

Readings for Module 3

Paving the Way - Judging Workplace Sexual Harassment

By: Naina Kapur

Abstract: Complaint committees who deal with sexual harassment should understand the multi dimensions of sex based discrimination at work and not narrowly focus only on certain acts that may have been the trigger for a series of acts constituting sex based harassment or discrimination. This article discusses a number of cases including one 2010 judgment of the High Court of Delhi which drew attention in the direction it paved for other courts and complaints committees in understanding sexual harassment at work. .

Link: <http://www.legalservicesindia.com/article/pdf/Paving-the-Way-Judging-Workplace-Sexual-Harassment.pdf>

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013

Published in: The Gazette of India

Abstract: The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 was notified and came into effect from 9th December 2013. Now both the Act and the Rules have to be read together and applied.

Link: http://priacash.org/pdf/The_Sexual_Harassment_of_Women_at_Workplace_Rules_2013.pdf

Tehelka editor facing sexual assault allegations

By: Archis Mohan

Abstract: This article discusses the Tehelka case of sexual harassment. It details the case highlighting leading media organisations are yet to constitute the Supreme Court-mandated Sexual Harassment Committees as per the 1997 Vishakha judgement of the apex court.

Link: <http://delhidurbar.in/tehelka-editor-facing-sexual-assault-allegations/>

Supreme Court gender panel delayed

By: Delhi Durbar Desk

Abstract: The apex court had set out guidelines in 1997 in the landmark Vishakha versus State of Rajasthan judgement to make workplaces safe for women. The guidelines mandated all employers to constitute sexual harassment prevention committees. It follows from the guidelines that all courts in the country should also have such committees with a majority of its members women. Curiously, women lawyers if subjected to sexual harassment within court premises cannot take their grievances to these committees because of a technicality. These committees are for the benefit of 'employees' only. Since women lawyers are not technically employees of the court they cannot move the committee for to have their complaints redressed.

Link: <http://delhidurbar.in/supreme-court-gender-panel-delayed/>