

Mental Harassment Laws in India

¹Dr. Farhat Khan

Associate Professor & Principal, Chameli Devi Institute of Law, Khandwa Road, Indore-452020(M.P.)

ABSTRACT: The term ‘Harassment’ is a form of discrimination. It includes any unwanted physical or verbal behaviour that offends or humiliates you. It covers a wide range of behaviours of an offensive nature. It is commonly understood as behaviour that demeans, humiliates or embarrasses a person, and it is characteristically identified by its unlikelihood in terms of social and moral reasonableness. Such behaviour affects the physical and mental well-being of a person. In the legal sense, these are behaviours that appear to be disturbing, upsetting or threatening. They evolve from discriminatory grounds and have an effect of nullifying or impairing a person from taking benefits of their rights. When these behaviours become repetitive, they can also be construed as bullying in common parlance. The continuity of repetitiveness and the distressing, alarming or threatening nature may distinguish it from a mere insult or admonishment.

Keywords-: Harassment, Discrimination, Obscene, Annoyance

I. Introduction

What is Mental or Psychological Harassment?

Psychological harassment comes under detrimental or hostile conduct by one or more individuals directly or indirectly towards a third person. This is conduct that occurs frequently and over a long period which defames an individual or excludes them from work.

It refers to a conjunction of incidents which when considered individually may appear harmless. However, their continuous repetition has a destructive and impairing effect on the victim.

II. What are the Laws that Govern Mental Harassment in India?

Certain rights are inalienable from a human being and are guaranteed by birth. The Protection of Human Rights Act, 1993 defines human rights as the rights related to the life, liberty, equality and dignity of the individual which are guaranteed by the Constitution or embodied in various International Covenants which are enforceable in the Courts in India. Right to live with dignity forms a part of human rights and any form of harassment amounts to a breach of the right to live with dignity.

Below are few Indian laws which deal with various forms of Harassment:

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

This was the first legislation enacted to protect the women from being sexually harassed at the workplace. The legislation has defined the term sexual harassment under section 2 and gives an inclusive definition stating that sexual harassment includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

- Physical contact and advances; or
- A demand or request for a sexual favour; or
- Making sexually coloured remarks; or
- Showing pornography; or
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;
- The law mandates certain practices which workplaces ought to follow to prevent sexual harassment and mechanisms which need to be created for redressal of complaints.

2. Indian Penal Code, 1860.

The term “Mental Harassment” has not been specifically defined under the Indian Penal Code, 1860 (IPC), however, harassment can be interpreted in terms of cruelty or torture. The relevant sections are as follows: –

A. Section 294: Obscene acts and songs:

Whoever, to the annoyance of others

- a. does any obscene act in any public place, or
- b. sings, recites or utters any obscene song, ballad or words, in or near any public place, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine, or with both.

B. Section 354: Assault or criminal force to woman with intent to outrage her modesty.-

Whoever assaults or uses criminal force to any woman, intending to outrage or knowing it to be likely that he will thereby outrage her modesty, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

C. Section 354A: Sexual harassment and punishment for sexual harassment.

1. A man committing any of the following acts-

1. Physical contact and advances involving unwelcome and explicit sexual overtures; or
2. A demand or request for sexual favours; or
3. Showing pornography against the will of a woman; or
4. Making sexually coloured remarks, shall be guilty of the offence of sexual harassment.

2. Any man who commits the offence specified in clause (i) or clause (ii) or clause (iii) of sub-section (1) shall be punished with rigorous imprisonment for a term which may extend to three years, or with fine, or with both.

3. Any man who commits the offence specified in clause (iv) of sub-section (1) shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

D. Section 498A: Husband or relative of husband of a woman subjecting her to cruelty – Whoever, being the husband or the relative of the husband of a woman, subjects such woman to cruelty shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine.

Explanation —For the purpose of this section, “cruelty” means—

Any willful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman; or

harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand.

E. Section 509: Word, gesture or act intended to insult the modesty of a woman.—Whoever, intending to insult the modesty of any woman, utters any word, makes any sound or gesture, or exhibits any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen, by such woman, or intrudes upon the privacy of such woman, shall be punished with simple imprisonment for a term which may extend to one year, or with fine, or with both.

3. Information Technology Act, 2000

This law aims to give legal recognition to online transactions and also deals with various acts and offences which may be committed online:

Section 67: Punishment for publishing or transmitting obscene material in electronic form.—Whoever publishes or transmits or causes to be published or transmitted in the electronic form, any material which is lascivious or appeals to the prurient interest or if its effect is such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it, shall be punished on first conviction with imprisonment of either description for a term which may extend to three years and with fine which may extend to five lakh rupees and in the event of second or subsequent conviction with imprisonment of either description for a term which may extend to five years and also with fine which may extend to ten lakh rupees.

Section 67A: Punishment for publishing or transmitting of material containing sexually explicit act, etc., in electronic form.—Whoever publishes or transmits or causes to be published or transmitted in the electronic form any material which contains sexually explicit act or conduct shall be punished on first conviction with imprisonment of either description for a term which may extend to five years and with fine which may extend to ten lakh rupees and in the event of second or subsequent conviction with imprisonment of either description for a term which may extend to seven years and also with fine which may extend to ten lakh rupees.

III. What is Mental Harassment in Marriage?

Mental Harassment in marriage is same as mental harassment in general. However, when we refer to mental harassment in marriage, it is the psychological harassment caused by the spouse or the in-laws. There are various laws that deal with mental Harassment caused in a marriage, such as Sections 354, 354A, 498A, 509 of the Indian Penal Code as mentioned above.

Apart from the above-mentioned IPC sections, there are specific acts such as the Protection of Women from Domestic Violence Act, 2005 and the Dowry Prohibition Act, 1961 that deals in harassment caused in a marriage. These acts help women fight for their rights and support the feminine fraternity to steer a cheerful, peaceful, and equal life within the society. These laws have been elaborated below for a better understanding:

1. The Protection of Women from Domestic Violence Act, 2005:

The Protection of Women from Domestic Violence Act 2005, helps women who are a victim of domestic violence of any kind.

This act is a legal medium using which they can take action against the person.

Once a woman initiates a legal action under the provisions of this act, she shall receive protection from any reoccurrence until the case goes to trial.

2. Dowry Prohibition Act, 1961:

To break the norms of the century-old practice, the enactment of the Dowry Prohibition Act 1961, prevents demanding and accepting dowry from a woman's family.

How to Prove Mental Harassment by Husband?

Marriages are considered to be a sacred bond and are held in very high regard in the Indian society. It's quite common that many married women face harassment by their husbands or in-laws.

Indian judicial system has very strict laws against this abuse and harassment and this is very important in safeguarding the women in Indian society.

The following also belong in the category of harassment by husband or in-laws except for mental harassment:

- Behavior or acts which instigates women towards suicide.
- Any act of husband or in-laws which causes the women grave and critical injury.
- Demanding dowry from parents of the women certainly amounts to harassment.
- Any act defines as harassment as per the Indian law.

To prove Mental Harassment by husband one should prove the following:

- Any physical violence of any severity is termed as cruelty and is enough to start legal action.
- Any verbal abuse in terms of taunt, words, language, etc that are intended to cause mental torture.
- Abstaining a woman from talking to or meeting her family.
- Not letting the women see their children.

- Intentionally denying the food for a long time and intervals.
- Sexual intercourse without her consent.
- Unnatural sex.
- Limiting social interaction.
- Cruelty towards her children.
- Threatening with divorce for illegal, immoral or unreasonable demands.

IV. Mental Harassment by in-laws

There are a number of means and ways through which a woman can be harassed by her in-laws. The harassment may be either by her husband or her mother-in-law or by any other in-laws. A woman can be harassed by:

- Any conduct of the in-laws which forces a woman to commit suicide
- Any conduct that would cause grave injury to a woman which includes domestic violence
- Any conduct or demand of her in-laws either to her or to her parents or relatives regarding any property which is under the possession of her family (dowry demands)
- Any conduct or demand of her in-laws regarding any amount of money as dowry either from her or from her parents or any relative
- Any act which would amount to cruelty under the Indian Laws

V. Mental Harassment by Wife

There seems to be a strong notion in society that men are always abusers and women are always the victim. However, there are many cases where men are subject to torture by their spouses as well. Expressing views on cruelty, the Supreme Court in *Samar Ghosh vs. Jaya Ghosh*, (2007) 4 SCC 511, said, "We have come to a definite conclusion that there cannot be any comprehensive definition of the concept of "mental cruelty", within which all kinds of cases of mental cruelty can be covered. No court in our considered view should even attempt to give a comprehensive definition of mental cruelty."

So, the first thing one needs to do is to identify whether you are becoming a victim of cruelty or not. If your wife is doing any of the below-mentioned acts, then you are a victim of cruelty –

- Physical attacks on you.
- Continuous rage, anger, screaming or yelling at you.
- Constant belittling or criticising your abilities, employment or looks.
- Publicly flaunting an affair or adulterous relationship.
- Falsely accusing you of committing adultery
- Failing to tell you about an acquired sexually transmitted disease, while continuing to maintain sexual relations with you.
- Making it a ritual to stay away from the marital residence without any valid explanation.

VI. Mental Harassment at Workplace

Workplace harassment, especially against women employees, occurs at great frequency worldwide. Studies suggest that as many as 50% of women experience workplace harassment during their employment, but only some women report it.

There are many classifications that fall under the cognizance of harassment at the workplace against women employees. The women employees suffer humiliation and defamation under such actions.

The majority of the people believe in the typical notion that harassment at the office can be sexual nature only. But this is not the case generally various workplace harassment can be classified as below:

- Harassment based on the grounds of age.
- Harassment on the grounds of disability.
- Defamation- To demean and libel is to damage the reputation or image of an individual.
- Discrimination on the grounds of caste.
- Harassment on the grounds of Sexual Orientation and Marital Status.
- Harassment on the grounds of Race, Sex, Religion, and National Origin.

VII. Mental Harassment by Neighbour

India is a densely populated country. As a lot of people stay in flats or live in duplex sharing common walls, at times, it happens that maintaining a quite decent relation with your neighbour may not be possible. The issue may be of late night sound, construction of a common wall, trespassing, etc. In case you face harassment of any nature including the ones mentioned above, you can take resort under the following laws:

- You may be living in an apartment or in a duplex, often it happens, when you hear loud music sound from the neighbor's house, you try to ignore that sound for as long as possible but sometimes, such noise may make life difficult. This type of nuisance is defined in Section 268 of the Indian Penal Act. Section 268 of the Indian Penal Code defines nuisance when the person is guilty of a public nuisance when he does any act which causes injury, danger or annoyance to the public or the people in general who live or occupy the property in the neighborhood.
- If your neighbor starts construction in that common wall you do not have the right to stop him from constructing because it is his legal right but if during the construction work your property gets damaged, you can ask him to compensate for the loss suffered by you but if your neighbor refuses to pay you the amount then you can file a case under Section 425 of IPC which states that whoever with intent to cause, or knowing that he is likely to cause, wrongful loss or damage to the public or to any person, causes the destruction of any property, or any such change in any property or in the situation

thereof as destroys or diminishes its value or utility, or affects it injuriously, commits mischief. You can file suit for declaration and mandatory injunction in a civil court as well. You can also claim damages in the same suit.

- If you live in an apartment and park your vehicle in the parking allotted to you but you notice someday that the place which has been allotted to you is been occupied by some other person then, you will simply ask the person to vacate the parking space occupied by him but if he/she refuses to do that, after being told or warned many times, will amount to criminal trespass under Section 441 of the Indian Penal Code.

VIII. Mental Harassment of a Senior Citizen

There is no specific law to protect Senior Citizens from Harassment but if the allegations are proved to be false, the person can file suit for defamation or damages. For any Physical harassment, Indian Penal Code would be applicable.

What to do when a senior citizen is abused?

You can take the following steps when you see an elder getting abused:

1. **Report it to the jurisdictional police station:** The very first step is to make the jurisdictional police aware of the abuse is by filing a written complaint. Those who cannot write are required to verbally inform it to the station house officers who can pen it down for them and get their thumb impression. Oral complaints are not adequate as they can lead to confusion in future.
2. **File a First Investigation Report (FIR) in case of an admissible offence, assault or an injury:** In case a senior is hurt and reports an admissible offence, an assault or an injury to the police station, the cops must register an FIR and investigate whether the report is genuine and gauge the intensity of the complaint.
3. **Obtain a wound certificate from a government hospital:** Once the cops investigate and find the complaint to be genuine, they must take the senior to a government hospital for medical examination. Following this, the abused senior citizen will be provided with a wound certificate, based on which the cops will file a charge-sheet against the accused. The case will thereby go on to the magistrate court or others and the legal discourse will be followed.
4. **Approach the helplines:** The seniors may also use the Elders Helpline in their respective cities and seek help from the coordinators to file a petition to report abuse. The counsellors first listen to the case to see if it is genuine. When found true, a written complaint is registered by the Helpline, and a notice is sent to the perpetrator through the police. Following this, the Helpline tries to create a platform of dialogue between the two parties to resolve the dispute amicably. For property-related abuse, the legal experts at the Helpline advise them towards a settlement.

How to file a Complaint for Mental Harassment?

There is no specific procedure provided in any law to deal with mental harassment in the workplace. Since the mental harassment has been categorized in various form under the Indian law, the action to be taken shall be in accordance to the particular kind of harassment the victim has faced. The same has been discussed below:

1. **Termination from Work:** If the person has been wronged professionally and has been terminated from the services without any reason or cogent evidence, the relief that the person can get from court is relating to re-instating of his services and allowing of wages to be given from back date.
2. **Violent Behaviour:** If the person has been subjected to violence as a consequence of mental harassment or feels that his peace has been hampered or bodily injury, a Complaint or an FIR can be registered and a criminal case shall be registered against the employer followed with sentencing.
3. **Late Wages or No Wages:** Mental Harassment in form of late wages, no wages or even equal pay for equal work can be claimed. Redressal in such cases can be granted by Labour Court if the victim approaches the Labour Court under the Industrial Disputes Act, 1947 or the Payment of Wages Act, 1936.
4. **Person with Disabilities or Other form of Discrimination:** Mental Harassment is a huge umbrella and can also be claimed by pregnant women and persons with disabilities. In such cases, remedy is provided under Maternity Benefits Act, 1961 which protects pregnant women from discrimination. Further, the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 protects people with disabilities from discrimination.
5. **Sexual Harassment:** Gender discrimination and sexual harassment at work workplace is one of the most common forms of harassment faced especially by women at work place. India has legal provisions under the IPC and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 which provide remedies for victims and also impose obligations on organisations to ensure safe working environment for women.

IX. CONCLUSIONS :

Based on the major findings of the study the following conclusions are drawn.

1. Married women are dominating in the field of employment both in organised and unorganised sectors as well as in urban and rural areas.
2. About one-fifth of the working women were illiterate and they were equitably distributed in organised and unorganised sectors of employment.
3. Though more and more women with high educational qualifications are entering in the field of employment they are mostly engaged in lower cadres. Illiterate women and women with moderate education are engaged in lower status jobs as construction labour, farm labour, maid-servants and class IV employees.
4. About one-third of the women are working at places which are not safe and secured and as such are exposed to the risk of sexual abuse.
5. A very large majority of respondents had a very narrow perception of sexual harassment i.e. sexual assault. As a result, when other forms of sexual harassment are used by the perpetrators, these women realise that they were subjected to sexual harassment at a very later stage.

6. The incidence of sexual harassment at work place is 17 per cent in organised sector and 20 per cent in unorganised sector, which seems to be very high.
7. The general contention that illiterate women and women with less education run a higher risk of sexual harassment at work place as compared with women with higher educational achievements is negated by the findings of this study as even highly educated women were also harassed sexually at work place in sufficiently large numbers.
8. The incidence of sexual harassment at work place is higher in married women as compared to unmarried, divorced and widows.
9. The general presumption that women employed in construction work, factories, agricultural farms and as maid-servants are at higher risk of sexual harassment as compared to those working in offices, industrial houses, schools and colleges is not supported by the results of the present study. The incidence and extent of sexual harassment is equally noticed in all establishments irrespective of their nature.
10. Employers, managers, supervisors and co-workers were all found involved in sexual harassment of women at work place in varying degree but co-workers and supervisors are identified as principal perpetrators of sexual harassment in majority of the incidents.
11. The sexual harassment of women at work place is observed as a slow poisoning process. It starts from simple actions through body language and if not arrested at that point reaches to the stages of sexual advances, physical contacts and demand for sexual favours. Negligence or tolerance of the first attempt of sexual harassment encourages the perpetrators to go ahead till he reaches the target. Objection to and resistance of the first attempt of harassment may demoralise the perpetrators. It is, however, observed that only 14 per cent of the respondents either objected or resisted the first unwelcome sexual behaviour of the perpetrators.
12. It is disclosed from the analysis of data that in majority of the cases the perpetrators used weapons like verbal / non-verbal conduct of sexual nature, body language, sexually coloured remarks, touching objectionable parts of the body through physical contact, showing pornography and demand for sexual favour to attract the women workers and bring them in their fold.
13. About 31 per cent out of 600 women resisted the offending behaviour of the perpetrators but the strategy they adopted for resistance was not effective and tough i.e. getting angry, giving warning and neglecting.
14. The general understanding that when a woman is being harassed those present on the spot intervene and rescue her. However, the finding of this study have negated this understanding partially as in majority of the cases (58%) no one present on the spot ran down to the help of women who were being sexually harassed. Moreover, when it came to giving evidence against the perpetrators, a majority of those who intervened (51%) refused to do so. This trend was observed more in organised sector and urban areas as compared with unorganised sector and rural areas.
15. A large number of cases of sexual harassment of women at work places remain unreported as the victims are afraid of reporting due to possible defamation or threats from the perpetrators. This is evident from the fact that about 35 per cent of the victims covered by the study did not report the incidents to any one, even to their friends, family members or relatives.
16. Normally, if any woman is sexually harassed at work place she would immediately lodge a complaint with higher authorities. The findings of the study, however, revealed that only 41 per cent of the victims complained about the harassment and remaining 59 per cent did not. A number of factors for not lodging a complaint were reported; principal among them were feeling of humiliation, fear of doubting the character and possibilities of difficulties in arranging marriage in cases of unmarried women.
17. In the present study we came across 91 cases of victims who filed complaints of harassment with the employers. However, the employers were not found to be very serious about these complaints. The complaints of 22 per cent of the victims were totally neglected and no action was taken against the perpetrators. Only one complaint out of 91 was referred to Complaints Committee for investigation. In about 62 per cent of the complaints only strong warning was given to the perpetrators. It is thus very clear that the employers do not appear to be serious on the problem of sexual harassment of women at work place.
18. Only 17 per cent respondents (14 per cent from organised and 3 per cent from unorganised sector) had the knowledge of Supreme Court directives for constitution of a Complaints Committee in every establishment where women are employed. Thus, about 83 per cent of the women workers were totally ignorant of the directives given of the Supreme Court of India.
19. The Complaints Committee constituted in a limited number of establishments under the guidelines of the Supreme Court were not functioning properly as about 83 per cent of the women engaged in those establishments were not satisfied with the working of these committees. There appeared a number of reasons for dissatisfaction of women workers in a number of cases such committees were only on paper. The committees were dominated by males and there was a lot of favoritism. It was also noticed that the complaints were not promptly attended to.
20. The study team, examined the physical, psychological, economic and social impact of sexual harassment of women at work place on personal, family and social life of the respondents. About 64 per cent of the respondents were found to be scares of every male member around them, 68 per cent developed a feeling that their life was meaningless and 31 per cent had a feeling of taking revenge. In about 42 per cent of the cases the social life of the victims was adversely affected as there appeared a change in the 132 behaviour and attitude of their friends and relatives. Within the family, the victims were looked at with suspicion. At the place of work, they could not concentrate on the job and as a result their work efficiency was adversely affected. The total effect of all these factors together was that the victims of sexual harassment continuously thought of resigning the job.
21. The employers are responsible for providing healthy environment at work place and for protecting the rights and interests of women employees, which also includes protection from sexual harassment at work place it is, however, observed that Indian employers have not, as yet, realised their responsibilities in this respect. The study team interviewed 100 employers (50 each from organised and unorganised sector) with a view to know their efforts in preventing sexual harassment of women at work places. It was observed that about 50 per cent of the employers had no knowledge of Supreme Court guide-lines for preventing sexual harassment at work place. It was observed that about 50 per cent of the employers had no knowledge of Supreme Court guide-lines for preventing sexual harassment at work place, only about one-fourth of them constituted Complaint Committees as per directives of the Supreme Court, out of these 14 committees only 10 committees received 65 complaints out of which about 34 per cent were

disposed off by giving warning and 40 per cent by giving mild punishments in the perpetrators. Strict action was taken only in 5 per cent of the cases and no action was reported in 23 per cent of the cases. Thus, the functioning of the Complaints Committees wherever they were formed was beyond satisfaction.

22. The employers adopted a number of measures to prevent sexual harassment of women at work place but the same were not so much effective.

23. The role of NGOs and Social activists was also evaluated by the study team by contracting 100 of them. The NGOs are supposed to be on forefront in solving the problems of women in difficult situation. In the area of sexual 133 harassment of women at work place, however, the NGOs and Social activists have shown marginal participation in the State of Maharashtra. Only 34% of the NGOs and Social Activists contacted have taken the cognisance of the problem of sexual harassment of women at work place since long whereas 27 per cent have done so very recently. It clearly shows that most of the NGOs and Social Activists do not seem to be very serious on this issue, so much so, that about 57 per cent of them treat this as a minor social problem when in reality it is a major one.

24. Those NGOs and Social Activists in Maharashtra who had taken the problem of sexual harassment more seriously organised orientation programmes for creating awareness about sexual harassment at work place and its consequence on the victims, the perpetrators and the work environment for both employers and employees. They also provided immediate social and psychological support to victims. Wherever required legal aid and guidance was also given. However, these efforts of limited number of NGOs and Social Activists are not sufficient and much more is required to be done.

25. Out of 61 NGOs and Social Activists who were active 51 received 198 complaints of sexual harassment at work place out of which only 28 cases were settled in favour of the victims. The remaining cases could not be settled due to non-cooperation of perpetrators and employers.

26. The majority of the NGOs and Social Activists held the employers responsible for sexual harassment of women at work place.

27. The NGOs and Social Activists identified some major factors for sexual harassment of women at work place like (i) attitude of men to treat women as objects of sex (ii) over-smart behaviour of women at work place, (iii) impact of sexy scenes in visual media and (iv) free mixing of men and women at work place.

28. Social boycott and public humiliation, life-long imprisonment and a separate legislation for dealing with the cases of sexual harassment of women were some of the measures suggested by the NGOs and Social Activists for prevention of sexual harassment at work place.

X. RECOMMENDATIONS

In the backdrop of the objectives of the present study and the findings and conclusions drawn, the study team would like to make the following suggestions cum recommendations.

1. The Guide-lines issued by the Supreme Court of India on August, 1997 prohibiting sexual harassment of women at work place are legally binding on all establishments and institutions. However, though a period of over six years has passed only a few establishments and institutions have implemented these guidelines. It is surprising that the same are also not given effect in many of the Central and State Government organisations. Implementation of these guidelines is the first step towards effective prevention of sexual harassment at work place. The Central and State Governments should, therefore, launch a drive to identify the defaulting establishments, institutions and organisations, punish them suitably and compel them to follow the guidelines honestly.

2. Though the guide-lines issued by the Supreme Court enjoy the status of law till the necessary legislation is passed, these guide-lines are not honestly implemented by the employers. Hence it is the need of the hour to have a separate law exclusively dealing with sexual harassment of women at work place and providing for the punishment to the perpetrators as well as employers who do not take such cases seriously.

3. The employers have a prime responsibility of protecting the rights, interests and dignity of women employed in their establishments. We would like to recommend certain steps to be taken by the employers to ensure that the affected women are given adequate redress. Every employer must design a very clear Sexual Harassment Prohibition and Prevention Policy which must be made known to each employee in the organisation. The policy should clearly provide for actions like – (a) Downgrading of job status and responsibilities of those employees who are found guilty of sexual harassment at work place. (b) Transfer to another position without job disadvantages. (c) A warning and counselling on misconduct. (d) Suspension (e) Dismissal

4. A large number of reputed NGOs having good reputation and valuable experience to their credit can play a significant role in the area of sexual harassment at work place. The Government and employers should taken their help in organising awareness programmes and training for officers and other employees. They should also be assigned the role of watch dogs for keeping an eye on the likely incidents of sexual harassment and for providing counselling to the possible perpetrators and support services to the victims. These NGOs should be given sufficient financial assistance for their services.

5. Public awareness through, seminars, conferences, T.V. Serials and through the written media should be created on this very important issue of social life of women.

6. Sex Education should form a part of university curriculum so that the youths are acquainted with the possible consequences of sexual harassment of women. This may reduce the present rate of incidence and extent of sexual harassment at work place.

7. The employers should frame very clear rules for promotion transfers, demotion, suspension and dismissal of employees and the same should be made known to all employees at the time of entry in the organisations. This will defeat the tactics of senior officers to sexually harass the women employees by abstrucitining their promotions, deliberately issuing transfer orders, threats of demotion and so on.

8. The women employees should be social and must maintain good relations with co-workers and superior officials but their behaviour pattern should be such as would not allow anybody to taken disadvantage of their free nature.

9. The women employees should lodge the complaint of harassment when they see the early signs of harassment by the perpetrators. It is always better to take timely precaution than to run for cure after a long time.

10. In a number of cases the perpetrators of sexual harassment of women are disorganised personality and sex perversion. To detect such persons on the staff of the establishment all the employees should be referred to psychiatrics for psychological testing at the cost of the employer. Those found prone to sexual harassment should be sent for counselling and treatment.

11. As at present, the statistical data is available only about the reported crimes against women in police department under a common head 'Crimes Against Women'. Statistics on Sexual Harassment of Women at work place are not separately available. It is, therefore, suggested that the statistics of sexual harassment of women at work place be collected under a separate head and the responsibility of collection, processing and presentation of data be assigned to the National Sample Survey Organisations.

12. The research team suggests that research on psychological aspects of sexual harassment at work place should be undertaken as a continuous process.

References:

1. Stark, C. A. (2019). Gaslighting, misogyny, and psychological oppression. *The Monist*, 102(2), 221-235.
2. Mouradian, V. E. (2000). Abuse in intimate relationships: Defining the multiple dimensions and terms. Wellesley, MA: National Violence Against Women Prevention Research Center. Retrieved August, 11, 2010.
3. Cramer, K. M., Gallant, M. D., & Langlois, M. W. (2005). Self-silencing and depression in women and men: Comparative structural equation models. *Personality and Individual Differences*, 39(3), 581-592.
4. Orzeck, T. L., Rokach, A., & Chin, J. (2010). The effects of traumatic and abusive relationships. *Journal of loss and trauma*, 15(3), 167-192
5. "an open letter to facebook from the data for black lives movement". [Online]. Available: <https://medium.com/@YESHICAN/an-open-letter-to-facebook-from-thedata-for-black-lives-movement-81e693c6b46c>. [Accessed: 11-Dec-2018].
6. "fairprinciples". [Online]. Available: <https://www.force11.org/group/fairgroup/fairprinciples>. [Accessed: 11-Dec-2018].
7. Zook, Matthew, Solon Barocas, Kate Crawford, Emily Keller, Seeta Peña Gangadharan, Alyssa Goodman, Rachele Hollander, Barbara A Koenig, Jacob Metcalf, and Arvind Narayanan, Ten simple rules for responsible big data research (*PLoS computational biology* (3):e1005399).
8. "How scientists claim to have uncovered banksys identity". [Online]. Available: <https://www.marketwatch.com/story/how-scientists-claim-to-have-uncovered-banksysidentity-2016-03-05>. [Accessed: 11-Dec-2018]
9. "Right to be forgotten". [Online]. Available: <https://gdpr-info.eu/issues/right-to-be-forgotten/>. [Accessed: 11-Dec-2018]