

**SOUTHERN RAILWAY**  
**MADURAI RAILWAY DIVISION**

**PREVENTION OF SEXUAL HARASSMENT AT THE WORK PLACE**

Article 51A(e) of the Constitution imposes on every citizen by way of fundamental duty the responsibility to renounce practices derogatory to the dignity of women.

Rule 3(C) of the Railway Services (Conduct) Rules, 1966 deals with the provisions of Prohibition of Sexual Harassment of Working Women as follows:

- (1) No Railway servant shall indulge in any act of sexual harassment of any woman at any work place.
- (2) Every Railway servant who is in-charge of a work place shall take appropriate steps to prevent sexual harassment to any woman at the work place.

Explanation. - (I) For the purpose of this Rule,-

- a) "sexual harassment" includes any one or more of the following acts or behaviour (whether directly or by implication) namely :-
  - (i) Physical contact and advances;
  - (ii) Demand or request for sexual favours;
  - (iii) Making sexually coloured remarks;
  - (iv) Showing pornography;
  - (v) Any other unwelcome physical, verbal, non-verbal conduct of a sexual nature.
- b) the following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:
  - (i) implied or explicit promise of preferential treatment in employment;
  - (ii) implied or explicit threat of detrimental treatment in employment;
  - (iii) implied or explicit threat about her present or future employment status;
  - (iv) interference with her work or creating an intimidating or offensive or hostile work environment for her;
  - (v) humiliating treatment likely to affect her health or safety.

**DO'S AND DON'TS**

**DO's**

- Do remember that women have the following fundamental rights under Constitution:
  - a) Right to Gender equality Right against discrimination on grounds of sex
  - b) Right to practice any profession or to carry out any occupation, trade or business
  - c) Right to Life and Liberty.
- They must be taken care of in work places.
- Do remember that the Constitution of India requires the State to make provisions for securing just and humane conditions of work and for maternity relief. Provide for the same in the work places for the working women.
- Do remember that the Constitution also makes it the duty of every citizen of India to renounce practices derogatory to the dignity of women. Guard against the same.
- Do always endeavor to create and sustain conducive environment for work.
- Do remember that all of us have a collective responsibility to protect our Human Rights and eradicate behavior, which is unacceptable and discriminatory.
- Do remember women's rights are human rights.

- Ensure adequate personal security for employees specially women.
- Do take appropriate steps at the work place to prevent sexual harassment.
- Do take all steps necessary and reasonable to assist the affected person in terms of support and preventive action where sexual harassment occurs as a result of an act or omission by any third party or outsider.
- The victims of sexual harassment should have the option either to seek transfer of the perpetrator or their own transfer.
- Sexual harassment of women at workplace is liable for departmental action under the Railway Services of (D&A) Rules, 1968.
- Every organization has a 'Internal Complaint Committee' to deal with cases of harassment of women employees at workplace. Anybody having a complaint can approach it.
- Besides departmental action for sexual harassment, the Disciplinary Authority must not miss to invoke criminal remedy under the Indian Penal Code:
  - a) Assault or use of criminal force to a woman with intent to outrage her modesty is a cognizable offence under Section 354 with laid down punishment of imprisonment for 2 years or fine or both.
  - b) Uttering any word or making any gesture intended to insult the modesty of a woman is a cognizable offence under Section 509 with punishment of simple imprisonment for 1 year or fine or both.

### **DON'Ts**

- Don't infringe the fundamental rights of women, as they are enforceable under Article 32 of the Constitution and hence, attract legal action.
- Don't crib special provisions made for women because they are made within the ambit of the Constitution of India.
- As per Section 66 of the Factories Act, no woman shall be required or allowed to work in any factory except between the hours of 6.00 A.M. and 7 P.M.
- Do not forget to show due courtesies towards female employees and colleagues.
- No employee should ever indulge in sexual harassment of a woman employee at the work place. If you do, you will be liable for disciplinary proceedings.
- Don't indulge in physical contact and advance directly or indirectly, towards woman employees. Otherwise, it would amount to sexual harassment.
- Don't ever pass sexually colored remarks on woman employees.
- No employee should ever show or attempt to show directly or by implication pornography to any woman employee.
- Don't ever indulge in any unwelcome physical, verbal or non-verbal conduct of a sexual nature with any woman employee.
- Do not treat women employees as sex objects.
- Do not place women employees at disadvantageous position in connection with their employment.

### **INTERNAL COMPLAINTS COMMITTEE**

Sl. No.	Name	Designation
1.	Dr. R. Revathi	ACMS/RH/MDU
2.	Shri. V.Swaminathan	Sr.DPO/MDU
3.	Ms. D. Mohanapriya	DCM/MDU
4.	Mrs. Adline Stella Rajkumar	NGO Member

**Don't make a baseless complaint of harassment. That will adversely affect the credibility of the complainant in particular and the dignity of women in general.**