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Critical Analysis of Sexual Harassment at Work Place (Prevention, Prohibition and Redressal) Act, 2013 with Special Emphasis to Film Industry

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ABSTRACT

Gone are the days where only men were the breadwinners of a family. With opportunities expanding and people moving forward into a contemporary world, gender disparity regarding employment has become a thin line. We are in an era where both men and women work for a living and contribute to their family. Women are now coming forward and stepping into powerful positions and leaving their marks in various industries. However, there are many issues that demotivate women from coming forward. One such major issue is the absence of a healthy and safe working environment. Sexual Harassment at Workplace is a violation of a woman's fundamental rights under Article 15, 19 and 21. It makes a woman insecure and causes severe mental trauma which in turn makes her quit the job or affects her self-confidence. Women are not sex toys for pleasure or the weak vulnerable section of humankind, but years of the patriarchal system that silenced women have resulted in women being subject to such exploitation.

The modern era has seen a very dynamic and vocal community of women aware of her rights. The film industry is one such industry which has seen such volatile political movements against sexual harassment. The film industry is one of the largest industries in India which contributes greatly to the economy. Through this paper, we aim to analyse the implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 in the Indian Film industry.

I. INTRODUCTION

The world has been rapidly developing and shaping itself into an era of globalisation. With opportunities growing, the scope of expansion and development has become immense. In this scenario, a long battle has been going on for a while. Women have been constantly pushing themselves to come to the forefront and get recognised for their contributions. The gender inequality which had been looming over women have slowly started to recede. However, the gap is still high and women are still fighting hard for their rights.

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The amount of violations that women face every day is endless. It has taken place into the daily lives of women. Women face all kinds of harassment from every possible place. It could be physically or mentally. One of most disregarded places of harassment that we see is at workplace. As per the Census in 2001, the Indian workforce is over 400 million strong, which constitutes 39.1 % of the total population of the country. Of the total 402 million workers, 275 million are males and 127 million females. This would mean that 51.7 percent of the total males and 25.6 percent of the total females are workers.³

According to National Perspective Plan, only 14 percent of women are in full employment, nearly 90 percentage of these are in unorganised sector, of these 83 percentage are in agriculture and construction work. The number of women in organised sector is below 8 percent. It is true that women's participation in the economy has increased but their problems and difficulties have also increased. Even now women workers are deprived of most of the benefits from employment.

One of the major problems that women face at their workplace is sexual harassment. Sexual harassment is a behaviour with a sexual connotation that is abusive, injurious and unwelcome. It makes the victim feel intimidated and humiliated. Though we are aware of the situation and have multiple legislations to prevent crimes against women, women are still suffering under the fear of losing her job to the extent that people have normalised this to a mere occupational hazard. The most disheartening part about this issue is that people have started to trivialize the situation because it has started to become part of a woman's regular life. Therefore, it is quintessential to implement more stringent laws against sexual harassment at workplace to remove such unacceptable practices of exploitation and discrimination.

The Constitution of India has several provisions in favour of women workers in the preamble. The constitution, the fundamental law of the land has called for providing protection and security of women workers through various provisions and it has been implemented by the legislature through protective legislations. The government by understanding the importance of women workforce in the economy has also provided different plans, programs, policies and schemes in order to protect women. The government is trying to improve the bargaining capacity of a women, enhance their skills and help them in getting better employment opportunities. But, in most of the cases women workers are unaware of their rights and the programmes offered to them by the government. If the

³ Dr. Meenakshi Gupta, *Women Rights under Labour Laws*, xix, (First edition, 2016)

beneficiaries are unaware of the schemes and laws available to them, then there is no use in providing these programs to them. The women must be made aware of their rights and the legal mechanisms must be made easily accessible to them.

It is true that the legal provisions give protection to women workers but they are still not treated as equal to men. The family responsibilities and the fear of sexual harassment create insecurities and the lack of confidence would discourage them from pursuing better employment opportunities. Sexual harassment has widespread effects in various dimensions which we cannot imagine. Sexual harassment can be seen as an attempt to objectify women as an object for sexual pleasure and to institutionalize subordination of women to men at the workplace. It also reflects an exploitative relationship of men over women. At this point we feel there should be a critical evaluation of Sexual Harassment At Work Place (Prevention, Prohibition and Redressal) Act, 2013 for improving the condition of women at their workplace.

II. ROLE OF VISHAKA V. STATE OF RAJASTHAN IN THE PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE.

Vishaka v. State of Rajasthan is an iconic case of Indian legal history as the Supreme court took an initiative to define the sexual harassment in workplace. This action from the honourable Supreme Court is one of the first cases where they addressed sexual harassment at workplace. The court found that an act of sexual harassment against women violates their fundamental rights provided under Article 14,15,19 and 21 in the Constitution of India. The fundamental right under Article 19 includes a right to practice any profession or trade in India which also includes a right to safe working environment.

The Supreme Court also established the duty of the employer in preventing sexual harassment in this case. This is important as the employer must take necessary steps to prevent the act from happening. Prevention is always better than cure and it is quintessential to make the employer dutybound to protect the female employees and to provide a safe working environment for those people who work for him.

It is necessary and expedient for employers in work places as well as other responsible persons or institutions to observe certain guidelines to ensure the prevention of sexual harassment of women:

1. *Duty of the Employer or other responsible persons in work places and other institutions: It shall be the duty of the employer or other responsible persons in work places or other institutions to prevent or deter the commission of acts of sexual*

*harassment and to provide the procedures for the resolution, settlement or prosecution of acts of sexual harassment by taking all steps required.*⁴

Supreme Court also took the effort to define sexual harassment at workplace in this case wherein they included both physical and mental harassment at various contexts including a voluntary service in any firm.

For this purpose, sexual harassment includes such unwelcome sexually determined behavior (whether directly or by implication) as: a) physical contact and advances; b) a demand or request for sexual favours; c) sexually coloured remarks; d) showing pornography; e) any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

*Where any of these acts is committed in circumstances whereunder the victim of such conduct has a reasonable apprehension that in relation to the victim's employment or work whether she is drawing salary, or honorarium or voluntary, whether in Government, public or private enterprise such conduct can be humiliating and may constitute a health and safety problem.*⁵

Under this case many guidelines were established which includes,

1. Express prohibition of sexual harassment as defined above at the work place should be notified, published and circulated in appropriate ways.
2. The Rules/Regulations of Government and Public Sector bodies relating to conduct and discipline should include rules/regulations prohibiting sexual harassment and provide for appropriate penalties in such rules against the offender.
3. In case of private employers, steps should be taken to include the aforesaid prohibitions in the standing orders under the Industrial Employment (Standing Orders) Act, 1946.
4. Appropriate work conditions should be provided in respect of work, leisure, health and hygiene to further ensure that there is no hostile environment towards women at work places and no employee woman should have reasonable grounds to believe that she is disadvantaged in connection with her employment.
5. Where such conduct amounts to a specific offence under the Indian Penal Code or under any other law, the employer shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority. In particular, it

⁴ *Vishaka v. State of Rajasthan* MANU/SC/0786/1997

⁵ *Vishaka v. State of Rajasthan* MANU/SC/0786/1997

should ensure that victims, or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment. The victims of sexual harassment should have the option to seek transfer of the perpetrator or their own transfer.

6. Where such conduct amounts to misconduct in employment as defined by the relevant service rules, appropriate disciplinary action should be initiated by the employer in accordance with those rules.
7. Whether or not such conduct constitutes an offence under law or a breach of the service rules, an appropriate complaint mechanism should be created in the employer's organization for redress of the complaint made by the victim. Such complaint mechanism should ensure time bound treatment of complaints.
8. The judgement also provides for setting up a complaints committee for redressal of the issue
9. Employees should be allowed to raise issues of sexual harassment at workers' meeting and in other appropriate forum and it should be affirmatively discussed in Employer-Employee Meetings
10. Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the employer and person in charge will take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.⁶

III. ANALYSIS OF SEXUAL HARASSMENT AT WORK PLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013

“Gender equality includes protection from sexual harassment and right to work with dignity, which is a universally recognised basic human right. The common minimum requirement of this right has received global acceptance. The international conventions and norms are, therefore, of great significance in the formulation of the guideline to achieve this purpose.”⁷

After long fourteen years from Vishaka judgement, ‘*The Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013*’ came into force on 9th December, 2013 as a part of India’s commitment towards Convention on Elimination of all Forms of Discrimination against Women, ratified by India in 1993. The Act was enacted to

⁶Vishaka v. State of Rajasthan MANU/SC/0786/1997

⁷ *ibid*

provide safe, secure and enabling environment where in every woman irrespective of her age or employment status is protected from all kinds of sexual harassment and as a primary step, they have fixed the responsibility of the employer and the District officer by prescribing a statutory redressal mechanism.

The key features of the act are mentioned here after:

1. Section 3 of the act expressly states that no women shall be subject to any kind of sexual harassment at any work place. Section 3(2) explains the circumstances that shall amount to sexual harassment which are
 - a) implied or explicit promise of preferential treatment in her employment; or
 - b) implied or explicit threat of detrimental treatment in her employment; or
 - c) implied or explicit threat about her present or future employment status; or
 - d) interference with her work or creating an intimidating or offensive or hostile work environment for her; or
 - e) humiliating treatment likely to affect her health or safety
2. Section 4 of the act states about the Constitution of Internal Complaints Committee (ICC) which shall consist of a woman employee at the senior level as the presiding officer, not less than two members who are committed to women's cause, social work or has legal knowledge, one member from Non-Governmental Organizations, associations or a person familiar with dealing issues relating to sexual harassment. At least one half of the committee members shall be women. The committee shall function for a period of three years and the external member shall be given allowances out of the company's fund.
3. Section 5 states that the appropriate Government may notify a District Magistrate or Additional District Magistrate or the Collector or Deputy Collector as a District Officer for every District to exercise powers or discharge functions under this Act. The District officer must form a Local Complaints Committee (LCC) under Section 6 of the Act to receive complaints of Sexual Harassment from establishments where Internal Complaints Committee cannot be constituted due to having less than ten workers or if the complaint is against the employer. The jurisdiction of such committee is within the District in which they are appointed.
4. Under Section 9, an aggrieved woman or her legal heir can make a complaint to Internal Complaints Committee or Local Complaints Committee within 3 months

from the date of last incident which can be extended up to three more months if the LCC or ICC is satisfied with her explanation which should be made in writing. Complaint must also be made in writing and if the woman cannot make it, then a member of LCC or ICC can subsequently make it.

5. Section 10 of the act provides for conciliation between the parties i.e., at the request of the aggrieved woman may take steps to settle the matter between her and the respondent through conciliation. The proviso makes it clear that monetary settlement shall not be made a basis of conciliation. If they reach into a settlement, the same shall be recorded by either LCC or ICC and they shall send the same to the employer or district officer and the copies shall be provided to the parties. No further inquiry shall be conducted on the same.
6. Section 11 speaks about the inquiry. ICC or LCC shall, where the respondent is an employee, conduct an inquiry which is to be completed within ninety days in the manner prescribed as under:
 - a) according to the provisions of the service rules applicable to the respondent
 - b) where no such rules exist, in such manner as may be prescribed
 - c) in case of a domestic worker, the Local Committee shall, if prima facie case exists, forward the complaint to the police, within a period of seven days for registering the case under section 509 of the Indian Penal Code and any other relevant provisions of the said Code where applicable.
7. ICC or LCC shall have the same powers as are vested in a civil court under Civil Procedure Code including
 - a) summoning and enforcing the attendance of any person and examining him on oath
 - b) requiring the discovery and production of documents and
 - c) any other matter which may be prescribed.
8. The act also prescribes the actions that LCC or ICC may recommend to employer during the pendency of inquiry, which are,
 - a) transfer the aggrieved woman or the respondent to any other workplace
 - b) grant leave to the aggrieved woman up to a period of three months (in addition to the normal number of leaves that she is entitled to receive in a year)

- c) grant such other relief to the aggrieved woman as may be prescribed.

If the recommendations are implemented by the employer, then he may send the report of the same to the concerned enquiry committee.

- 9. Within 10 days from completing the inquiry, the committee shall submit the report to District officer or employer and the report is made available to the concerned parties.

If the action is not proved, the committee shall recommend to the employer or the District officer that no action is required to be taken in the matter.

- 10. If the action is proved, it shall recommend to the District officer or the employer the following actions:

- a) To take any action against sexual harassment which is provided in the service problems

- b) To deduct from the salary or wages, such a sum which the committee finds appropriate and pay the same to the aggrieved woman or her legal heirs. If there is no salary or wage due to omission or any similar reason, the same shall be paid by the respondent to the aggrieved woman and if the respondent fails to pay the amount, it shall be recovered as a land revenue arrear.

- c) The employer or District officer shall take an action within sixty days from receiving the report.

- 11. If it is established that the woman complained maliciously or filed a false complaint after an inquiry as to the same, then she shall be subject to those actions prescribed under the service book.

- 12. The compensation shall be determined after looking into the following factors:

- a) the mental trauma, pain, suffering and emotional distress caused to the aggrieved woman

- b) the loss in the career opportunity due to the incident of sexual harassment

- c) medical expenses incurred by the victim for physical or psychiatric treatment

- d) the income and financial status of the respondent

- e) feasibility of such payment in lump sum or in instalments.⁸

⁸ Sexual Harassment At Work Place (Prevention, Prohibition and Redressal) Act, 2013

IV. INDIAN FILM INDUSTRY AND SEXUAL HARASSMENT AT WORKPLACE

As one of the largest cinema hubs in the world, the Indian film industry is renowned for its glitz, vibrancy and drama. It has one of the largest workforces in India with a wide variety of departments within the industry with millions of people working on a daily basis. From actors, to dancers to technicians, there are a various type of people employed in the industry. With an Industry so large, there is scope for violations that can arise. One of the biggest problems that the people working within the industry face is sexual harassment. Quite recently, we had seen the #metoo movement take over the social media as well as the society on a whole with various women coming up boldly and speaking about their experiences within the industry. Within a few months of the movement, we saw actors, singers, musicians etc raise their voice against the injustice they have faced within the industry and slammed the workplace to be one of the most unsafe places.

One would wonder how an industry so large could stay out of the limelight regarding such a strong issue and keep it under the cover for so long. It was quite disheartening to see so many people come up about their experiences, many of which were quite harrowing. Inspired by a global campaign against sexual harassment and assault, women across the spectrum opened up and shared their stories about abuse by men in positions of power. The blatant concentration of power in male hands in the industry is one of the major reasons for these incidents to get covered up so fast and easily.

In 2013, the legislature passed the SEXUAL HARASSMENT AT WORKPLACE (PREVENTION, PROHIBITION, and PROTECTION) ACT. It aimed to provide a proper framework for the protection of women at workplace. It is difficult to define the term “workplace” in straight jacket and the facts and circumstances of each case will determine as to whether a particular place where the alleged incident happened can be treated as workplace or not⁹. Thankfully, there is a shift in how the industry views harassment now. The industry used to be very complacent about it, with most people feeling that these things happen. Now, that attitude is changing. However, there needs to be a critical analysis of why these issues are being hushed within the industry and why there are still so many violations happening.

V. ANALYSIS OF THE ISSUES IN FILM INDUSTRY

1. No definite workplace:

As we all know, movies are shot at different locations. They can extend even up till different

⁹ *Saurabh Kumar Mallick v. The Comptroller & Auditor General of India*, 151(2008) DLT 261

countries. The whole process of movie making goes through different stages which take place at different places. Each location serves its own purpose depending upon the movie. Because of this, there is an ambiguity in setting up a proper workplace for any department within the industry. There are various studios set up for various tasks and these studios can be considered as a proper workplace. According to Section 2(o)(ii), film industry is a workplace considering the fact that it is a private venture carrying on entertainment activities including production, supply, sale, distribution or service.

As mentioned earlier, the vastness of this industry poses a big issue at identifying whether a particular place where an issue occurred will come under the purview of workplace. The Act has defined workplace in S.2(o) considering all possible places of employment and has drafted quite a vast definition for the same. However, the proximity test laid down by the tribunal to determine whether a particular place is a workplace or not considers the following factors in determining the same:

- Proximity from the place of work
- Control of management over such place or residence where working woman is residing and
- Such a residence has to be an extension or contiguous part of the working place¹⁰.

In accordance to that various studios, locations etc can all be clubbed within the aspect of being called a workplace. However, one of the biggest flaws that this act has with respect to the industry is the ambiguity in recognising audition studios, locations which the technicians or artists might visit for the movie, training centres involved in various art forms etc as workplace.

2. Lack of Clarity Regarding Employer/Employee Status

Who is an employer? Section 2(f) reads as follows:

(g) “employer” means— (i) in relation to any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit of the appropriate Government or a local authority, the head of that department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit or such other officer as the appropriate Government or the local authority, as the case may be, may by an order specify in this behalf; (ii) in any workplace not covered under sub-clause (i), any person responsible for the management, supervision and control of the workplace. Explanation. —For the purposes of

¹⁰ *Saurabh Kumar Mallick v. The CAG of India, 151(2008) DLT 261*

this sub-clause “management” includes the person or board or committee responsible for formulation and administration of policies for such organisation;

In the film industry there are many people who have control over the management and supervision of workplace including the producer, executives of the production house, director, production controllers, senior technicians and artists, etc. Therefore, it is very difficult to determine who the employer is with respect to every movie. This ambiguity also creates a confusion as to who is responsible within the industry if at all an issue comes up regarding harassment.

Who is an employee? Section 2 (g) defines an employee as follows:

(f) “employee” means a person employed at a workplace for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with or, without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name;

Under the above context, an aspiring actress who faces issues like casting couch, inappropriate sexual advances at auditions, fake auditions, etc. do not come under the status of employee, because of this the harassment she faces is at a workplace but might not come under the purview of the act because she is not an employee yet. However, this must be included in the act as prospective workplaces also pose a risk for harassment and violates a woman’s right for safe and healthy working environment.

3. No proper internal complaints committee:

Most of the regional movie industries lack a proper internal complaints committee where the aggrieved party can register their complaint. According to the act it is mandatory for every workplace to have a proper complaints committee. This is one of the biggest flaws of the industry. We are in a century where incidents are being reported everyday regarding matters like these. People have become well aware of the situations and stringent laws are coming up to look into such matters. Despite all these, it is quite shocking to see that very few movie associations have taken action or an initiative to establish a body to monitor and regulate such situations and take effective actions. The act gives them the right to take up any rightful action with respect to the gravity of the situation. However, due to the lack of these governing bodies, women find themselves in a helpless situation.

One of the major reasons why we see this is because, each person working in the industry belongs to different categories/ department. Each category/ department have their own internal association to govern their matters. However, on a large scale, there is no proper body to govern everyone in the industry irrespective of which field they work in. There is a possibility that each body feels it is the responsibility of the other to start such an organization. Patriarchy in this industry is lofty and that plays a major role in side-lining the need for such a body. Due to these, women feel like their voices will not be heard and that their needs will not be understood by anyone.

4. No action against the offender:

When there is no governing body, there is no place for a woman to complaint and hence there will be no disciplinary action against the offender or remedy for the victim. In the current scenario, there are external bodies such as the judiciary or police to conduct enquiries regarding matters like these. However, it is not necessary that these authorities know the internal matters correctly or even do proper enquiry. Sexual offence is in itself is hard to prove as there are issues of lack of evidence, witnesses turning hostile etc. With no proper proof, there is no way an accused can be held accountable. In many of the recent incidents which came up with the #metoo movement, we have seen how actresses spoke of being assaulted years ago. However, most of the cases faced the issue of lack of evidence. If there was a proper mechanism within the industry to look into matters like these, we could have avoided such an injustice.

Another issue to add into the disadvantage that these women face is within the act. According to the act, Complaint has to be registered within 3 months after the incident. After that, courts will accept complaints for another 3 months, provided, the victim submits a letter citing the reason for the delay which the court will decide whether to accept or not.

5. Lack of Job Security

There have been various instances of women claiming that they were under the threat of losing their jobs because of which they did not report the harassment they have faced. They feared that they would be ostracised at the office and did not want that to happen. The harassment in itself was mentally excruciating for the woman, hence facing such an exclusion from the office will only give her more mental trauma. Indian film industry has a long history of being accused of abusing power, exploitation etc.

In an industry like this, the issue of threatening a woman's career is expected. Various leading actresses have spoken about the issue of losing roles, acceptance, support after facing

abuse in the industry. This is one of the reasons why we saw women speaking about their abuses which happened years ago because in the current scenario people have started to accept the incidents and people have begun to call out the abusers and speak on the issue in public. Even then the “powerful” people within the industry manage to hush up various incidents with threats like these. At the end of the day, most people who come to the industry for work need not have an affluent background. Many hold onto the industry even after facing abuse because the number of people in the industry is large and replacements are always available and hence, they suffer silently.

6. Difficulty in Gathering Evidence

Sexual offence in itself is mostly difficult to prove because there are too many factors involved in it. The same applies to workplace. In other workplaces, there is an employer who is duty bound to ensure the female employees security and it is easier to take preventive measures. Security checks like CCTV cameras, employee registers etc are all possible evidence to prove the offence. The employer might not even know where exactly an employee is located and what she is doing. There might be also trouble in collecting evidence since the film industry is not settled within a particular place.

There are different shooting locations, processing studios, events, pre- production and post production events, etc. associated with the movies which are all workplaces and collecting evidence from these places might be difficult. Not always do you find witnesses for the crime also. Because the movie industry is so big and every set has a minimum of hundred people, incidents like these could go unnoticed. It is very easy to harass a woman in a secluded corner while busy work is going in every other side. All these are actually the factors which could pull back a woman from working in this industry.

7. Provision for Conciliation

Even upon the proper implementation of the act, the provision for conciliation could be misused by the influential people in the field. Though there is a condition that the request for conciliation must be initiated upon the request of the aggrieved woman, the beginners in the industry might give into conciliation out of the pressure from the experienced and influential people in the fear of losing a career. Moreover, the section indirectly gives out an idea that sexual harassment is something that could be talked out which is not true. Any form of harassment that a woman experiences is one of the most harrowing and scarring incidents that can happen to her. It is something that must not be tolerated and compromised because it is

an extreme version of outraging the modesty of a woman. Even in any other industry, sexual harassment must not be something that should be compromised

8. Action Against False Complaint

One of the greatest advantages of the implementation of Sexual Harassment At Work Place (Prevention, Prohibition and Redressal) Act, 2013 would be penalising false complaints. The possibility of people raising false complaints out of malicious intention cannot be ignored in a highly competitive industry like film industry and bringing out a common service rules would put an end to such false accusations for limelight and framing of influential personalities. The protection offered to women must not be made a tool to destroy men as well.

9. Difficulty in Differentiating Between Harassment and Acting

In the cases of actresses, many have complained about the inappropriate behaviour of actors and directors while shooting intimate scenes. They have been also forced to act some scenes which they are not comfortable to act or have consented to act in the beginning. It is very difficult to prove such harassment and the respondent can always take the defence that the incident was a part of his duty as an actor and he had no intention to harass the women. In our legal system, where the prosecution has to prove that the accused has committed the offence beyond reasonable doubt, it is very difficult task.

VI. CONCLUSION

In this scenario it is quintessential to have some special solutions as to the lack of proper implementation of 'The Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013'. Film industry needs to have different rules and regulations to regulate the conduct of the film industry, to ensure proper discipline in the industry and to prevent sexual harassment at various locations of film industry.

- For each state, there should be a separate ICC formed with the help of actors, other technicians and government for conducting the proceedings laid down under the act to specifically deal with such issues in film industry.
- There should be standards as to the security, amenities and infrastructure for providing a healthy, safe and secure environment.
- There should be a proper mechanism to hold auditions, screenings, training etc. A proper system should be developed within the industry for carrying out various stages of movie making and proper workplaces should be established for technical processes.

- Film industry is one place where several minors are employed. The percentage of children working in this industry is high. Hence special consideration and protection guidelines must be drafted solely for the protection and safety of minors working in this industry.
- Records should be maintained regarding all the people working in a movie, the people coming and going out of a movie set, etc. Proper records must be maintained so as to refer to the identity of the different employees. There should be one person responsible to ensure that the guidelines are being followed in the movie locations.

But the most shocking fact about sexual harassment in general is the patriarchal concept that only women is being subject to harassment. Men are being subject to harassment as well. We can't ignore the harassment that men suffer and the worst part is the judgemental society who would laugh at a man who complains of someone harassing him. Exploitation on any weak human is the death of humanity and we have to fight against it by all means. We are still trying hard to shape the world as a safe and secure place for all. Indian laws have evolved to protect and empower women; however, we still have a long way to go. Workplace will truly be safe for women in India when we include all kinds of industries in it. Women need to feel safe in order for them to have more freedom in deciding their profession. Unsafe work environment will always be a setback for any female trying for the job.

“Safe working conditions, fair wages, protection from forced labor, and freedom from harassment and discrimination - these must become standard global operating conditions.

- **Paul Polman**
