

WOMEN'S AWARENESS AND PERCEPTION OF SEXUAL HARASSMENT LAWS IN INDIA - A STUDY WITH SPECIAL REFERENCE TO POSH ACT, 2013

M.J. Senthil Kumar

Department of Commerce, Sri Kaliswari College, India

Abstract

Women play an active and vital role in various sectors, including agriculture, manufacturing, and services, contributing significantly to both social progress and economic growth. Yet, many working women, particularly in rural regions, continue to face challenges such as sexual harassment at the workplace. Although the Indian government introduced the POSH Act (2013) to provide legal protection against such misconduct, awareness and implementation of the Act remain limited, especially in non-urban settings. This study investigates the level of awareness rural women employees have about the POSH Act, their understanding of its procedures, and the factors that prevent them from reporting harassment. Data was gathered through structured interviews with 150 women employees. The analysis shows that while some respondents have a basic idea of the Act, many are unaware of critical components like the Internal Complaints Committee or the process for lodging complaints. Fear of job loss, family pressure, social stigma, and lack of trust in confidentiality are key reasons behind their silence. The findings highlight the urgent need for awareness campaigns, proper training, and enforcement of workplace safety policies in rural areas.

Keywords:

Internal Complaints Committee, Legal Protection, POSH Act, Rural Women, Sexual Harassment, Social Stigma

1. INTRODUCTION

The contributions of women to families, workplaces and in business are extremely important and unavoidable one [1]. In many situations women are better than man and make strong decisions in their families and workplace [2]. Women bring lot of changes in their workplace [3]. Women are the pillar for social and economic development and are crucial to nation's progress [4]. Still India, is a male dominating country [5]. Even though women occupied many positions in the workplace, numerous women in India still experience serious issues like violence, discrimination and exploitation [6]. National Family Health Survey-5 (NFHS-5) reports that around 32% of ever-married women aged 18-49 have experienced spousal violence, with 29% facing physical or sexual abuse [7]. Alarming, 25% reported severe injuries like fractures or burns. Domestic abuse extends beyond married women, around 12.5% of unmarried women have also reported such experiences.

Reports from National Crime Records Bureau were further magnitudes of the issues. In 2022, 1.4 lakh cases of cruelty by husbands or their relatives and 31,516 rape cases were filled, of which 96.6% perpetrators known to the victim [8]. In India nearly 86 rape cases were reported daily. Moreover 1.6 lakh crimes against children, mostly related to kidnapping and sexual offences [9]. Similarly, 24 honour killings were officially reported in 2019. Likewise, the Dowry problems remain critical problem in India, as 6,450 women reportedly killed in 2022, including 406 cases in West Bengal [10]. In addition to those 85,310 cases of women

being kidnapped, 124 acid attacks, 4,963 cases of abetment to suicide and more than 83,000 incidents of molestation.

These statistics pin pointed the worrying trends of workplace harassment and abuse against women and insisted the immediate need for simplified and effective legal protections [11]. In this regard, the Govt. of India enacted the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, abbreviated as POSH Act. The motto is to safeguard the women especially in working place from harassment and build respectful, safe and inclusive working environment [12]. This work examines the women's awareness and perceptions of sexual harassment laws in India, especially POSH Act [13]. Moreover, it aims to investigate women's awareness regarding their rights under the law and whether the law is effectively ensuring women protection in working place [14].

1.1 RESEARCH PROBLEM

Even though several legislations enacted in India to safeguard the women in India, misbehavior against the women continue one and it's more in workplace. Annual Report 2023-2024 of National Commission for Women (NCW) pinpointed that 28,650 complaints regarding women harassment were recorded by affected women across the country. These complaints consist of 6,487 cases of domestic violence, 4,815 dowry-related harassment cases, 1,521 cases of rape or attempted rape and 657 cybercrime complaints. Among reported cases, 259 complaints were specifically related to workplace sexual harassment. It indicated the persistent issues encountered women in professional settings.

However, these observations may not present the full picture of the problem. Many cases of workplace harassment go unreported due to fear of losing employment, lack of awareness about legal rights, societal pressure or the nonexistence of proper grievance redressal system, especially in rural and unorganized sectors. To address this, the Government of India enacted the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, widely known as the POSH Act. The aim of this legislation is to safeguard women at the workplace and ensure a mechanism for reporting and resolving complaints.

The cases reported regarding the women harassment has increased considerable, year by year. During the FY 2020, 281 sexual workplace harassment complaints were registered by top leading companies in India. However, in FY 2024, this number had almost doubled to 503, narrating an enhanced culture of awareness and accountability in urban and corporate environments.

At the same time, the same awareness and reporting is not present in rural areas. Due to male dominant, fear and social stigma villages and urban women are hesitating to report harassment. Moreover, they have no knowledge of POSH Act.

This investigation is exploring the knowledge and insight of rural working women about sexual- harassment laws and whether these laws are effectively protecting and helping them in workplaces.

1.2 SCOPE

The current investigation concentrates on Virudhunagar District, Tamil Nadu, a region famous for its industrial base. Several small and medium scale industries such as match units, firework, printing presses and etc., are functioning successfully. These industries provide numerous employment options to women and men. The research studied about women working in different categories of jobs both in the organized sector (formal, registered industries) and the unorganized sector (informal or contract jobs) likewise women who work on a seasonal or temporary basis. The research seeks to understand women's knowledge regarding sexual-harassment laws, especially the POSH Act, 2013, and how properly these laws are enforced in their workplaces. By including different categories of workers from different industry, it assesses the effectiveness of legal safeguard for women in Virudhunagar district.

1.3 REVIEW OF LITERATURE

Balaaji and Malaimagal [2] narrated that although women status in India has improved over time, however the issues like inequalities and sexual harassment continue to persist. Sexual harassment incidence like eve-teasing, molestation and rape continues to affect women empowerment. Lack of legal awareness, inadequate education level and social issues are the important reasons. Sexual harassment affects the women physically, psychologically and mentally. Therefore, a simplified and more effective legal protections, public awareness and social sensitivity are needed to ensure women's safety and dignity. Rathore and Mishra [9] pinpointed the needs for legal protection and safe working conditions. POSH-Act, 2013 promotes justice and safeguard for women against the sexual harassment. This act treats sexual harassment as a breach of fundamental rights and barrier to women's involvement in the workforce. The researcher also noted that promoting awareness, strict workplace policies and regular monitoring are necessary for ensuring secure and respectful environment.

Sahay [10] enumerated that even though POSH Act was enacted, workplace sexual intimidation still continues to persist. She narrated that nearly 80% of women encounter some form of harassment; moreover it is not reported due to fear and social stigma. The #MeToo movement has brought more attention to the issue. However many institutions don't have effective redressal systems. She insisted strict enforcement, awareness and supportive workplace policies are important to prevent harassment. Yadav [12] emphasized the enduring issue of domestic abuse faced by women in India, rooted in male dominated social norms. She illustrated that women's violence includes emotional, physical and psychological abuse by family members. The author noted that incidents of cruelty by husbands and relatives increased by 53% from 2001 to 2018. She insisted the importance of awareness, societal change and legal enforcement to ensure women's dignity and security.

1.4 METHODOLOGY

Both primary and secondary data are utilized to evaluate women's awareness as-well-as understanding of sexual harassment laws, especially POSH Act, 2013. By using interview-schedule primary information was collected regarding interviewees' awareness, experiences and perceptions related to workplace sexual harassment. 150 women workers selected from various small and medium scale industries in Virudhunagar District with workplaces employing over 50 workers. Convenient sampling techniques are used to choose informants, based on willingness to participate. Secondary data acquired from reliable documents namely National Commission for Women Annual Report 2023-2024, academic research papers, legal publications and official government websites.

1.5 OBJECTIVES

- Measure the extent of awareness regarding POSH Act among female workers.
- Investigate the channel that helps women to learn about workplace harassment laws.
- Identify the obstacle encountered by women in reporting sexual harassment issues.
- Explore the causes for hesitation in revealing harassment experiences with family or peers.

1.6 DISCUSSION

1.6.1 Demographic Profile:

The informant's demographic profile provides valuable insights into the background of 150 women employees. Among 150 women employees' 44% belongs to 30 - 40 years old. It replicates the active and mature workforce. 32% (48 respondents) have a graduate degree, which means they have a sufficient education. 76 informants are married which means they have to balance work and family life. 38.7% (58 respondents) have 5-10 years' experience, which shows they are stable and experienced employees. 43.3% earn between ₹10,000 and ₹15,000 per month, showing that they belong to lower to middle income category. 47.3% (71 respondents) are engaged in the production department.

1.6.2 Employees' Perception of Safety and Protection in the Workplace:

For women employees, confidence and productivity increases when they feel safe in the workplace. A survey of 150 women shows 34.7% feel safe always, 37.3% feel safe often and 23.3% feel safe sometimes. 4.7% feel safe rarely. Majority feel safe in their environment, however a small figure remains unsure of the safety in the workplace.

1.6.3 Awareness Channels of the POSH Act:

Spreading awareness regarding POSH Act among women employee is essential for creating a safe and supportive working for women in workplace. The source of information about the POSH Act received by the women influences their willingness to report harassments issues.

Table.1. Awareness on POSH Act Provisions

POSH Act Provisions	Very familiar		Familiar		Somewhat familiar		Slightly familiar		Not at all familiar	
	No.	%	No.	%	No.	%	No.	%	No.	%
Basic idea of the ACT	49	32.67	41	27.33	36	24.00	24	16.00	-	-
Scope of the Act	46	30.67	37	24.67	34	22.67	28	18.67	5	3.33
Coverage of Women Employees	29	19.33	32	21.33	43	28.67	27	18.00	19	12.67
Internal Complaints Committee (ICC)	21	14.00	24	16.00	34	22.67	39	26.00	32	21.33
Members of ICC	19	12.67	28	18.67	30	20.00	44	29.33	29	19.33
Filing Procedure	23	15.33	26	17.33	28	18.67	34	22.67	39	26.00
Time limit for reporting harassment	25	16.67	33	22.00	39	26.00	41	27.33	12	8.00
Legal protection and confidentiality	13	8.67	32	21.33	26	17.33	51	34.00	28	18.67

Source: Primary Data

Of the 150 women surveyed, 24% were aware of the POSH Act from social media or the internet. This illustrates that digital communications is a powerful tool to share information with women. 20.6% first learned of the POSH Act during their schooling, while 18% read about it on network news or talk shows. Friends/colleagues accounted for 17.3%, whereas 14% learned about the POSH Act through workplace training. Only 6% of respondents indicated that they learned of the POSH Act from family members. This indicates formal and informal sources are providing information about workplace safety laws.

1.6.4 Awareness on POSH Act Provisions:

Knowledge about POSH Act employees is important for providing a secure environment. Employees' familiarity with different aspects of the POSH Act was measured on a 5-point scale. The data shows that as 49 people (32.67%) are aware that they have very good knowledge of the gist of the Act. It shows that a sizeable percentage of people know the basics. The scores were low for awareness related to the Internal Complaints Committee (ICC) and ICC members having strong knowledge. Only 14% and 12.67% are having good knowledge of it. 26% of the respondents don't know the procedure for filling a complaint and 18.67% were unaware of legal protection and confidentiality. The POSH Act is known generally to the employees but in-depth understandings of its provisions, their rights and procedural aspects are considerably lower.

1.6.5 Discussing Harassment Issues with Family Members or Colleagues:

Open discussion about workplace harassment with trusted individuals like family members, friends etc. is important for coping with this issue. However, this analysis shows that many respondents are hesitate to share the harassment issues. Among 150 women employees, 89 informants aren't talk about harassment issues with their family or friends.

1.6.6 Reasons for not Sharing Harassment Issues with Family Members

A Garrett Ranking Technique was used to identify the reluctance of women's to share workplace harassment issues with family members. This method ranks the factors according to the average scores to find the most important reasons.

Table.2. Reasons for not sharing the issue with family members

Problems	Total Score	Garrett Mean Score	Rank
I fear they might ask me to quit the job	8404	37.35	1
I don't want to worry or burden them	8313	36.95	2
I fear being blamed or judged by them	8096	35.98	3
Fear of gossip or breach of confidentiality	7793	34.64	4
I prefer to handle personal matters independently	7182	31.93	5
Cultural or social taboos prevent such discussions	7181	31.92	6
They may not understand or support me	7110	31.60	7
Concern that it may affect my workplace reputation	6997	30.75	8

Source: Computed Data

The respondents felt that if they discussed the harassment issues with family members, they would be advised to resign the job, (Garrett mean score=37.35). Similarly women don't like to increase their family members' worries and burden, so they are not share and fear of others blaming or judging them (35.98). Fear of gossip or breaking confidentiality (34.64) and wanting to deal with their personal issues on their own (31.93) were also reported as important reasons. Respondents also narrated, cultural taboos and believing that their family may not understand or support them were also noteworthy concerns. Likewise, concern for their workplace reputation discouraged them from sharing harassment issues with family (30.75). This analysis suggests that emotional, social and cultural factors are the primary reasons for discussing harassment related issues with their family members.

1.6.7 Reasons for Hesitate to Report Workplace Sexual Harassment:

Examining barriers that discourages women in lodging complaints about workplace harassment is essential to improving support systems and ensuring a safe working environment.

Table.3. Reasons for Hesitate to Report Workplace Sexual Harassment

Reasons for Hesitation	Strongly Agree		Agree		Neutral		Disagree		Strongly Disagree		Mean
	No	%	No	%	No	%	No	%	No	%	
Fear of facing retaliation from the harasser	56	37.33	48	32.00	36	24.00	6	4.00	4	2.67	3.97
Power imbalance between the victim and the accused	51	34.00	53	35.33	37	24.67	6	4.00	3	2.00	3.95
Fear of being blamed by others	48	32.00	54	36.00	29	19.33	14	9.33	5	3.33	3.84
Pressure from family and colleagues to remain silent	45	30.00	56	37.33	31	20.67	11	7.33	7	4.67	3.81
Social and cultural stigma around discussing such issues	46	30.67	48	32.00	33	22.00	12	8.00	11	7.33	3.71
Concern about confidentiality and privacy of the complaint process	37	24.67	39	26.00	48	32.00	19	12.67	7	4.67	3.53
No access to complaint mechanisms	39	26.00	37	24.67	29	19.33	26	17.33	19	12.67	3.34
Not considering it serious enough	20	13.33	24	16.00	27	18.00	36	24.00	43	28.67	2.61

Source: Primary Data

A five point scale was applied for this analysis, the mean values were used to determine the severity of each barrier as perceived by the respondents.

The fear of either getting fired or being subjected to retaliatory actions on the part of the perpetrator was identified as most powerful discouragement, having an average score of 3.97. The power difference between the victim and the person being accused (3.95), as well as the fear of blame, judgment or shame (3.84), emerged as other significant factors.

External pressure from family members or coworkers to keep quiet (3.81), along with social and cultural stigma (3.71) were further reasons for hesitate filling complaints. Similarly, worries about confidentiality (3.53), lack of opportunities to file complaints (3.34) exposed the flaws in the existing grievance procedures. The lowest average score (2.61) cited by informants was not viewing the situation as serious.

1.6.8 Perception on Effectiveness of POSH Act:

Perception of people towards the efficiency of POSH Act revealed that 31 (20.67%) respondents strongly agreed and 43 (28.67%) respondents agreed that it is effective in preventing sexual harassment at the workplace, reflecting moderate confidence level. However, 46 respondents (30.67%) were neutral, indicating limited awareness of its implementation. 30 respondents (20.00%) strongly disagreed with the statement. It narrated that people at respondents may not be fully convinced about the Act's real impact in their workplace.

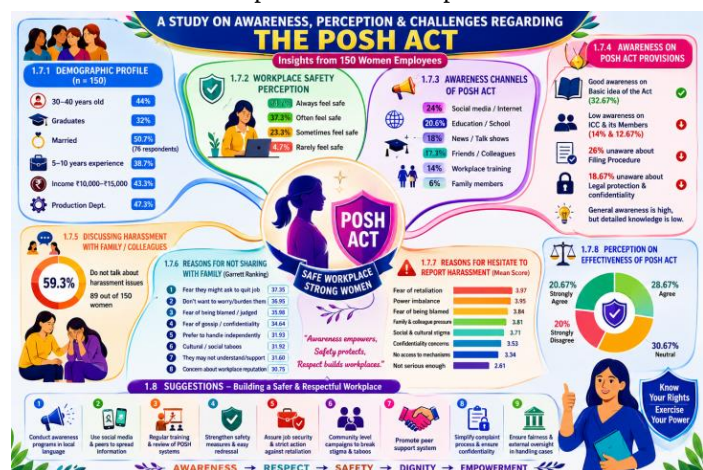


Fig.1. Overall Insights from the Study

1.7 SUGGESTIONS

- Awareness of the POSH Act among rural women workers is still limited to its basic concept. Therefore, awareness programs regarding provisions, complaint procedures and the role of the ICC should be organized in local language.
- Since many women became aware of the Act through informal sources like social media and peers, these platforms should be actively used to share information.
- As workplace training was one of the least reported sources of awareness. Therefore, employers must regularly conduct training programs and review systems to ensure all employees are known about their rights and the support systems available.
- Since women do not feel fully safe at the workplace, safety measures and grievance redressal mechanisms should be strengthened and it should be easy to access and kept confidential.
- Concerning about job losses discourages women from reporting harassment, therefore, employers should assure job security for complainants and take strict action against retaliation.
- Since family pressure and cultural stigma affects reporting about harassment, therefore Awareness campaigns at the community level should be conducted to build a supportive mindset.
- Workplace should promote peer support system, so women feel less isolated and more empowered to speak up.
- As lack of access to complaint mechanisms and confidentiality concerns also affect the reporting, therefore organization should simplify the complaint process and maintain complete privacy for the complainants.
- Since fear of the harasser's power and job loss was a leading concern, hierarchical checks and external oversight can be introduced to ensure fairness and justice in handling complaints.

2. CONCLUSION

In India, POSH Act play an important role in safeguarding women against sexual harassment in the workplace and promotes safer and inclusive environment. This act was enacted to protect

as well as empower women by ensuring that they can work without fear or discomfort. This study highlights that although a section of rural working women are familiar with elementary knowledge of the Act, but they are not aware about essential elements such as complaint procedures and legal rights. Fear of losing their jobs, being judged or facing retaliation prevents them from complaining about harassment. Apart from that, social stigma and lack of trust further discourage open communication. For the POSH Act to become effective, it is essential that Government, employers and public take efforts in educating, empowering and supporting women on the ground level. The workplace needs to play its role as far as creating an environment where the safety of women becomes a priority and speaking up becomes easy for them without any hesitations. In doing so, we will be able to achieve our desired objectives under the POSH Act.

REFERENCES

- [1] S. Anitha, H. Yalamarty and A. Roy, "Changing Nature and Emerging Patterns of Domestic Violence in Global Contexts: Dowry Abuse and the Transnational Abandonment of Wives in India", *Women's Studies International Forum*, Vol. 69, pp. 67-75, 2018.
- [2] M.S. Balaaji and S. Malaimagal, "A Study on Sexual Harassment on Women in India", *International Journal of Current Advanced Research*, Vol. 7, No. 2, pp. 9980-9985, 2018.
- [3] R. Dandona, A. Gupta, S. George, S. Kishan and G.A. Kumar, "Domestic Violence in Indian Women: Lessons from Nearly 20 Years of Surveillance", *BMC Women's Health*, Vol. 22, No. 1, pp. 1-14, 2022.
- [4] M.A. Hoque, "Eve Teasing in Bangladesh: Causes and Impact on Society, A Study from Islamic Perspective", *The International Journal of Social Sciences*, Vol. 15, pp. 1-11, 2013.
- [5] N.H. Kaurav and D.G. Maley, "Sexual Harassment of Women at Workplace in India: A Critical Study", *International Journal for Multidisciplinary Research*, Vol. 5, No. 3, pp. 1-12, 2023.
- [6] S. Lata, M. Bourke-Ibbs and B. Rowland, "A Global Study into Indian Women's Experiences of Domestic Violence and Control: The Role of Patriarchal Beliefs", *Frontiers in Psychology*, Vol. 15, pp. 1-16, 2024.
- [7] P. Mishra and S.Y. Bhutia, "Sexual Harassment of Women in Higher Academia: A Study with Special Reference to Teacher-Student Relation", *Asian Journal of Legal Education*, Vol. 10, No. 2, pp. 204-216, 2023.
- [8] A. Priya, S. Chaturvedi, S.K. Bhasin and G. Radhakrishnan, "Are Pregnant Women also Vulnerable to Domestic Violence? A Community-Based Enquiry for Prevalence and Predictors of Domestic Violence among Pregnant Women", *Journal of Family Medicine and Primary Care*, Vol. 8, No. 5, pp. 1575-1598, 2019.
- [9] I.S. Rathore and M. Mishra, "Study on Sexual Harassment of Women at Workplace in India", *International Journal of Legal Science and Innovation*, Vol.2, No. 3, pp. 231-237, 2020.
- [10] M. Sahay, "Safety of Women at Workplace", *Indian Journal of Kidney Diseases*, Vol. 3, No. 3, pp. 71-73, 2024.
- [11] G. Shaber Ali, P.N. Jose and G. Abhyankar, "Street Sexual Harassment in India: A Socio-Legal Study from North Goa", *Russian Law Journal*, Vol. 11, No. 1, pp. 159-178, 2023.
- [12] A. Yadav, "Domestic Violence on Women in India", *International Journal of Social Impact*, Vol. 9, No. 2, pp. 203-209, 2024.
- [13] Swayam, Available at: <https://swayam.info/resources/violence-facts-figures>, Accessed in 2023.
- [14] Digital Mantras, "Workplace Sexual Harassment Complaints in India", Available at: <https://dizitalmantras.com/workplace-sexual-harassment-complaints-in-india>, Accessed in 2024.
- [15] Rural India Online, "National Family Health Survey (NFHS-5) 2019-21: India", Available at: <https://ruralindiaonline.org/en/library/resource/national-family-health-survey-nfhs-5-2019-21-india>, Accessed in 2022.
- [16] The Economic Times, "Sexual Harassment Complaints at India Inc Rise by 79% in last 5 Years", Available at: <https://hr.economictimes.indiatimes.com/news/workplace-4-0/diversity-and-inclusion/sexual-harassment-complaints-at-india-inc-rise-by-79-in-last-5-years/116137786>, Accessed in 2024.
- [17] The Economic Times, "Sexual Harassment Complaints at Companies see Sharp Rise", Available at: <https://economictimes.indiatimes.com/jobs/hr-policies-trends/sexual-harassment-complaints-at-companies-see-sharp-rise/articleshow/112663032.cms?from=mdr>, Accessed in 2024.