

LANDMARK JUDGMENT ON POSH ACT Emphasising the DUTY OF AN EMPLOYER

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Reference: Hon'ble Delhi High Court (BENCH) Judgment

Judgment Date: 17th December 2020

Observations

1. *“…when a woman complains against her male colleague for sexual harassment, her own efficiency or inefficiency or temperament or the fact that disciplinary proceedings were initiated or are pending against her, are completely irrelevant and extraneous to the inquiry. Her credibility is not diminished because of such pending disciplinary proceedings against her.”*
2. **Women are valuable human resource.** Their contribution in all spheres of life can never be belittled
3. It is impossible not to notice all around us, how easily the “common woman” is put down by the “common man”. Less said the better of what happens to the Third Gender!”
4. gender conditioning that leads men to abuse, ill-treat or become violent towards women and TGs or treat them disparagingly and with condescension
5. **Every institution and organization must declare zero tolerance for Gender insensitivity**
6. It is thus not enough to merely constitute Internal Complaints Committees, but it is also important that the purpose for having such a Committee and in fact for making such a law must always remain uppermost in the minds of all at the workplace

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