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EFFICIENCY OF THE EXISTING LAWS FOR WOMEN'S SAFETY**Miss. Raithak Dipmala Vishwanath****ChudavekarKamlakarKashinath**

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Introduction:-

An act to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

Whereas sexual harassment results in violation of the fundamental rights of a women to equality under article 14 & 15 of the constitution of India and her right to life and 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.

And whereas the protections against sexual harassment and the right to work with dignity are universally recognized human right by international conventions and instruments such as convention on the elimination of all forms of discrimination against women, which has been ratified on the 25th June, 1993 by the government of India.

Objective of the study:-

- 1) To know the meaning of sexual harassment.
- 2) To study of the sexual harassment of law.

Research methodology:-

This study is depend upon secondary sources related to newspaper, websites, reports, research papers and governmental notifications, research articles.

Definition of sexual harassment:-

- 1) "Aggrieved women" means in relation to workplace, a women of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
- 2) 'Act' means the sexual harassment of women at workplace (prevention, prohibition and redressal) Act, 2013 (14 of 2013)
- 3) An unwanted conduct with sexual under tones if it occurs or which is persistent and which demeans, humiliates or creates a hostile and intimidating environment or is calculated to induce submission by actual or threatened adverse consequences and includes any one or more or all of the following unwelcome acts or behavior (whether directly or by implication) namely.
 - a) Any unwelcome physical, verbal or non-verbal conduct of sexual nature
 - b) Demand or request for sexual favours
 - c) Making sexually coloured remarks
 - d) Physical contacts and advances; or
 - e) Showing pornography
- 4) Any one (or more than one or all) of the following circumstances, if it occurs or is present in relation or connected with any behavior that has explicit sexual under gone.
 - a) Implied or explicit promise of prefer entail treatment as quid proquo for sexual favours.
 - b) Implied or explicit threat of detrimental treatment in the conduct of work
 - c) Implied or explicit threat about the present or future status of the person concerned
 - d) Creating an intimidating offensive or hostile learning environment
 - e) Humiliating treatment likely to affect the health, safety dignity or physical integrity of the person concerned

Law of sexual harassment in workplace:-

- 1) Campus :-

The location or the on which a HEI and its related institutional facilities like libraries, laboratories, lecture halls, hostels, dining halls, stadiums, parking areas, parks like setting and other amenities like health centers, canteens, bank counters, etc. are situated and also includes extended campus and covers within its scope places visited as a student of the HEI including transportation provided for the purpose of commuting to and from the institution. The location outside the institution on field trip, study tours, places used for camps, cultural festive, sports meets and such other activities where a person is participating in the capacity of an employee or a student of the HEI.

- 2) Protection for students in the process of taking admission as well as in other HEIS.
Under this regulation a student who is in the process of taking admission in HEI, although not yet admitted or who is a participant in any of the activities in a HEI other than the HEI where such student is enrolled is also protected against sexual harassment.
- 3) Time limit to make complaint (3 months) adequate time to file a complaint i.e. within 3 months from date of incident and in case of a series of incidents, within 3 months from date of last incident. This time limit balances the concerns of aggrieved person and the respondent.
- 4) Time bond redressal
Ensures time bond redressal (ICC must complete inquiry within 90 days from receipt of written complaint) by ICC for the aggrieved person and or to clear the cloud of suspicion on the respondent.
- 5) Confidentiality
The identities of the aggrieved party or victim or the witness or the offender shall not be made public or kept in the public domain especially during the process of the inquiry
- 6) Principle of natural justice
Equal opportunity to both parties to present their case/evidence as well as rebut adverse case/evidence, which ensures that nobody is condemned unheard.
- 7) Monetary compensation
Apart from disciplinary action which ICC recommends to be taken against the respondent, the law also provides restitution to the aggrieved person for emotional trauma and losses incurred in the form of monetary compensation.

Conclusion:-

An aggrieved person is required to submit a written complaint to the ICC within three months from the date of the incident and in case of a series of incidents within a period of three months from the date of last incident.

Friends, relatives, colleagues, co-students, psychologist, or any other associate of the victim may file the complaint in situations where the aggrieved person is unable to make a complaint on account of the physical or mental incapacity or death.

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