school age children that involves a real or perceived power imbalance. The behaviour is repeated or has the potential to be repeated, over time. Both kids who are bullied and who bully others may have serious, lasting problems. Bullying Vs Sexual Harassment - Often employers treat bullying and Harassment as the same class of problematic behaviour that arises in the work place. How ever because the law relating to each of these areas is different, the approaches you take to prevent these behaviours should also differ. Bullying is repeated unreasonable and unwelcome behaviour directed towards any person but most frequently are children and youth that creates a risk to health and safety. Sexual Harassment is unwanted behaviour that offends, humiliates or intimidates a person, and targets them on the basis of characteristic such as gender, race or ethnicity. Bullying is not based on a student's sex; Sexual Harassment is based on sex.

### **Women Being the Victim of Circumstances**

Dr. Munila Naqvi, Assistant Professor, Bora Institute of Management Sciences, Lucknow  
Richa Martolia, Assistant Professor, Bora Institute of Management Sciences, Lucknow

Sexual harassment constitutes a gross violation of women's right to equality and dignity. It has its roots in patriarchy and its attendant perception that men are superior to women and that some forms of violence against women are acceptable. One of these is workplace sexual harassment, which views various forms of such harassment, as harmless and trivial. India is facing the problem of increasing cases of sexual harassment at workplace that despite numerous laws in place to tackle the menace. Sexual harassment at workplace hampers women's constitutional and fundamental rights to equality, justice and dignity. "Sexual Harassment" includes anyone or more of the following unwelcome acts or behaviour (whether directly or by implication), namely: physical contact or advances, 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. In 2013, the Government of India notified the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal ) Act.

### **The Empowerment of Women in Education**

Dr. Anju Agarwal, Assistant Professor, G.S.R.M Memorial P.G. College, Lucknow

Empowerment is an active multidimensional process, which should enable women to realize their full identity and powers in all spheres of life. To a woman, empowerment is the restructuring of gender relation within the family, community and society. Empowerment means moving from a position of enforced powerlessness to one of power. Empowerment means to inspire women with the courage to break free from the chains of limiting beliefs, patterns and societal or religious conditions that have traditionally kept women suppressed and unable to realize their true beauty and power. Steps are being taken by the Government of India to increase women's participation in educational process for generating a positive climate for girls' education. The Constitution of India not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women. But still there is a need for a strong movement to fight for the rights of women and to ensure that they may have all the rights which men have. Efforts by the government are on to ensure gender equality but government initiatives alone would not be sufficient to achieve this goal. There is a significant gap between policy advancement and actual implementation of laws. The respect and freedom survives in the society i.e. that in the minds of people and this cannot be boasted on anyone by imposing any

law. Society must take initiatives to create an environment in which there is no gender discrimination and women have full opportunities of self-decision making. The gender discrimination should be eradicated from the mind of society to make the women empower in real sense and our slogan should be “Beti Bachao-Beti Padhao”.

## **An Exploratory Study on “Women Development & Grievance Cells” In Indian Corporate Offices**

Yatindra Ingle, Research Scholar, Institute Pacific Academy of Higher Education and Research, Udaipur

The 2001 National Census estimated that women constitute 31.6 percent of the workforce in India. As women continue to enter the workforce in greater numbers, the numbers of incidents of sexual harassment in the workplace have a sight to increase in corporate sectors as well as offices. On the other hand, the women employees fear to be harassed at work places and need to be assurance of safety while they work. Considering the increasing in sexual harassment against women in India there has been a considerable rise in sexual harassment cases against women in corporate offices as well as work places. Understanding these situations and cases in India, fortunately the Central Government of India has introduced a department and facility under which women in India have a statutory right to file complaints for sexual harassment in the workplace. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (the "Act") received the President's assent on April 22, 2013 and is effective as of April 23, 2013. The main aim of the act is that the women should be provided a safe workplace free from sexual harassment. The researcher in this research briefly discusses the scope of the Act 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 for the women employees and its effect over cutting done the Sexual Harassment cases against women at work place/ corporate offices in India.

### **कार्य स्थल पर यौन उत्पीड़न : एक विमर्श**

नीरज कुमार, शोध छात्र, समाज कार्य विभाग, लखनऊ विश्वविद्यालय, लखनऊ

यौन उत्पीड़न की स्थितियों से उन्मूलन का रास्ता महिलाओं की सत्ता और सम्पत्ति में भागीदारी के सवाल से टकराता हुआ सामूहिक सामाजिक संघर्ष व समग्रतावादी समझ से होकर जाता है महिलाओं को अपने हर प्रकार के दासत्व, जिसकी एक अभिव्यक्ति यौन उत्पीड़न है, के इसी सामाजिक चरित्र की शिनाख्त करने की दरकार है। पुरुषों को यह बात साफ जाननी चाहिए कि यौन उत्पीड़न कोई मौज मस्ती की क्रिया नहीं है। जिनसे किसी को नुकसान न होता हो बल्कि यह एक आपराधिक कृत्य है। महिलाएं इस प्रकार के विरोध से यह बात स्पष्ट कर रहीं हैं। कि वे महिला-पुरुष के बीच रचनात्मक सहकार की हामी है। महिलाएं यह नहीं कह रहीं कि महिला-पुरुष के बीच सम्वाद ही न रहे लेकिन कार्यस्थल में स्वस्थ माहौल न हो तो ऐसी स्थिति से भी उन्हें कोई गुरेज नहीं। वे चाहती हैं कि कार्य स्थल बेहद पेशेवराना अंदाज का परिचायक बने। कार्यस्थल चंचलमना लोगों के अधिकचरे व्यवहार का मंच तो कतई नहीं है। सामाजिक सांस्कृतिक स्तर पर हमें एक रेखा खींचनी है जो कार्यस्थल और समाज में व्यक्तिगत और पेशेवर व्यवहार में परस्पर सम्मान को रेखांकित करती हो। सबसे बढ़कर हमें ऐसा नजरिया बनाना है जिसमें नियन्त्रण या कार्यवाही की दरकार ही न रहे। ऐसा नजरिया पाना है जिसमें परस्पर सम्मान और समझ का माहौल बने। वह भी जाति, नस्ल, या लैंगिक भेद-भाव से इतर। तभी हम अपने समुदाय, समाज और देश पर गौरवान्वित हो सकेंगे। जेंडर बराबरी की वकालत करते हुए कितने ही अंक तरुण तेजपाल ने सम्पादित किये होंगे पर इसे स्वयं अपनी तमीज बनाना भूल गये। अपने साथी पत्रकार के साथ दुर्व्यवहार करते तेजपाल में हम बुत की शिकस्त देख सकते हैं। हाशिये पर पड़ी चीजों को केन्द्र में लाना तहलका की कमाई रहीं है ऐसे में स्वयं अपनी भूमिका का आकलन करना क्या तेजपाल की प्राथमिकताओं में नहीं आता। इस सच्चाई को नकारा नहीं जा सकता है कि भले ही हम विकास के कितने दावे-प्रतिदावे करते हों लेकिन नारी-पुरुष के सहज सह अस्तित्व की जहां तक बात है कि हम कहीं बहुत पिछड़े दौर से कुछ ही कदम आगे बढ़ पाये हैं। आखिर ऐसा क्यों है कि हम विकास की यह बुनियादी शर्त मानने को तैयार नहीं हैं, आर्थिक ही नहीं बल्कि सामाजिक, सांस्कृतिक और तकनीक के स्तर पर महिला और पुरुष की सहभागिता हमारे विकास का आइना है और सहभागी भी। इस दर्जे के कि कहीं से कोई लैंगिक भेदभाव न हो। इन्हीं भावों को समेटे हुये प्रस्तुत शोध पत्र में महिला यौन उत्पीड़न के उन सभी पहलुओं पर विस्तृत चर्चा की गयी है। जो यौन उत्पीड़न के लिए जिम्मेदार हैं।

## एड्स / एच.आई.वी. पीड़ित महिला और कार्यस्थल पर यौन उत्पीड़न – एक मूल्यांकन

डॉ रोहित मिश्रा, पोस्ट डोक्टोरल फेलो, आई. सी. एस. आर., समाज शास्त्र विभाग, लखनऊ यूनिवर्सिटी, लखनऊ

पिछले ३५ सालों में दुनिया को इस आतंक ने सबसे ज्यादा भयभीत किया है और जिसके कारण लोगों को अपने जीवन के प्रति सबसे ज्यादा खतरा उत्पन्न दिखाई देने लगा और समाज में संस्कृति और नातेदारी दोनों में एक स्पष्ट लकीर दिखाई देने लगी वो कारण एच आई वी का संक्रमण है जिसके अक्सर लोग सही ज्ञान ना होने के कारण बीमारी कह कर संबोधित कर देते हैं लेकिन ये एक संलक्षण (कई बीमारियों का समुच्चय) है। जिसने किसी भी लड़ाई में मारे गए लोगों से ज्यादा लोगों को अपने चपेट में लिया है और आज तक इसका कोई सार्थक इलाज भी नहीं निकाला जा सका है। इसके कारण और अज्ञानता के कारण लोगों में इस संलक्षण से प्रभावित लोगों के प्रति एक घृणा का भाव पैदा होने लगा और लोग ऐसे लोगों को जिन्दा मारने लगे। इसी स्थिति को रोकने के लिए सरकार ने कई विधिक व्यवस्था की और कार्य करने वाली महिलाओं को जिनको एच आई वी है उनके शासन को भी रोकने के काफी उपाए किये हैं। इस शोध पत्र में मैंने ये जानने का प्रयास किया है कि कार्यस्थल पर काम करते हुए कितनी महिलाओं के साथ उत्पीड़न के नाम पर शारीरिक अत्याचार किया गया है और उससे इस संलक्षण के कोई साक्षी मिले हैं या नहीं और दूसरे ऐसे संलक्षण से प्रभावित महिलाओं का कार्यस्थल पर यौन उत्पीड़न होने के कितने साक्ष्य हैं?

### **To Highlight the Causes and Factors Responsible For Sexual Harassment at Work Place**

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Job morale is often mentioned in literature on correctional staff, but its antecedents have seldom been investigated. In this study, survey data were collected from 975 facility and community staff working for the Kentucky Department of Juvenile Justice to determine the relationship of personal characteristics (educational level, gender, race, tenure, and age) and workplace variables (input into decision-making, job stress, organizational communication, perceptions of coworkers, workplace cooperation, and public support) with job morale. Type of staff (community or facility) had a non-significant association with job morale. In multivariate analyses controlling for nested data, educational level, race, tenure, age, input into decision-making, organizational fairness, perceptions of coworkers, and workplace cooperation each had a positive relationship with morale, while job stress had a negative association. Workplace variables accounted for far greater variance in the job morale variable than did personal characteristics, which holds implications for efforts to improve correctional staff morale. The SC's Vishaka guidelines initiated a discourse in India on sexual harassment and benefited women by reconfirming their right to a safe working environment. They proposed providing a safe and gender-friendly atmosphere for working women by instituting in-house mechanisms for redressing complaints. Surveys done by organizations across India over the years have revealed that employers either choose to ignore the guidelines or to not take them seriously. Sexual harassment at the workplace remains the most under-reported form of gender discrimination (Shukla 2002) and the private sector has been very reluctant to acknowledge its existence. Poor and faulty implementation of the Vishaka guidelines has been discussed by Oversizer (2010) and Majumdar (2003). The industry persons and academicians quoted in these studies confirm that the issue of sexual harassment has largely been swept under the carpet in India. Further, they accept that the provisions have never been successfully invoked because of the social taboos still associated with sexual harassment and the long delay if a case ends up in court. Overall awareness among Indian companies about the need for a well-defined mechanism to tackle sexual harassment at the workplace is terribly poor. Moreover, multinational companies seemed to be taking advantage of the space left by the absence of a law.

## **Overview of Sexual Harassment at Work Place**

Dr. K. K. Bajpai, LL.M., LL.D. Assistant Professor, Law, KSSPG College, Ayodhya, Faizabad

One of the evils of the modern society is the sexual harassment caused to the women particularly the working women by their male counter parts and other members of the society. There is no law in India which is adequate to combat the evil of these sexual harassment. In Vishakha Case A Division Bench of Supreme Court speaking through Chief Justice J.S. Verma laid down a number of guidelines to remedy the legislative vacuum. The court has defined, having regard to the definition of "Sexual harassment" as including any unwelcome sexually determined behavior (whether directly or by implication) like physical contact and advances, a demand or request for sexual favors, sexually colored remarks, showing pornography and any other unwelcome physical, verbal or non-verbal conduct of sexual nature. The Supreme Court referred to the Convention on the Elimination all forms of Discriminations against Women and also the resultant violation of gender equality under Articles 14 and 15 and right to life, to personal liberty of women under Art. 21 of the Constitution. As a result of this judgment any woman employee who is subjected to sexual harassment of any kind can take recourse to initiating criminal proceedings, disciplinary action and also seek compensation from the guilty employer and other persons responsible for the harassment. On more occasions than one it, believing that human dignity is the basic factor amongst the human rights jurisprudence reflected in the Constitution of India and without which all human rights are meaningless, has also echoed and reasserted that right to life and personal liberty guaranteed under article 21 not only assures every one the right to live with human dignity but also includes all those aspects of life that make a life meaningful, complete and worth living. According to it, the right to life with human dignity is the fundamental right to every citizen and the State is under the constitutional duty to provide at least minimum conditions ensuring human dignity. The apex court, in consonance with its hitherto widest possible humanitarian and humanized approach to Article 21, its unquestionable stand that right to life is something more than a mere animal existence and it includes the right to live with human dignity, probably for the first. 21 and violates her right to live with dignity

## **Overview of Sexual Harassment at Work Place**

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Sexual harassment at work place is a universal and one of the most common crimes against women. According to Indian constitution, sexual harassment infringes the fundamental right of a woman to gender equality under Article 14 and her right to life and live with dignity under Article 21. What exactly is sexual harassment? Sexual harassment is bullying or coercion of a sexual nature, or the unwelcome or inappropriate promise of rewards in exchange for sexual favors. As defined by the US Equal Employment Opportunity Commission (EEOC), sexual harassment is unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. This paper is an attempt to explain a variety of circumstances where sexual harassment may occur and what are the various forms of harassment relationships. It assesses the impact of sexual harassment at work place on women. Every year sexual harassment deprives women from active social and economic participation, and costs hundreds of millions of Rupees in lost educational and professional opportunities for mostly girls and women. This paper suggests measures for prevention of sexual harassment at work place and modifications in existing laws and legislatures. The most effective way to avoid sexual harassment in the work place, and also influence the public's state of mind, is for the employer to adopt clear policy prohibiting sexual harassment and to make it very clear to their employees. In 1997, the Supreme Court of India in a Public Interest Litigation defined sexual harassment at work place, preventive measures and redress mechanism. The judgement is popularly known as Vishakha Judgement. In April 2013, India enacted its own law on sexual harassment in the work place –The Sexual Harassment of Women at Work place (Prevention, Prohibition and Redressal ) Act, 2013. The Act is intended to include all women employees in its ambit, including those employed in the unorganized sector, as well as domestic workers.

## **Overview of Sexual Harassment at Workplace**

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In 1997, the Hon'ble Supreme Court of India, in Vishaka and Others vs. State of Rajasthan and Others ("Vishaka Judgment") acknowledged the gravity of sexual harassment of the working women at the workplaces and laid down guidelines making it mandatory for employers to prevent the commission of acts of sexual harassment and to provide the procedures for the resolution, settlement or prosecution of acts of sexual harassment. The guidelines issued by the Hon'ble Supreme Court were treated as law declared by the Hon'ble Supreme Court under Article 141 of the Constitution of India. It was held by the Hon'ble Supreme Court that the guidelines framed by the Supreme Court would be strictly observed in all work places for the prevention and enforcement of the right to gender equality of the working women. It was observed by various Courts from time to time in the past that the guidelines and norms framed by the Hon'ble Supreme Court in Vishaka Judgment have not been followed in workplaces strictly. The increasing work participation rate of women made it imperative for enacting a comprehensive legislation focusing on prevention of sexual harassment as well as providing a redressal mechanism. The present paper aims at overviewing the scenario of sexual harassment at workplace with special reference to the 2013 Act. The Act went one step ahead and included various issues which remained unaddressed in the past such as extension of the definition of workplace to include almost all types of establishments including private sector organization, dwelling places or houses, inclusion of the term domestic worker and unorganized sector in order to address the issue of sexual harassment of women.

## **Verbal and Mental Harassment of Women at Work Place**

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There are a variety of types of harassment that can occur in the workplace. Workplace harassment, whether it be verbal or physical badgering based on sex, religion, or race, is unlawful and also a form of discrimination. Verbal harassment of women is not a new concept. The offences against women covered board based topics. Sexual/ verbal harassment is one such form of offence or exploitation where women experience both physical and mental torture. With the women folk entering the labor force the form of harassment has taken a new shape. Women in the workplace experience a wide range of verbal and mental harassment at the hands of their colleagues or superiors. Thus the problem of verbal harassment has become a major social problem now-a-days. Constitution guarantees equal status to women with men and they also have the right to life and personal liberty. It is also our duty to respect them and let them live in dignity, but with the process and development of society this evil offence is assuming new dimension with the passing of each day and the menace is on the rise. Today almost all the working women are facing the same problem irrespective of their status, nature of job etc. Mental and verbal harassment in the workplace refers to demeaning comments that are directed in a sexual manner, such as whistling, or to bully a person, including giving a person a derogatory name. Small business owners should always look out for mental and verbal harassment as it risks litigation and may reduce employee performance. Mental and verbal harassment covers a wide range of topics, Although sexual comments are the most obvious form of harassment, verbal harassment includes certain political statements, promoting a religion, dirty jokes and even some types of art that people can take as offensive. For verbal harassment to become a potential legal issue, it must create a hostile work environment for the employee and/or affect the employee's status with the company, such as a demotion in position or a reduction in benefits. Not all verbal comments constitute harassment. Light teasing or isolated, minor incidents are not considered discrimination. Businesses must take verbal harassment claims seriously as ignoring complaints could lead to government investigation and lawsuits that can ruin a company. Unchecked verbal harassment reduces the productivity of an employee and thereby his employment prospects. Even people not receiving the mental and verbal harassment directly, but by simply hearing them, can file complaints and lawsuits, especially if

they are part of a federally protected group. Unwelcome, discriminatory conduct is legally considered harassment when it is bothersome enough to negatively impact the work environment. Also, if a supervisor's harassment results in an obvious change in the employee's salary or status, this conduct would be considered unlawful workplace harassment. At many places the working women knowingly or unknowingly become the victim of the offence. In most of the cases the women preferred to remain silent because of their economic needs. This economic dependence of women helps the male who by virtue of their status are placed in a superior position in this patriarchal social order to exploit and harass women. Each such incident results in the violation of the fundamental right of women guaranteed under the Indian Constitution. But nobody seems in a position to care and respect this provision and the menace is increasing at an alarming rate. It should be the duty of the employer or other responsible persons in work place or other institutions of prevent or before the commission of acts of verbal/sexual harassment and to provide the procedures for the resolution, settlement or the prosecution of acts of sexual harassment by taking all steps required. Whether or not such conduct constitutes of offences under law or a branch of the service Rules an appropriate complaint mechanism should be created in every office for redress of the complaint made by the victim. Such complaint mechanism should ensure time bound treatment of complaints whenever such mechanism for redressal of grievance already exists it may be more effective and in particular women officers should preferably handle such complaints.

### **Women Be-Aware At Workplace: New Strategies to Combat Sexual Harassment**

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Women have always stepped out of narrow archaic boundaries to learn and earn. Since the dawn of civilization, they have faced the burns of patriarchy inside and bruise of violence outside. Out of nine types of violence and abuse, sexual harassment falls under physical, sexual and psychological zone. Due to its occurrence in private, invisible domains, it becomes quintessential to detect and then eliminate this crime. Since prevention is better than cure this paper examines methods to prevent attempts and eradicate consequences of sexual harassment. Work is worship but woman who is considered 'Shakti' is harassed unceasingly by male co-workers, staff and employers. In government sector the number of grievances cell is meagre 40%, and in private sector, it is minimal. The POSH Prevention of sexual harassment that sexual harassment states that it is violation of the fundamental rights of a woman to equality under articles 14 and 15 of the Constitution of India and her right to life, to live with dignity under article 21 of the Constitution and right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment. Using legal review of Pre-1997 Vishakha Guidelines and Sexual Harassment of Women at Workplace Act, 2013, the paper delineates action plans to purge and purify each person at individual, psychological and social level of this crime. The paper thus elucidates guidelines, practices like grievance committee, networking groups, siren tools, CCTV in clutch, sensitize both men and women to cross out this negativity of perverted male mentality.

### **Impact of Sexual Harassment on Women at Work Place**

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The concept of sexual harassment, in its modern understanding, is a relatively new one, dating from the 1970s onwards; although other related concepts have existed prior to this in many cultures. The term *sexual harassment* was used in 1973 in "Saturn's Rings", a report authored by Mary Rowe to the then President and Chancellor of MIT about various forms of gender issues. Rowe has stated that the Effects of sexual harassment can vary depending on the individuality of the recipient and the severity and duration of the harassment. Often, sexual harassment incidents fall into the category of the "merely annoying." In other situations harassment may lead to temporary or prolonged stress and/or depression depending on the recipient's psychological abilities to cope and the type of harassment, and the social

support or lack thereof for the recipient. Psychologists and social workers report that severe/chronic sexual harassment can have the same psychological effects as rape or sexual assault. Victims who do not submit to harassment may also experience various forms of retaliation, including isolation and bullying loss of motivation stomach problems, eating disorder weight loss alcoholism feeling violent blood pressure .Sexual harassment is bullying or coercion of a sexual nature, or the unwelcome or inappropriate promise of rewards in exchange for sexual favors. In most modern legal contexts, sexual harassment is illegal. As defined by the US Equal Employment Opportunity Commission (EEOC), "It is unlawful to harass a person (an applicant or employee) because of that person's sex." Harassment can include "sexual harassment" or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature.

### **Sexual Harassment – Socia-legal Ramifications**

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Sexual abuse is a heinous act against the humanity. This is a worldwide phenomenon. Female of all age and the children are sexually harassed and abused. Kidnapping, abduction, administering drugs and narcotics for perverting the innocent brains and luring them in sexual acts and false promises to marry for consensual sex are rampant. The schools, work places, hospitals, police stations, children homes, orphanage etc are not safe. Travelling in trains, buses, going out of home for attending schools, work places or for any other purpose are prone to risk by sex maniacs. The females fall in clutches of vicious elements due to allurements of job opportunities resulting in their sexual abuse which many a times leads to their prey of brothel – keepers. Some children are not safe in their own homes. The incestual acts are rising. Kidnapping, abduction, obscenity and other forms of nuisance, rape, intercourse by public servant with women in his custody, intercourse by superintendent of Jail, remand home etc., intercourse by any member of the management of staff of a hospital, unnatural acts are offences in Indian Penal Code, 1860. The crime figure of sexual offences ever goes on increasing, Immoral trafficking, narcotic and psychotropic substances are the matters of concern despite the special laws to deal with them. The Parliament enacted 'The Protection of Children from Sexual Offences Act, 2012.' After Nirbhaya case, the age of juvenility has been reduced from 18 years to 16 years on the public demand. The Parliament gave way to mounting public opinion despite the ratification by the Government of India in 1992 of the Convention of the Rights of Child as adopted by the General Assembly of the United Nations in 1989. Indian judiciary has also played a vital role for preventing sexual harassment. The sanction of laws has failed to contain the contaminated brains. The elders have to set the right tract by following morals and religious tenets to inculcate the same in their children to prevent the harmful activities in the society.

### **Sexual Harassment at Workplace and Vishakha Guidelines**

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In India, before 1997, There was no formal guidelines for how an incident involving sexual harassment at workplace should be dealt by an employer. Women experiencing sexual harassment at workplace had to lodge a complaint under Section 354 of the Indian Penal Code that deals with the 'criminal assault of women to outrage women's modesty', and Section 509 that punishes an individual or individuals for using a 'word, gesture or act intended to insult the modesty of a woman'. These sections left the interpretation of 'outraging women's modesty' to the discretion of the police officer. It was in 1997 when the Supreme Court of India laid down formal guidelines for dealing with sexual harassment at the workplace following the gang rape of a social worker, Bhanwari Devi from Bhatner in Rajasthan. According to reports, despite a long legal battle that ensued, Bhanwari Devi did not get justice and led to women's rights group – Vishakha – filing public interest litigation (PIL) in the Supreme Court. The petition, filed by the women's right group Vishaka and four other women's organisations in Rajasthan against the State of Rajasthan and the Union of India, resulted in what are popularly known as the Vishaka Guidelines.

## **Sexual Harassment of Women in India-A Big Bane**

Dr. Poonam Chaturvedi, Assistant Professor, Department of Education, Sai Nath University, Jharkhand

Men and women are like two wheels of the Chariot of Life. The term sexual harassment means a type of employment discrimination consisting in verbal or physical abuse of a sexual nature. In *Vishaka v. State of Rajasthan*,<sup>[ii]</sup> sexual harassment was defined as any unwelcome sexually determined behavior (whether directly or by implication) as physical contact and advances, a demand or request for sexual favors, sexually-colored remarks, showing pornography or any other unwelcome physical, verbal or non-verbal conduct of sexual nature. It has historically been a well kept secret practiced by men, suffered by women, condoned by management, and spoken by no one. It is a manifestation of power relations women are much more likely to be victims of sexual harassment precisely because they lack power, are in a more vulnerable and insecure position, lack self-confidence, or have been socially conditioned to suffer in silence.<sup>[iii]</sup> The cases of sexual harassment of women at the workplace are increasing alarmingly because of several factors, poor status of women; increasing number of working women; poor knowledge of human relations and values; poor law and order position in the society and no adequate provisions of law to deal with the problem effectively. This issue is not just a women empowerment issue but an issue pertaining to Human Rights, Human Resource Management and safety and health of the workplace environment. The prevailing forms of harassment at workplace include the sexual desire dominance paradigm which conceptualizes the hostile work environment harassment. This paradigm, heterosexual desire and male dominance are inextricably linked. Men use their dominant positions at work to extract sex from women, and this extraction of sex from women ensures their dominance. This sexual desire dominance paradigm governs our understanding of harassment.

### **Sexual Harassment: Never Admissible, Never Justifiable, Never Endurable**

Dr. Pinki Negi Bora

For centuries women had been confined to the four walls where their chief task was to perform the household chores, child bearing and nurturing and then to be happy with their discontented position. The fact is that they were not given enough freedom to express their discontent and dissatisfaction. Pleasing husband was considered their cardinal duty. Even after 68 years of independence the situation of women has not improved a lot. In olden times they were pleasing objects for their male counterparts in private sphere and in modern times when they have stepped out in the public sphere they experience sexual abuse at workplace. The actual problem lies in the disgusting mentality of men who cannot imagine and tolerate women competing with them in public sphere. It is very unfortunate that even being well educated and well qualified, everyday women undergo various forms of exploitation, harassment and torture at workplace. Irrespective of their status at workplace they experience sexual and mental harassment ranging from lewd remarks to physical molestation. The present paper is an attempt to bring forth the unhappy and the disgruntled situation of women at workplace. Through this paper the writer also urges the men folk to eradicate gender inequality, treat women equally as they are also human beings who too deserve respect. Let them also lead an economically independent life with dignity and grace. Support them in excelling in their respective fields.

### **Sexual Harassment at Workplace: Causes, Impact and Prevention**

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India is gradually emerging as a powerful land since women began playing significant role for the development of the nation. Women is considered as a masters in the art of home making as well as in other areas such as education , sports ,

politics, media. There is no arena which remained unconquered by Indian women. In 21st century we all talk of gender equality, female education and empowerment but it has not achieved in reality. Though well educated employed and women faces a lot of challenges and problems in work place by the people of authority. Employers try to take sexual favors from women employee in return of other benefits and promotions. A few women wave off ignore and move on. But few women revolt and face many difficulties. They are forced to keep quite because, if they will raise their voice they are subject to face sexual abuses and harassment. Thus women are discriminated socially, economically and even legally in today's India. So the prevention of sexual harassment is necessary. Harassment does not appear on its own. In fact it is more likely that when the problem is not addressed, the harassment will worsen and become more difficult to remedy as time goes on. The burden of preventing sexual harassment rest on the employers. Employers are responsible for providing their employees with a work environment that does not discriminate and is free of harassment employers are therefore, required by law to take steps to prevent and deal with harassment in the work place. In this paper we are discussing about the causes and the impact of sexual harassment along with prevention and prohibition.

## Health and Hygienic Among Sikandar Nagar

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To study health and hygienic condition among Sikandar Nagar, Basti, U.P. The dwellers of Basti is being predominantly poor and facing a number of problem like housing settlement water, drainage, sanitary, sanitation crises make them more vulnerable to sexual harassment etc (method) A cross sectional study in Basti of lucknow city, total 150 individuals were selected, simple random sampling was used. Interview, photographs, observation and other methods were used for data collection. (Result) study shows that out of 233 household total 48 houses have drainage systems only 26.6% people wash their hands before taking meal, 42.6% wash hands after mean and 36.6% don't even wash their hand. 36% of people used water from hand pump, 10.66% individual uses water from direct connection, 52.66% uses from public tap, it was seen that 52% women uses public toilet, 21% uses personal toilet, 27% go for open area. It was concluded that most of people were not aware of hygienic practices. There was huge lack of personal and social hygiene, due to poor drainage they mostly suffer from waterborne diseases, poor infrastructure lead women to face harassment. So it is suggested that policy makers should look into issue to give more emphasis in their betterment, and in infrastructure for women safety.

## भारत में महिलाओं के साथ कार्यस्थल पर यौन उत्पीड़न

रेखा यादव, आई0सी0पी0आर0 (जे0आर0एफ0), दर्शनशास्त्र विभाग, लखनऊ विश्वविद्यालय, लखनऊ

महिलाएं जीवन के किसी भी क्षेत्र में मानसिक, शारीरिक बौद्धिक तथा पारिवारिक, सामाजिक, आर्थिक, राजनीतिक रूप से प्रताड़ित होती हैं। महिलाओं के उत्पीड़न की खबरे आजकल आम बात हो गयी है। यह कैसी विडम्बना है हमारे देश की आजादी के इतने वर्षों बाद भी महिलाएं स्वतन्त्र रूप से घूम फिर नहीं सकती। सृष्टि को चलाने वाली जन्मदात्री आज सिर्फ पुरुषों की भोग्या बन कर रह गयी है स्त्रियों का स्थान या तो देवालियों में निश्चित कर दिया गया या उसे शोषित पीड़ित, दोगम दर्जे की उपयोग की वस्तु ही माना गया है। यह अत्याचार नया नहीं यह तो सदियों से महिलाओं के साथ होता चला आ रहा है महिलायें आज न अपने घर में सुरक्षित हैं और न बाहर। घर में किसी न किसी पारिवारिक रिश्तेदार की वासना का शिकार बन जाती वहीं गांव में महिलाओं के साथ यौन उत्पीड़न खेत, खलिहानों, स्कूल में बच्चियों के साथ उनके ही शिक्षकों द्वारा, कामगांजी महिलाओं के साथ के विद्यालयों, विभिन्न स्थानों जैसे-कार्यालयों तथा कार्यस्थलों पर आदि काम करने वाले, सहकर्मियों द्वारा ये अपराध किए जाते हैं। यौन उत्पीड़न शारीरिक स्पर्श, सेक्स से सम्बन्धित मांग या अनुरोध, द्विअर्थी संवाद बोलना, अश्लील साहित्य दिखाना, अश्लील टिप्पणियाँ करना, कोई भी अनचाहा शारीरिक शाब्दिक (मौखिक) या अमौखिक सेक्स से सम्बन्धित निर्देश देना। सहकर्मी द्वारा अप्रत्यक्ष रूप से यौन इच्छाओं की पूर्ति के लिए उकसाना, छूने का प्रयास करना, कामुख दृष्टि से देखना, फाइल या कागज लेते या देते समय अंगों का स्पर्श करना आदि ऐसी क्रियाये हैं जिन्हें आपत्ति जनक व्यवहारों की परिभाषा में रखा गया है और कामकाजी महिलाओं के इन दुर्व्यवहारों के लिए न्यायिक संरक्षण की व्यवस्था की गयी है नीति सम्बन्धी इन निर्देशों में स्पष्ट कहा गया है कि संस्थान के अधिकारी का यह पहला कर्तव्य होगा कि वह अपने अधीनस्थ महिलाओं को ऐसे शोषण से पूर्ण सुरक्षा प्रदान करें।

## **Sexual Harassment of Women at Work Place in India**

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Sexual harassment is the expression of unhealthy human relationship. It is not just the violation of dignity, right to social security and right to equality guaranteed to human beings in every social system but it is also a violation of right to life and peaceful existence guaranteed by law. Though sexual harassment in the context of employment has received much attention in the social and legal scenario in last two decades, including the enactment of Sexual harassment Act of 2014, Sexual harassment is one of the most venomous problems that the society is facing today. The term had not been coined till the 1970's; however since it's docking in the public forum, the concept has rapidly expanded. It has taken different connotations and inspired varied viewpoints over the period of time. Sexual harassment can be broadly defined as 'an unwelcomed sexual advance that leads to the creation of a hostile and offensive work environment for a person'. The laws of different countries have attempted to define it in different ways. However analyzing the phenomenon of sexual harassment through the narrow prism of 'unwanted sexual behavior' would highly limit our understanding of the concept.

## **Violence Against Women And Girl Child**

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Violence against women and girl child is one aspect of injustices against the women in Indian society. Discrimination is a milder form of injustice against the women. However, quite often it is carried to its extreme form. Eventually, it finds expression in various types of violence against women. Indian women suffer a life cycle of violence against their person. All types of violence against women is consequential, some like foeticide, rape, dowry related violence are far more critical given their high incidence, the severity of damage that they cost, and where they place the county in the eyes of the world at large. Types of violence against girl child include foeticide, infanticide, murder, rape, kidnapping and abduction, procuration of minor girl, buying of girls for prostitution, selling of girls for prostitution, child marriage, abetment to suicide, exposure and abandonment, and other crimes. Incidence and rate of crime against children in 2009 was indicated by the NCRB in early 2011.

## **Sexual Harassment of Women in Corporate Sector in India**

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Miss. Namarata, Computer Science, Dr R.P.M Degree College, Rajajipuram, Lucknow

A workplace is defined as “any place visited by the employee arising out of or during the course of employment, including transportation provided by the employer for undertaking such a journey.” As per this definition, a workplace covers both the organized and un-organised sectors. The corporate sector in India has not been very receptive to women's complaints about sexual harassment at the workplace. This article attempts an overview of judicial decisions from various sectors of employment in India and also highlights the significance of India's new Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. The article stresses on the employer's responsibility to follow the legal requirements prescribed by the Act. And it also touches upon the importance of workplace policies on sexual harassment and the role of human resources (HR) departments.

## Sexual Harassment in India : Form and Cause

Garima Tripathi, Master in Social Work

Sexual harassment is all about expression of male power over women that sustain patriarchal relations. It is used to remind women of their vulnerability and subjugated status. In a society where violence against women, both subtle and direct, is borne out of the patriarchal values operating in society, force women's conformity to gender roles. These patriarchal values and attitudes of both men and women pose the greatest challenge in resolution and prevention of sexual harassment. Studies find that sexual harassment is still endemic, often hidden, and present in all kinds of organizations. Yet it is still not always viewed as a problem, which has to be systematically tackled. The issue is of concern for both women and the employers as studies show that sexual harassment touches lives of nearly 40-60% of working women. Thus, combating sexual harassment involves developing understanding of what is sexual harassment and change of attitudes in all- be it employees, colleagues, friends, administrators, employers or the law makers. In India, it has been only six years since sexual harassment was for the first time recognized by The Supreme Court as human rights violation and gender based systemic discrimination that affects women's Right to Life and Livelihood. The Court defined sexual harassment very clearly as well as provided guidelines for employers to redress and prevent sexual harassment at workplace.

### Sexual Harassment of Women at Workplace

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Women in India are being exploited since long. Sexual harassment of women at workplace is one of the crimes against women. It is a fact that women also have right to work. It is not only constitutional right but also human right of women. It has been recognized as human right by International instruments like Convention on the Elimination of all forms of Discrimination against Women (CEDAW). Article 21 of the on situation of India provides right to life as fundamental right which includes right to live with dignity. Sexual harassment of a woman at workplace is the violation of fundamental right of a woman enshrined under Articles 14, 15, 21 and 19 (1) (g) of the Constitution of India. It is the right of women and duty of employer to provide safe environment at the workplace.

### महिलाओं का कार्यस्थल पर यौन-उत्पीड़न का एक समाजशास्त्रीय अध्ययन (अधिनियम 2013 के विशेष संदर्भ में)

डा० उत्तरा यादव, एस०प्र० समाजशास्त्र, महिला विद्यालय डिग्री कालेज, लखनऊ

महिला एवं बाल विकास मंत्रालय द्वारा सरकारी दफ्तरों एवं निजी कार्य स्थलों पर महिलाओं को सुरक्षा प्रदान करने एवं सुरक्षित वातावरण सुनिश्चित करने के उद्देश्य से लौंगिक उत्पीड़न विधेयक पारित किया गया। इस विधेयक के अन्तर्गत संगठित और असंगठित दोनों क्षेत्रों की महिलाओं को शामिल किया गया है। **यौन उत्पीड़न क्या है?** जब यह स्पष्ट किया जा सके कि किसी भी कर्मचारी अधिकारी का व्यवहार एक निश्चित अपराध की श्रेणी के अन्तर्गत आता हो। यौन उत्पीड़न भारत के संविधान की अनुसूची 14 एवं 15 के अधीन किसी महिला के समानता के मौलिक अधिकार तथा संविधान की अनुसूची 21 के अधीन उसे अपने जीवन को गरीमा के साथ जीने के अधिकार और कोई आजीविका अपनाने, कोई व्यवसाय करने या कारोबार करने में नियुक्त अधिकारी द्वारा सुरक्षित वातावरण सृजन करने के समबन्ध में है। भारत की स्वतंत्रता मिलने के पश्चात एक संविधान सभा बनी, जिसने बड़े शुद्ध और पवित्र मन से संविधान बनाया जो 26 जनवरी 1950 को लागू हुआ। संविधान वह किताब है जिसमें पूरे देश की व्यवस्था कैसी हो, लोगों का चाल, चलन एवं व्यवहार कैसा हो, प्रकृति अन्य जीव जन्तुओं तथा धरती से मानव का रिश्ता कैसा हो। यह स्पष्ट तरीके से लिखा गया है। परन्तु आज के मानव में सम्बेदना का अभाव बढ़ता जा रहा है। महिला एवं बाल विकास मंत्रालय द्वारा 9 दिसम्बर 2013 को अधिसूचना का राजपत्र पारित कर कार्यस्थल पर महिलाओं को सुरक्षा का प्रावधान किया गया है जो विशाखा दिशा निर्देश: यौन शोषण रोकने सम्बन्धी प्रावधान का परिणाम है। विशाखा दिशा-निर्देश 1997 में अस्तित्व में आया, यह दिशा निर्देश न्यायिक सक्रियता का विशेष परिणाम है। आज आवश्यकता है सम्बेदना की पुरुषवादी मानसिक सोच की क्योंकि समाज में जैसे-जैसे स्त्री शिक्षा एवं कौशल का विकास होगा वह अपने जीवन को सकुशल जीने एवं अपने पर निर्भर रहने वालों के लिये वह आत्मनिर्भरता के 1 ली० धरा से बाहर निकलेगी। आज आवश्यकता है कि सभी लोग अच्छे नागरिक बने तथा एक सूब में जुड़कर एक खुशहाल और अमन चैन से परिपूर्ण भारतीय समाज का निर्माण करें।

## **Sexual Harassment at Workplace: Problem. Impact and Prevention**

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The Problem: In April 1975 the phrase sexual harassment was used in the public for the first time by Farley during her testimony before the New York City Human Rights Commission hearing on Women and Work. She defined it as unwanted sexual advances by male supervisors towards women such as constant leering/ogling, brushing against, pinching/squeezing bodies, forced intimacy and forcing sexual intercourse. Before 1970s the term sexual harassment at work place did not exist and it was identified as a part of daily work life, a problem without any name Impact on Women: Sexual harassment is one of the most demeaning experiences an employee can suffer. For the victims, it often produces the feelings of revulsion, disgust, anger, and helplessness. It damages the victim's health. It results in emotional and physical stress and stress related illness. Victims may experience severe emotional trauma, anxiety, nervousness, depression and feelings of low self-esteem. Sexual harassment adversely affects employee morale and job performance. It reduces productivity and increases the sick leave and absenteeism among affected employees. Moreover, many female employees who face sexual harassment choose to resign from their jobs rather than fight or endure the offensive conditions. This results in a higher rate of employee turnover with all the associated costs in training and lost production .The greatest danger of sexual harassment is that when it goes unchecked it can spread throughout an organization like an infectious disease. Sexual Harassment is a gender discrimination which goes against the principle of equality of treatment in employment between genders, Prevention: Sexual Harassment Problem arises out of general workplace relationships involving personal behavior of people within the enterprises. Therefore the most effective way of dealing with the problem is to tackle it at the level of the enterprise so that it can be confronted on the spot and nipped in the bud .Based on experiences in other countries which have successfully implemented anti sexual harassment programmes, the best approach to combat sexual harassment at work is through the establishment of preventive and redress mechanism at the enterprise level. In 1997 Supreme Court issued some guidelines in a case of Vishakha, others Vs state of Rajsthan to define and prevent sexual harassment at workplace. But it was just a temporary solution of the problem. In 2013 a more concrete and holistic law was produced and it is Known as Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redress) Act 2013. Most of the organizations in India are still very unaware of the law and awareness is very much required in This regard. The following steps to be followed by all offices/branches to prevent the sexual harassment at workplaces: 1). To create an Internal Complaints Committee (ICC) in all type of organizations to which the 2013 Act applies. 2). Each organization should have an anti-sexual harassment policy aligned with the provisions of the new law such as definition clauses, procedural mechanism interim remedies etc. 3). There should be made changes to the employment contracts/rules and regulations to make the employees legally bound for the acts of sexual harassment in the workplace. 4) Each organization should organize workshops and awareness programmes periodically for sensitizing employees on implications of sexual harassment at the workplaces and also organizing orientation programmes for members of the Internal Complaints Committee. 5) Each organization should display Conspicuously at the workplace the penal consequences of indulging in acts that may constitute sexual harassment and the composition of the internal complaints committee. 6) Each organizations/offices should submit necessary information pertaining to sexual harassment to specified authorities. 7) Each offices or employers should help the employee to initiate legal action against the perpetrator, who is not an employee of that organization, for sexual harassment under suitable criminal law. 8) Each organization should provide necessary facilities to the complaints committee for dealing cases of sexual harassments. These facilities are to provide the venue where the ICC proceedings can be carried out, providing logistical support, providing secure communication and providing access to company policies and manuals etc. Thus we can conclude that sexual harassment at workplaces should be dealt strictly under the guidance of prevention act 2013. Here the awareness of the law among people is must.

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