

AWARENESS OF THE “POSH” ACT, 2013 AMONG STUDENTS: A STUDY OF HIGHER EDUCATIONAL INSTITUTIONS OF PUNJAB

Aayushi Sharma*

*Research Scholar,
Centre for Human Rights and Duties,
Panjab University, Chandigarh, INDIA
Email id: aayushiisharmaa30@gmail.com

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ABSTRACT

The institutes of higher learning are those spaces where women learn and prepare themselves to enter into the working world. The students are needed to be informed about the provisions of Prevention of Sexual Harassment Act, 2013. Several enactments have been passed in India and at international level to bring about changes in the status of women and to eradicate crimes against women, but we have not yet achieved the desired result. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 was enacted to provide protection to women at workplace. This paper is a study of awareness about the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 among students of Higher Educational Institutions in Punjab.

KEYWORDS: Educational, Institutions, Harassment, Prevention, enactments.

INTRODUCTION

Sexual Harassment is a practice in which inappropriate promises are made by an employer/employee to its women employee/colleague in exchange of sexual favours. It forms one of the gross human rights violations. It challenges the right to equality and dignity. A country like India had witnessed atrocities against women since the ancient times. Women rights are being exploited and sexual harassment has taken a new form of exploitation.

This kind of harassment is illegal everywhere in the world. It constitutes as a crime. India is signatory to CEDAW since 30 July, 1980 and ratified it on 09 July, 1993. CEDAW states that states that harassment of women at workplace which is sexual in nature is a crime. In India in 1997 Supreme Court promulgated the Vishaka Guidelines which were then superseded by Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

Sexual harassment at workplace has become a global menace. The main reason for this is men believe that women will accept this behaviour of superiority over them. But it's not true; on the other hand, women have now become more vigilant towards their rights. The patriarchal beliefs and values have led to gross women rights violations across the world. This has led to the creation of unsafe working space for women. This hindrance hampers the growth and restricts the participation of women at work. In the present scenario, women are still afraid of the societal pressures i.e. they do not report such harassment cases. They have this fear in their minds of

loosing of employment, being stigmatized, loosing of personal character, etc. Both public and private sector observes sexual harassment of women at workplace. It poses threat to women which include serious health and economic issues which effects the life of women both personally as well as professionally.

Globally, sexual harassment at workplace has been increasingly understood as a violation of women's rights. As we all know, patriarchal society's social construct continues to condone violence against women in both the private and public spheres. Sexual harassment is a mirror that reflects male control over women. Because of the patriarchal structure of society, women are compelled to conform to established gender roles. Sexual harassment in the workplace is not a harmless crime.

This paper is a study of awareness about the Sexual Harassment of Women at Workplace (Prevention, Prohibition and

Redressal) Act, 2013 among students of Higher Educational Institutions in Punjab. The government has enacted the law, but it is equally critical that women for whom the law has been made are aware of it. India's history demonstrates that rules and regulations are not always followed correctly. There is also a lack of proper enactment of laws. One aspect that contributes to the improper enactment of laws is public negligence, or negligence on the part of society for whom the laws are enacted. The main goal of this research is to determine the level of knowledge among college students regarding sexual harassment at workplace. Another aspect of this research is to determine the level of awareness of this act among college and university students and to learn more about how this act is being implemented in Punjab's colleges and institutions. Colleges and institutions also tend to get away with proper implementation of rules designed specifically for female employees and students by the government. India is a country where women still face discrimination in a lot of areas, including right to work. Women are not offered the same opportunities as men. At the workplace, they still encounter misogyny and prejudice. Because public sector businesses are influenced by the government, women who work in the public sector encounter less prejudice than women who work in the private sector. As a result, checking on the application of this legislation in private sector organizations also becomes important. The Indian government is working hard to provide women the equal status that they deserve, but this will not be possible without the cooperation of society. Owners and stakeholders must ensure that women are protected from sexual harassment at workplace. This can only be ensured through forming Internal Complaints Committee within the organizations/universities as suggested by the act.

AWARENESS AMONG STUDENTS OF HIGHER EDUCATIONAL INSTITUTIONS ON LAW RELATING TO PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

Awareness programs and modules are needed to ensure that all students at college and university level are aware of their rights, procedures and establish a unified clarity on the conduct required to be followed in their institutions. In order to ensure equal participation and equal opportunity for all at work, it is extremely important to eliminate the discriminatory behaviour in the institutions. This can only be done with effective and efficient compliance with the law against

sexual harassment i.e., the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and other related laws.

It has been observed that due to fear of sexual harassment most of the families send their young girls to an all-girls college. As a result, in such instances, girls are frequently forced to forego their dream college goals. When sexual harassment occurs, the most important rights are violated which include Right to equality and non-discrimination (Article 14 & 15), Right to life & dignity (Article 21), Right to practice profession and carry on any occupation (Article 19), Right to safe environment from sexual harassment, etc. The need of the hour is to clarify the act's broad and inclusive definition of sexual harassment. It encompasses all forms of sexual harassment, including verbal, nonverbal, emotional, mental, and physical.

OBJECTIVES OF THE STUDY

- To assess the awareness of POSH Act among students of Higher Educational Institutions.
- To study the implementation of Act in various universities of Punjab.
- To study if proper steps were taken against the harasser.

RESEARCH METHODOLOGY

For the purpose of this study, a structured questionnaire was created to collect relevant information about the levels of awareness of the POSH Act and UGC regulations on the problem of sexual harassment. The universe of the study was the students of higher educational institutions namely Chitkara University, Panjab University, Punjabi University and Chandigarh University. The data was gathered through an online survey method. To gain a better understanding and analysis of the topic, both closed ended and open ended questions were asked. A total of 170 respondents reverted to the questionnaire and gave their responses. Statistical approaches were used to analyse the data collected.

FINDINGS OF THE STUDY

The information was gathered using an online survey. The total number of respondents was 170, drawn at random basis from selected universities of Punjab. There were 126 female responses and 44 male respondents, which constituted to a total of 74.11 percent female respondents and 25.88 percent male respondents. The main objective of this study was to assess the awareness of the Sexual Harassment of Women at Workplace (Prohibition, Prevention and Redressal) Act, 2013 among higher educational institutional students.

The act's provisions were known by 86.47 percent of respondents, whereas the act's provisions were unknown by 13.52 percent of respondents. The majority of respondents, regardless of gender, were aware of the act, which is a notable finding of this study.

The respondents were asked about these regulations. Approximately 69.41 percent of respondents were aware of the regulations, while 30.58 percent were not. The majority of the responders appeared to be aware of these rules. Around 80.58 percent of respondents said their institutions obey these regulations, while 19.41 percent said they don't. It is commendable that many higher educational institutions adhere to these sexual harassment policies.

A total of 73.52 percent of respondents said their institutions have an Internal Complaints Committee or other committee for dealing with sexual harassment cases, while 26.47 percent said their institutions do not have an Internal Complaints Committee or other committee for dealing with sexual harassment complaints. The majority of respondents have not experienced sexual harassment at their workplaces, and only 12.35 percent have experienced sexual harassment at their workplaces. Many responders said they have faced this issue on their campuses.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 states event/events that are counted as harassment. These event/events include physical contact and advances; a demand or request for sexual favours; making sexually coloured remarks; showing pornography; or any unwelcome physical, verbal or non-verbal conduct of sexual nature. It was observed that majority of respondents faced harassment in the form of unwelcome physical, verbal or non-verbal conduct of sexual nature, followed by physical contact and advances. The respondents who faced sexual harassment were also asked that what step they took when they were sexually harassed? 10 respondents reported the incident to the Internal Complaints Committee, 7 told a friend or family member about it, 6 warned the harasser that what he was doing was wrong, and 4 remained silent for personal reasons. Some of the respondents also answered it in their own words.

The respondents were asked about the inquiry procedure of the complaint. 50 percent said that inquiry was conducted and other 50 percent said that inquiry was not conducted. When asked about the redressal procedure followed to handle the issue, the respondents, 52 respondents said a proper procedure was used to address their concern, while 20 said no such mechanism was used. The respondents at the end were asked an open-ended question about how they felt with regard to the decision taken by the committee? Respondents were asked to give their opinion on solving this problem of sexual harassment.

A majority of respondents talked about the change that is needed to be brought in the mindset of the males so that they start respecting women and do not treat them as a sex object. Another most important point that came up was to create awareness among students at school and college levels so that they do not indulge in such activities when they get employed at workplaces. Some respondents were of the view that this problem can also be solved by organizing workshops and seminars in educational institutions to raise awareness about sexual harassment among women. Women who are sexually harassed should be given a welcoming environment so that they will not hesitate to speak out against such behaviour. Emergency telephone numbers should be made available, and CCTV cameras should be installed to monitor the premises.

CONCLUSION

The objective of this study was to assess the awareness among students of higher education institutions in the state of Punjab about the POSH Act, 2013. The data was collected through an online questionnaire in which respondents were asked a series of questions. They were mostly full-time students. The study reveals, 86.47 percent of people were aware of the Sexual Harassment (Prohibition, Prevention, and Redress) Act of 2013, whereas 13.53 percent were not. Only 12.35 percent of respondents said they have experienced sexual harassment at their

respective institutions. The burden of preventing sexual harassment rests on the employer. Most successful preventive strategies and plans on sexual harassment require the involvement of all those concerned and a clear statement of intent.