

TRAINING MODULE ON GENDER-BASED LAWS

**Domestic Violence and Sexual
Harassment at Workplace**

Popular Education and Action Centre (PEACE)

March 2025

PEACE

The logo for PEACE features the word "PEACE" in a bold, blue, sans-serif font. A thick, purple brushstroke underline is positioned beneath the letters "E" and "A".

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1. INTRODUCTION

UNDERSTANDING GENDER-BASED VIOLENCE

Gender-based violence (GBV) refers to harmful acts directed at individuals based on their gender. It includes physical, sexual, psychological, emotional, and economic abuse, and is often rooted in societal norms, power inequalities, and gender stereotypes. GBV can occur in both public and private spheres and may be perpetrated by individuals, institutions, or the state.

Examples of GBV include domestic violence, sexual harassment, trafficking, forced marriage, honor killings, acid attacks, and denial of access to resources or opportunities. While GBV affects all genders, women and girls, especially from marginalized communities, face its most severe and systemic forms.

TYPES OF GENDER BASED VIOLENCE

- **Physical:** Beating, acid attacks, honor killings
- **Sexual:** Rape, marital rape, forced prostitution
- **Psychological:** Threats, gaslighting, social isolation
- **Economic:** Withholding wages, denying property rights

DID YOU KNOW?

- 77% of Indian women don't report domestic violence (NFHS-5)
- Only 1 in 4 workplaces have POSH committees (ILO)

WHERE DOES GENDER-BASED VIOLENCE HAPPEN?

- Home: Angry husband with raised fist
- Street: Men catcalling
- Workplace: Boss making inappropriate gestures
- Online: Abusive messages on phone

KEY TERMS

- ***Patriarchy***: A system that privileges men in power structures
- ***Intersectionality***: How caste, class, disability compound oppression

*"When a Dalit woman faces
violence, she fights gender
and caste together."*

*— Ruth Manorama, Dalit
activist*

CONSTITUTIONAL AND HUMAN RIGHTS FOUNDATIONS

The Indian Constitution provides a robust legal framework for gender equality:

- **Article 14:** Guarantees equality before the law
- **Article 15:** Prohibits discrimination on grounds of sex
- **Article 21:** Protects the right to life and personal liberty

India is also a signatory to international conventions like the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which mandates states to eliminate violence against women and uphold gender equality.

GENDER, POWER, AND INEQUALITY

Gender-based violence cannot be understood in isolation from power. Patriarchy, caste, religion, class, disability, and sexuality intersect to create hierarchies where violence becomes a tool of control. For example, a Dalit woman might face domestic violence, caste-based discrimination, and exclusion from justice systems all at once.

IMPACT ON MARGINALIZED COMMUNITIES

The impact of GBV includes physical and mental health issues, social ostracization, financial dependency, and denial of justice. Women from marginalized groups face additional obstacles, such as:

- Lack of documentation or ID
- Illiteracy and lack of awareness
- Fear of backlash
- Institutional apathy or hostility

Activity Suggestion: Make a diagram showing intersectional identities (gender, caste, class, sexuality) and barriers to justice.

INTERSECTIONALITY & MARGINALIZED GROUPS

Activity Suggestion: Make a diagram showing Layers of Oppression. It can have overlapping circles: Gender + Caste + Class + Disability

Narrate Real Stories and discuss the impact with participants:

- *Amina* (Muslim domestic worker) who is paid less than domestic workers, she is sexually harassed but fears losing her job.
- *Gita* (Disabled Adivasi woman) who is denied access to a rape crisis center and the police have refused to file an FIR.

Activity Suggestion: *"Walk in Her Shoes"*

Participants role-play barriers faced by:

- Transgender street vendor
- Widow fighting for inheritance

WHY GENDER-BASED VIOLENCE PERSISTS

ROOT CAUSES

- Normalization ("Boys will be boys")
- Lack of awareness of law
- Fear of social stigma

MYTH VS FACT

<i>Myth</i>	<i>Fact</i>
<i>"GBV is a private issue"</i>	It's a crime under PWDVA/POSH
<i>"Only poor women face it"</i>	Affects all classes (e.g., #MeToo)

IMPACT OF GENDER-BASED VIOLENCE

PHYSICAL & MENTAL HEALTH

- Depression (62%)
- Chronic pain (45%)
- Suicidal thoughts (28%)

ECONOMIC COSTS

- Lost wages (Avg. 5 workdays/month per survivor)
- Medical expenses (₹50,000+ for severe injuries)

Activity Suggestion: Help the participants make a Comic Strip with Panel 1: Woman crying at home, Panel 2: NGO worker explains Domestic Violence Act and Panel 3: Woman in court getting protection order.

KEY MESSAGE

"Gender-based violence isn't just personal—it affects families, communities, and the economy."

2. DOMESTIC VIOLENCE

WHAT IS DOMESTIC VIOLENCE?

Under the Protection of Women from Domestic Violence Act (PWDVA), 2005, domestic violence includes any act, omission, or commission that:

- Harms or endangers a woman's health, safety, life, limb, or well-being
- Causes physical, sexual, verbal, emotional, or economic abuse

FORMS OF DOMESTIC VIOLENCE

- **Physical Abuse:** Beating, slapping, pushing, burning
- **Sexual Abuse:** Forced intercourse, denial of contraception
- **Verbal/Emotional Abuse:** Insults, humiliation, threats, blaming

- **Economic Abuse:** Withholding money, denying employment, taking away earnings

CAUSES AND CONSEQUENCES

CAUSES

- Cultural norms favoring male dominance
- Dowry and property disputes
- Alcohol abuse
- Societal silence around domestic issues

CONSEQUENCES

- Depression, PTSD, anxiety
- Injuries and reproductive health issues
- Impact on children's development
- Social isolation

PROTECTION OF WOMEN FROM DOMESTIC VIOLENCE ACT, 2005

Under this Act, domestic violence includes any action, inaction, or behavior by the accused (respondent) that:

- ***Causes harm or danger*** to the physical or mental health, safety, or well-being of the victim. This includes physical, sexual, verbal, emotional, or financial abuse; or
- ***Pressures or harms*** the victim (or her relatives) to force her to meet illegal demands for dowry, property, or money; or
- ***Threatens*** the victim (or her relatives) in any way related to the actions mentioned above; or
- ***Hurts or harms*** the victim physically or mentally in any other way.

This ensures protection from all forms of harm, whether direct or indirect.

WHAT IS “DOMESTIC RELATIONSHIP”?

A domestic relationship means a relationship between two people who live or have lived together in the same home. They can be related by:

- Blood (like parents, siblings, or children),
or
- Marriage or a relationship similar to marriage, or
- Adoption, or
- As family members living together in a joint family.

WHAT IS “SHARED HOUSEHOLD”?

A Shared household is any home where the victim has lived at any time with the accused in a domestic relationship. It includes:

- A home owned or rented by either or both of them.
- A home they have any legal or financial rights to.
- A home that is part of the respondent's joint family, even if neither the respondent nor the victim has ownership or legal rights to it.

For example: Jointly Owned Property, Rented Property, Family Home, Previous Residence, Singly Owned Property, etc.

TYPES OF ABUSE UNDER THE ACT

PHYSICAL ABUSE

Physical abuse refers to any act or behavior that causes physical pain, harm, danger to life, or affects a person's health or growth. It includes actions like hitting, threatening, or using force to harm someone.

Example of Physical Abuse on Women: A husband slaps his wife during an argument, causing her physical pain and emotional distress.

A husband slaps his minor daughter and threatens to kill her if the wife complains to the police or to her own family

SEXUAL ABUSE

Sexual abuse means any sexual act or behavior that harms, insults, shames, or disrespects a woman's dignity.

Example of Sexual Abuse on Women: A husband pressures or forces the wife to engage in sexual activities against her will, causing her emotional distress and humiliation.

Husband threatens his wife to withhold financial support or uses emotional manipulation so that she complies with his sexual demands.

VERBAL AND EMOTIONAL ABUSE

Verbal and emotional abuse includes:

- Saying hurtful or offensive things, such as insulting, mocking, or shaming someone, especially for not having children or for not having a male child.
- Repeatedly threatening to harm someone important to the victim.

Example of Verbal and Emotional Abuse on Women: A husband mocks his wife every day for not being able to have children, calling her "useless" and blaming her for not continuing his family lineage.

A Husband telling his Wife: "If you don't listen to me, I'll hurt your parents or saying, "I'll harm our children if you don't obey me."

ECONOMIC ABUSE

Economic abuse happens when someone in a domestic relationship:

- Denies financial resources that the affected person needs or is entitled to, like money for basic needs, child support, or maintaining a shared home.
- Takes away or misuses property, assets, or valuables (like jewelry, savings, or investments) that belong to or are jointly owned with the affected person.
- Stops access to shared resources or facilities that the affected person has the right to use, like a shared home, transportation, or bank accounts.

Examples of Economic Abuse on Women: A husband refuses to give his wife money for food or household expenses, even though he earns a sufficient income.

A partner sells the wife's jewelry (stridhan) without her consent or uses it as collateral for his debts.

The family disposes of or denies her access to property or inheritance she is entitled to under the law.

PROCEDURE INVOLVED UNDER THE DV ACT, 2005

— STEP 1: NOTIFY A PROTECTION OFFICER

A woman that has suffered domestic violence should approach a protection officer (appointed under Section 8(1) of the Act).

— STEP 2: AGGRIEVED WOMEN SHOULD BE INFORMED OF THEIR RIGHTS

An aggrieved woman should be informed of her rights by a Police officer, Protection officer, Service Provider (any voluntary association registered under law working with the objective of protecting the rights and interests of women) or a Magistrate. These rights include:

- Her right to make an application for obtaining relief by way of protection order, an order for monetary relief, a custody

order, a residence order, a compensation order;

- Her right to free legal services under the Legal Services Authorities Act 1987; and her right to file a complaint under section 498 A of the Indian Penal Code;
- Her right to services of the Protection Officers, Service Providers, including shelter homes, medical facilities, etc.

— **STEP 3: COMPILING A DOMESTIC INCIDENT REPORT AND OTHER PROTECTION OFFICER RESPONSIBILITIES**

The Protection Officer submits a Domestic Incident Report to the Magistrate and copies are forwarded to the Police Officer in charge. This report should also claim relief for a protection order if the aggrieved person desires.

Apart from this, it is the duty of the protection officers to ensure that the aggrieved person gets all benefits as mentioned as her rights and maintains a list of the service providers, shelter homes and medical facilities in an area.

— **STEP 4: APPLYING TO A MAGISTRATE**

The Magistrate shall set the first date of hearing, which shall not typically be more than 3 days after the Court obtains the application, and shall endeavor to dispose of every application within 60 days of the date of the first hearing.

— **STEP 5: INFORMING THE RESPONDENT OF THE DATE OF THE HEARING**

The Magistrate shall issue a notice of hearing to the Protection Officer, who shall serve it on the respondent and any other person as ordered by the Magistrate within 2 days.

REMEDIES/RELIEFS UNDER THE ACT

PROTECTION ORDERS (SECTION 18)

A Magistrate can issue a protection order for a victim of domestic violence if they believe that violence has happened or might happen. The order can stop the accused person from:

- Committing violence
- Helping others commit violence
- Approaching the victim's workplace or child's school
- Contacting the victim
- Using or transferring shared property or assets
- Hurting others related to the victim
- Doing anything else specified by the court

RESIDENCE ORDERS (SECTION 19)

If the Magistrate finds that domestic violence has occurred, they can pass orders to:

- Stop the accused person (respondent) from forcing the victim (aggrieved person) out of the shared home or disturbing her stay there, even if the respondent does not own the house.
- Ask the respondent to leave the shared home.
- Stop the respondent or their relatives from entering the part of the home where the victim lives.
- Prevent the respondent from selling or giving away the shared home.
- Restrict the respondent from giving up their ownership rights in the shared home without court approval.

— Arrange alternate accommodation or pay rent for the victim if needed.

A woman cannot be asked to leave the house under these orders.

This section also ensures that victims of domestic violence have a safe place to live, financial support if needed, and protection from further abuse. It also prevents future violence enforces the return of their rightful possessions.

MONETARY RELIEFS (SECTION 20)

If a woman files a case under domestic violence laws, the court (Magistrate) can order the offender to pay her money to cover her losses and expenses caused by the abuse.

- The amount of money granted should be fair, reasonable, and match the woman's standard of living.
- The court can order the payment to be made as a lump sum or in monthly installments, depending on the case.
- A copy of the order will be sent to the woman, the offender, and the local police station.
- The offender must pay the money within the time specified by the court.
- If the offender fails to pay, the court can instruct their employer or debtor to directly pay the woman or deposit the money in

court. This money will be used to cover what the offender owes.

CUSTODY ORDERS (SECTION 21)

Regardless of other laws, a Magistrate can, at any point during a hearing for a protection order or other relief under this Act:

- Grant Temporary Custody of a child to the woman
- Decides to Arrange Visits for the respondent
- Deny Visits to the respondent

COMPENSATION ORDERS (SECTION 22)

If a person facing domestic violence makes an application, the Magistrate can order the abuser to pay compensation for the harm caused. This includes money for physical injuries, mental suffering, and emotional pain.

POWER TO GRANT INTERIM AND EX-PARTE ORDERS (SECTION 23)

The Magistrate can issue temporary orders during the case if he thinks it is fair and necessary.

If the Magistrate believes, based on the woman's application, that the respondent (accused) has committed, is committing, or might commit domestic violence, he can issue orders without hearing the respondent first. These orders can be based on the woman's sworn statement and relate to sections 18, 19, 20, 21, or 22 of the Act.

FACILITIES PROVIDED UNDER THE ACT

- Shelter homes (Section 6)
- Medical facilities (section 7)
- Counselling (section 14)
- Assistance of welfare expert (section 15)

- Support by protection officers, police officers and service providers (sections 4,5,8,9,10)

OTHER REMEDIES AGAINST DOMESTIC VIOLENCE

FILING AN F.I.R.

Report the incident(s) of domestic violence to the nearest police station. If you cannot go to the police station, dial 112. The police will register the complaint under 498A IPC (section 85 of BNS) and will conduct a preliminary inquiry.

Police may also direct the victim to a Protection Officer in charge in the area.

INTIMATING NATIONAL COMMISSION FOR WOMEN (NCW)

The National Commission for Women (NCW) helps with cases of domestic violence, dowry harassment, or sexual assault. Here's how NCW supports victims:

- NCW investigates complaints related to these issues and ensures the local police take action quickly.
- They offer counselling or mediation to resolve disputes without going to court.
- NCW sets up teams to visit the site, speak to witnesses, gather evidence, and submit a report with recommendations.
- Victims can file complaints directly through NCW's online portal or send a complaint through post.

SUMMARY OF THE CHAPTER

OVERVIEW OF PWDVA, 2005

The PWDVA recognizes domestic violence as a human rights violation and provides civil remedies to women. It does not require survivors to file a criminal case. The Act covers:

- All women in a domestic relationship
- Violence within family settings (not limited to husband-wife)
- Protection, residence, monetary relief, custody, and compensation

KEY PROVISIONS

- **Section 3:** Definition of domestic violence
- **Section 12:** Application to Magistrate
- **Section 17:** Right to reside in shared household

- **Section 18-22:** Relief orders (Protection, Residence, Monetary, Custody, Compensation)

Infographic Suggestion: Flowchart of complaint process from survivor to Protection Officer to Magistrate

AUTHORITIES UNDER THE ACT

- **Protection Officer (PO):** Appointed by state; assists survivors, files DIR, ensures enforcement
- **Service Providers:** NGOs, legal clinics, shelters
- **Magistrates:** Hear cases and grant orders

FILING A COMPLAINT

- Approach Protection Officer or NGO
- Fill Domestic Incident Report (DIR)
- PO submits report to Magistrate

- Survivor may request interim relief
- Magistrate hears matter and passes appropriate orders

Case Study: *Rekha*, a 30-year-old woman, faced daily abuse from her husband and in-laws. With the help of a local NGO, she filed a DIR and obtained a residence and protection order. The court ensured her right to live in her shared household without fear.

KEY JUDGMENTS

- **Indra Sarma v. V.K.V Sarma (2013):** Recognized live-in relationships under DV Act
- **Satish Chandra Ahuja v. Sneha Ahuja (2020):** Broadened the concept of shared household beyond ownership

3. SEXUAL HARASSMENT AT WORKPLACE

UNDERSTANDING SEXUAL HARASSMENT

Sexual harassment at workplace includes any unwelcome behavior with sexual undertones that creates an intimidating or hostile environment. It is a violation of dignity, bodily autonomy, and right to livelihood.

EXAMPLES

- Inappropriate touching
- Sexist jokes and remarks
- Unwanted advances or gifts
- Displaying pornographic material

THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013

WHAT IS SEXUAL HARASSMENT?

"Sexual harassment" means any unwelcome actions or behavior, including:

- Physical contact or advances, or
- Asking for sexual favors, or
- Making sexual comments or remarks, or
- Showing pornographic material, or
- Any other unwanted actions, words, or gestures of a sexual nature.

It includes (but not limited to):

- Physical contact, Stalking, Abusive Sounds, vulgar/indecent jokes, phone calls, text messages, e-mails.
- Using sexually abusive language or signs in the presence of a woman employee.
- Physical confinement or touches against the will and likely to intrude upon one's privacy, etc.

IMPORTANT TERMS UNDER THE POSH ACT, 2013

EMPLOYER

An “employer” is:

- The head of a department, organization, establishment, enterprise, institution, office, branch, or unit of the government or local authority, or any officer designated for this purpose.
- Anyone (whether on a contract or not) who manages, supervises, or controls a workplace not included in the first category.
- A person or household employing or benefiting from the work of domestic workers or female employees.

EMPLOYEE

The term "employee" refers to anyone working at a workplace, whether regularly, temporarily, on an ad-hoc basis, or as a daily wage worker.

This includes:

- People hired directly, through an agent, or contractor, with or without the employer's knowledge.
- Applies whether they are paid or not, working voluntarily or otherwise, and whether their employment terms are written or implied.
- Co-workers, contract workers, probationers, trainees, apprentices, or anyone referred to by a similar term.

WORKPLACE

A “workplace” includes:

- Any government department, organization, office, branch, or unit that is established, owned, controlled, or mainly funded by the government, local authorities, government companies, corporations, or cooperative societies.
- Any private organization, business, institution, or service provider involved in activities like commercial, professional, educational, industrial, health, entertainment, or financial services, as well as producing, selling, or distributing goods or services.
- Hospitals or nursing homes.
- Any sports facility, stadium, complex, or venue used for training, sports, competitions, or related activities, whether residential or not.

- Any place an employee visits during work or for work purposes, including transportation provided by the employer.
- A house or residence where work takes place.
- ***Unorganized Sector:*** Small businesses or self-employed workers involved in producing or selling goods or providing services, with less than 10 workers.

RESPONSIBILITIES OF AN EMPLOYER AND DISTRICT OFFICERS

- Create and communicate a detailed policy.
- Ensure awareness and orientation on the issue.
- Constitute Internal Complaints Committee/s in every workplace and district so that every working woman is provided with a mechanism for redress of her complaint(s).
- Ensure Complaints Committees are trained in both skill and capacity.
- Prepare an annual report and report to the respective state government.
- District Officer will also appoint a nodal officer to receive complaints at the local level.

COMPLAINTS COMMITTEE/S UNDER POSH ACT, 2013

INTERNAL COMPLAINT COMMITTEE (ICC)

- Every employer is obliged to constitute an ICC through a written order.
- ICC must have 50% representation of women.
- ICC members will hold their position for not more than three years from the date of their nomination or appointment.

No	Member	Eligibility
1.	Chairperson	Women working at senior level as employee; if not available then nominated from other office/units/ department/ workplace of the same employer
2.	2 Members (minimum)	From amongst employees committed to the cause of women/ having legal knowledge/experience in social work
3.	Member	From amongst NGO/associations committed to the cause of women or a person familiar with the issue of Sexual Harassment

Table 1: Members of an ICC

- The ICC (Internal Complaints Committee) handles complaints about sexual harassment.
- It receives complaints, investigates them fairly, and follows principles of natural justice to ensure impartiality.
- Based on its findings, the ICC recommends appropriate actions, which may include disciplinary measures against the harasser.
- The ICC regularly reports to the employer and the government, sharing details like the number of complaints, actions taken, and steps to prevent harassment.
- It ensures privacy by keeping all information and identities confidential throughout the complaint process to protect everyone involved.

LOCAL COMPLAINTS COMMITTEE (LCC)

- The District Officer will set up an LCC in every district to help women working in small businesses or informal jobs feel safe from sexual harassment.
- The LCC handles complaints in cases when:
 - A woman works in a place with fewer than 10 employees.
 - The complaint is about the employer.
 - The complaint is from a domestic worker.

No	Member	Eligibility
1.	Chairperson	Nominated from amongst the eminent women in the field of social work and committed to the cause of women
2.	Member	Nominated from amongst the women working in the block, taluka or tehsil or ward or municipality in the district
3.	2 Members	Nominated from amongst such NGO/associations/persons committed to the cause of women or familiar with the issues relating to sexual harassment, provided that: <ul style="list-style-type: none"> • At least one must be a woman • At least one must have a background of law or legal knowledge
4.	Ex Officio member	The concerned officer dealing with social welfare or women and child development in the district

*One of the nominees shall be a woman belonging to the SC/ST/OBC/Minority community notified by the Central Government.

Table 2: Members of an LCC

— The LCC:

- Helps women report incidents of sexual harassment.
- Conducts inquiries, following fair and just procedures.

- Suggests suitable actions after the inquiry.
- Ensures complete confidentiality during the complaint process.

Both the ICC and LCC are crucial in addressing workplace sexual harassment. Employers are legally required to set up and support these committees to create a safe and respectful work environment for women in India.

WHO CAN FILE A COMPLAINT?

- In workplaces with fewer than ten workers, any woman employee can file a complaint about workplace sexual harassment with the LCC. If needed, she can get help from the Nodal Officer.
- The Nodal Officer's job is to receive such complaints and send them to the appropriate Complaints Committee within 7 days for further action.
- In larger workplaces, women can directly file complaints with the ICC.

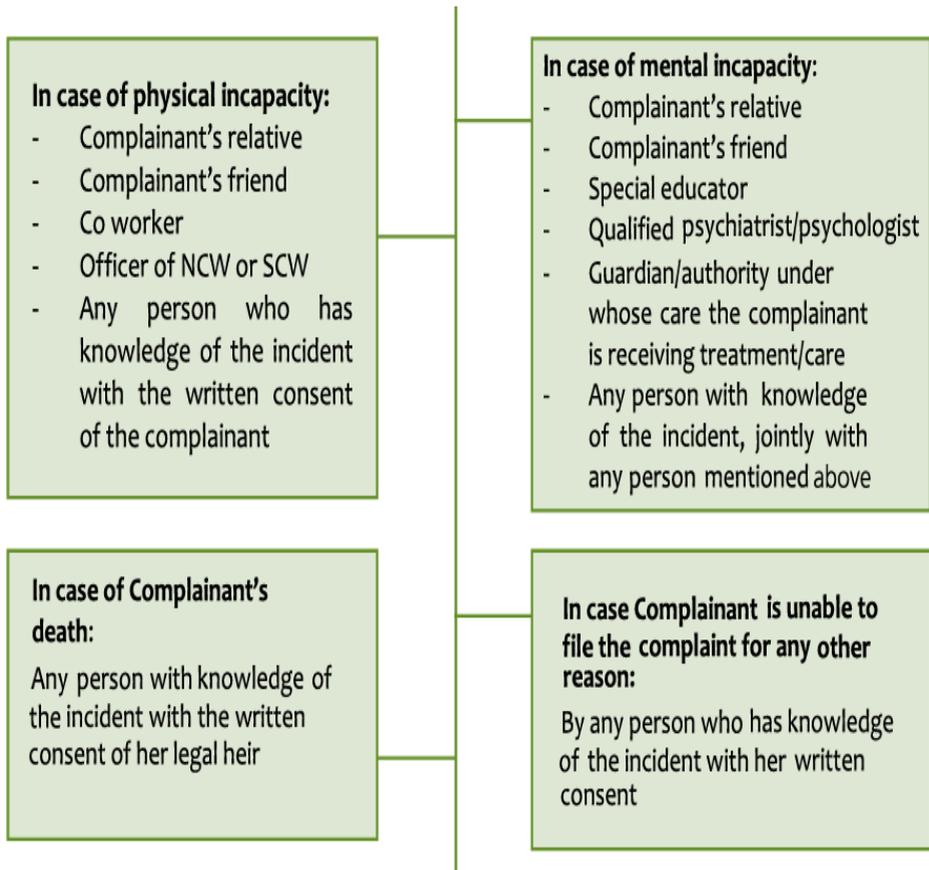


Figure 1: Who can file a complaint under the POSH Act

CONTENTS OF THE COMPLAINT

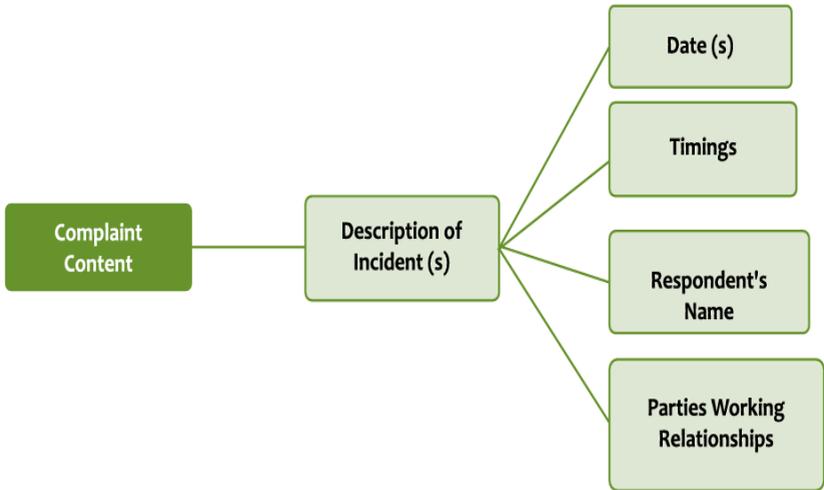


Figure 2: Contents of the Complaint under POSH Act

- Name of the Complainant and contact details.
- Date, time & place of the incident(s).
- Name of the Respondent (accused) and their contact details.

- Allegation(s) with context, including what happened before, during, and immediately after the incident.
- Evidence (if any). Mandatory evidence or supporting documents are NOT required for filing a complaint of Sexual Harassment.
- Witnesses and their contact details.
- Impact on the Complainant, such as emotional distress or effects on work performance.
- The remedy sought, such as an apology, compensation, or termination.
- Date and signature of the Complainant.

PROCESS FOLLOWED BY ICC/LCC UNDER THE POSH ACT, 2013

STEP 1: RECEIPT OF THE COMPLAINT

- Receive and acknowledge receipt of the complaint.
- Meet and talk to the complainant to explore options for formal and informal resolution:
 - Informal mechanism.
 - Formal mechanism.
 - Respondent and response.

STEP 2: PLANNING CAREFULLY

- Preparing the file.
- Consideration.

STEP 3: INTERVIEWS

- Prepare an interview plan for the hearing: Complainant, Witnesses, and Respondent.
- Assess the completeness of the information collected.

STEP 4: REASONING

- Analyze and assess the information gathered during the inquiry.
- Create a timeline to establish the sequence of events related to the complaints.
- Compare similarities and differences within each of the statements made by interviewees.

STEP 5: FINDINGS AND RECOMMENDATIONS

STEP 6: WRITING THE REPORT

- Inquiry must be completed within 90 days, and a final report submitted to the Employer or District Officer (as the case may be) within ten days thereafter.
- The report will also be made available to the concerned parties.
- The Employer or District Officer is obliged to act on the recommendations within 60 days.

INQUIRY PROCESS AT A GLANCE

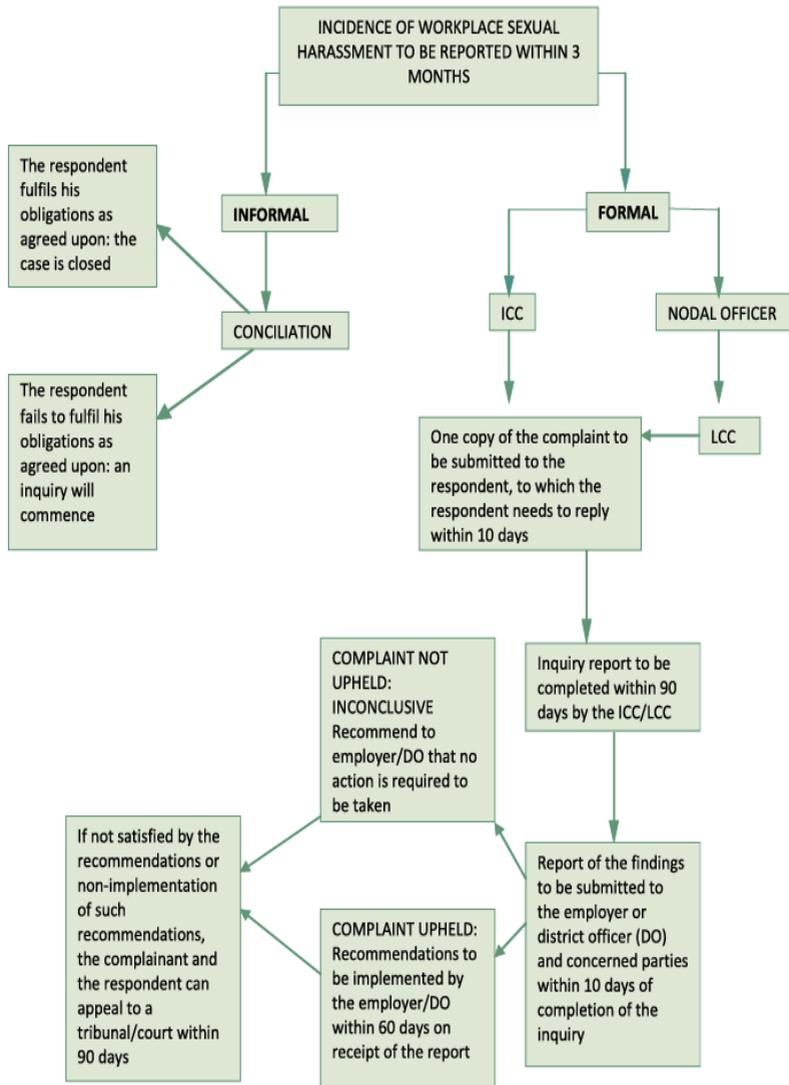


Figure 3: Inquiry process under the POSH Act

IMPORTANT TIMELINES TO REMEMBER

Submission of Complaint	Within 3 months of the last incident
Notice to the Respondent	Within 7 days of receiving copy of the complaint
Completion of Inquiry	Within 90 days
Submission of Report by ICC/LCC to employer/DO	Within 10 days of completion of the inquiry
Implementation of Recommendations	Within 60 days
Appeal	Within 90 days of the recommendations

Table 3: Timelines under the POSH Act

RIGHTS OF THE COMPLAINANT

- An empathetic attitude from the Complaints Committee so that she can state her grievance in a fearless environment.
- A copy of the statement along with all the evidence and a list of witnesses submitted by the respondent.
- Keeping her identity confidential throughout the process.
- Support in lodging an FIR in case she chooses to lodge criminal proceedings.
- In case of fear of intimidation from the respondent, her statement can be recorded in absence of the respondent.
- Right to appeal, in case, not satisfied with the recommendations/findings of the Complaints Committee.

RIGHTS OF THE RESPONDENT

- A patient hearing to present his case in a non-biased manner.
- A copy of the statement along with all the evidence and a list of witnesses submitted by the complainant.
- Keeping his identity confidential throughout the process.
- Right to appeal in case not satisfied with the recommendations/findings of the Complaints Committee.

OTHER REMEDIES AGAINST SEXUAL HARASSMENT

FILING AN F.I.R.

- Report the incident(s) of sexual harassment to the nearest police station. If you cannot go to the police station, dial 112.
- The police will register a First Information Report (FIR) under **section 354A of IPC (section 75 of BNS)** or other relevant sections.

INTIMATING NATIONAL COMMISSION FOR WOMEN (NCW)

- The National Commission for Women (NCW) helps with sexual harassment, including sexual harassment at the workplace.

— How NCW supports victims:

- Investigates complaints and ensures the local police take action quickly.
- Urges organizations or departments to set up an ICC as per the POSH Act, 2013 to inquire into complaints.
- Sets up teams to visit the site, speak to witnesses, gather evidence, and submit a report with recommendations.
- Victims can file complaints directly through NCW's online portal or send a complaint through post.

SUMMARY OF THE CHAPTER

THE PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE ACT, 2013

Born from the Vishaka Guidelines, this Act applies to all women, including interns, part-time staff, and domestic workers. It mandates every employer to prevent, prohibit, and redress sexual harassment.

WHAT IS SEXUAL HARASSMENT?

As per Section 2(n):

- Physical contact and advances
- Demand or request for sexual favors
- Sexually colored remarks
- Showing pornography
- Any other unwelcome conduct

WHO IS COVERED?

All women, regardless of:

- Age, designation, or contract
- Paid/unpaid work
- Sector (formal or informal)

Workplaces: Offices, factories, farms, homes, transport provided by employer

PREVENTION AND PROHIBITION

Employers must:

- Draft anti-sexual harassment policy
- Create awareness through workshops
- Display posters with redressal details

REDRESS MECHANISM

- Internal Complaints Committee (ICC):
Where 10+ employees exist

- Local Complaints Committee (LCC): For informal sector

PROCESS

- Complaint within 3 months (extendable)
- Inquiry by ICC/LCC
- Report to employer
- Action and compensation

Case Study: *Shabnam*, a tailor in a garment factory, was touched inappropriately by her supervisor. Her complaint was ignored until a CBO helped her access the Local Complaints Committee. The LCC held the employer accountable and awarded compensation.

BEST PRACTICES

- Train ICC members regularly
- Ensure confidentiality and anti-retaliation and provide psychological support

4. COMMUNITY-BASED ACTION

ROLE OF COMMUNITY-BASED ORGANIZATIONS (CBOs)

BUILDING AWARENESS

Tools for Grassroots Campaigns:

— **Street Theater:**

Script Idea: "Guddi's Courage" – A play where a village woman uses PWDVA to stop her alcoholic husband's abuse. Use local dialects and humor to engage audiences.

— **Wall Art & Posters:**

Sample Messages:

"काम के स्थान पर उत्पीड़न गैरकानूनी है!

POSH अधिनियम 2013 जानें"

"घरेलू हिंसा रिपोर्ट करें: संरक्षण अधिकारी का नंबर [Local PO Contact]"

— **Community Radio Spots:**

30-second Script:

"अगर आपके साथ मारपीट, गाली-गलौज, या आर्थिक शोषण हो रहा है, तो 181 पर कॉल करें। महिला अधिकार कानून आपके साथ है!"

EXAMPLE OF GRASSROOT CAMPAIGN

Jan Shakti, a women-led CBO in Bihar, created a village-level women's committee to track domestic violence cases. They successfully pushed for appointment of a Protection Officer in their block.

Approach:

- Trained 15 village women as "Nyaya Sahelis" (Justice Friends)
- Conducted weekly *chaupal* meetings to discuss GBV cases

Outcome:

- 43 cases reported in 6 months vs. 2 earlier
- Successfully lobbied for a Protection Officer in their block

SURVIVOR SUPPORT SYSTEMS: STEP-BY-STEP GUIDE

FIRST RESPONSE PROTOCOL:

— Do's:

- ✓ Believe the survivor
- ✓ Ensure immediate safety (e.g., temporary shelter)

— Don'ts:

- ✗ Ask "Why didn't you leave earlier?"
- ✗ Mediate without survivor's consent

DOCUMENTATION TOOLKIT:

— Sample DIR (Domestic Incident Report) Form:

- Physical abuse (Describe injuries):

- Economic abuse (Details of income withheld): ₹ _____

- Witnesses (Names/Contacts):

SAFE REFERRAL NETWORK:

Local Resources Template:

SERVICE	CONTACT	FREE OF CHARGE
LEGAL AID	DLSA Prayagraj: XXX	Yes
SHELTER HOME	Shakti Sadan: XXX	Yes

ADVOCACY & POLICY CHANGE

MONITORING AUTHORITIES

Checklist for Accountability:

- Police Stations:
 - ✓ Is the women's help desk functional?
 - ✓ Are FIRs being registered under PWDVA/POSH?
- Protection Officers:
 - ✓ Are DIRs being filed within 24 hours?

Template for RTI Applications:

- ✓ "Under RTI Act 2005, provide details of:
 - Number of POSH complaints received by District Officer in 2024
 - Actions taken in these cases"

POLICY ADVOCACY

Successful Campaign Examples:

#FundSurvivors Campaign (Maharashtra):

Demanded 10% state budget for shelter homes

Result: 5 new shelters sanctioned

POSH Compliance Drive (Kerala):

Petitioned High Court to audit workplaces

Outcome: 68% compliance rate achieved

SUMMARY OF THE CHAPTER

COMMUNITY-BASED ACTION

- Role of CBOs
- ✓ Conduct awareness campaigns
- ✓ Assist in documentation and filing complaints
- ✓ Provide safe spaces and referrals
- ✓ Monitor authorities and advocate policy changes
- Supporting Survivors
- ✓ Listen without judgment
- ✓ Ensure safety and support
- ✓ Build survivor networks and peer support groups
- Monitoring and Advocacy

- ✓ Keep records of interventions
- ✓ Collaborate with legal aid and state bodies
- ✓ Push for better implementation through campaigns

5. TRAINING TOOLS

INTERACTIVE ACTIVITIES

MOCK ICC HEARING:

Role-Play Script:

— Characters:

- ✓ Complainant (Radha, factory worker)
- ✓ Respondent (Supervisor)
- ✓ ICC Chairperson

— Scenario:

- ✓ Supervisor demands sexual favors for promotion.

— Debrief Questions:

- ✓ What could Radha do if the ICC delays her case?

- ✓ How might caste affect this scenario?

PWDVA/POSH Quiz

Sample Questions:

— "Can a transgender person file a POSH complaint?"

- ✓ Ans: Yes (Supreme Court, NALSA judgment)

— "True/False: A wife can be evicted from her marital home under PWDVA."

- ✓ Ans: False (Section 17 grants residence rights)

— Scoring Guide:

- 8-10 correct: "GBV Champion!"
- 5-7: "Keep learning!"

RESOURCE DIRECTORY

NATIONAL HELPLINES

— Crisis Support:

- ✓ 181 (Women’s Helpline)
- ✓ 112 (Emergency Police)
- ✓ NCW WhatsApp: +91-72177-35372

— Legal Aid:

- ✓ DLSA Directory: State-wise list with working hours

LOCAL SERVICES

Template for Customization:

— [Your District] Resources:

- Shelter: [Name], [Address], [Contact]
- Medical: Free rape kit facilities at [Hospital]

□ CBOs: [List local NGOs with specialties]

— Cut-Out Poster:

✓ “Know Your Rights” flowchart (A5 size for wall display)

SUMMARY OF THE CHAPTER

TRAINING TOOLS AND RESOURCES

— Sample Case Studies

- ✓ **Case 1:** Radha, denied food and medicine by husband. Filed for economic abuse relief.
- ✓ **Case 2:** Nazma, harassed at a placement agency, took LCC route to justice.

— Activities

- ✓ Role play: Survivor approaching PO and filing DIR
- ✓ Simulation: ICC mock hearing
- ✓ Discussion: Cultural norms reinforcing patriarchy
- ✓ Rights-Based Quiz
- What is a shared household?

- Who is a Protection Officer?
- What are two roles of the ICC?
- What forms of violence are covered under DV Act?

— **Resource Directory**

- ✓ Helpline 181 (Women)
- ✓ Helpline 1091 (Police)
- ✓ National Commission for Women
- ✓ State Women's Commissions
- ✓ DLSA Offices
- ✓ Local shelters and CBOs

Popular Education and Action Centre (PEACE)

Popular Education and Action Centre (PEACE) is a collective dedicated to strengthening grassroots social action through popular education. We challenge the superficial use of participation in dominant development paradigms, emphasising true empowerment for marginalised communities. Our approach equips people with knowledge and capacity to reclaim agency, challenge entrenched power structures, and transform their realities.



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