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From the Editor

Sexual harassment can be crude and overt or very subtle, but you know you are being sexually harassed when you experience it. Those around you may even be oblivious to it, especially if the dominant work culture is male. Harassment is upsetting, threatening, and insidious. It can be obliquely transmitted through glance or gesture or touch and teasing remark. It can sneak up on you at a raucous office party. It can even be non-sexual, through workplace policies, lack of consideration, organisational indifference, or lackadaisical enforcement of rules of conduct. We spend a very big chunk of our waking days at work, often in the closed confines of a modern-day wage slave galley, elbow-to-elbow with our keyboards and our computer screens. We should not only look forward to going to work, but feel safe and happy as well at work. Productivity, innovation and ultimately profitability are inextricably linked to a motivated workforce.



Does this happen? Not in abundance in India, where we are inundated by self-congratulatory predictions of when we will surpass China in GDP growth, become the world's third-largest economy, and experience truly inclusive prosperity. It is shocking that it has taken our mandarins years to draft legislation on sexual harassment. The Protection of Women Against Sexual Harassment at Workplace Bill is only just wending its way to the Union Cabinet.

In the absence of legislation, our justice system stepped into the breach, albeit half a century after independence. Chief Justice J.S. Verma headed the Supreme Court bench that handed down a brilliantly lucid judgment in August 1997 in *Vishaka vs State of Rajasthan*. Verma, who wrote the ruling, took the position that gender equality was a fundamental right. Laying down the law, the court listed the different forms sexual harassment can take and ordered government and private-sector employers to amend service rules, set up complaints mechanisms, and ensure punishment. "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 workplaces and no employee woman (sic) should have reasonable grounds to believe that she is disadvantaged in connection with her employment," the ruling said.

Verma, who headed the National Human Rights Commission after he stepped down as Chief Justice, told me that he felt much progress had been made both in the public and private sectors since that ruling 13 years ago. "The mere fact that without any legislation service rules have been amended and the private sector has also come forward is encouraging," he said. "Even laws take time to be implemented."

But Indira Jaising, an Additional Solicitor-General of India and a fiery defender of women's rights, is not so sanguine. She told me gender in the workplace was a "dismal state of affairs" and accused the private sector, in particular, of "collusion between top management and the people who harass". Read her sobering column on page 48.

With women now constituting well over a third of the workforce, how bad are things? What are companies doing to improve awareness, ensure compliance, and penalise wrongdoers? What best practices have been adopted, and what more needs to be done? Saumya Bhattacharya and Puja Mehra spent weeks talking to women, rights groups, lawyers, HR professionals, psychologists, and senior company officials to piece together the thought-provoking cover package that begins on page 40. We hope it will trigger debate and lead to more equal workplaces.

Chaitanya Kalbag