

TECH-POWERED EDUCATION FOR A SUSTAINABLE FUTURE: ENSURING SAFE AND INCLUSIVE LEARNING ENVIRONMENTS THROUGH THE POSH ACT AND THE SDGS

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Abstract

The Sustainable Development Goal 4 on quality education, envision a world where everyone has access to safe and inclusive learning environments. This vision can't be realized without tackling gender-based violence and discrimination in educational institutions. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, (PoSH Act) 2013 in India emerges as a powerful tool in this pursuit, bridging the gap between legal frameworks and the lived realities of students. The present study explores the interconnectedness of SDGs, quality education, and the POSH Act. It examines how the Act contributes to SDG 4 by: fostering safe and inclusive learning environments, promoting gender equality, empowering girls and strengthening institutions & upholding justice. A safe and harassment-free workplace is essential for decent work. Technological advancements in the current era can be utilized in multiple ways to ensure effective implementation of POSH Act within higher educational institutions including by way of enhanced awareness and training, improved reporting mechanisms and streamlined processes. This study adopts doctrinal method of research including the reports from both national and international agencies.

Key Words: *Gender Equality, POSH Act, Quality Education, SDG, Sexual Harassment, Technology*

INTRODUCTION

Sexual harassment is one of the biggest hinderance to gender-equality and in order to address the issue and implement regulations, an institutionalized and systematic approach is needed. In a survey involving 8000 students in multicultural campuses in China, it was discovered that 27.74% of the participants were uncertain or had zero idea what sexual harassment was and atleast one-fourth of the participants acknowledged not knowing what sexual harassment is. (Caia et al., 2021). Nearly six out of ten countries lack adequate rules to prevent sexual harassment in higher education or other educational settings, while nine out of ten have laws that forbid harassment at the workplace (P & Wodon, 2018). In addition to violating the rights to equality, social security, and dignity that are accorded to all people in every social system, sexual harassment also violates the legal guarantees of life and peaceful coexistence. In North America, one in five female university students have been reported as the victim of a sexual assault. (Gennari et al., 2015).

While workplace sexual harassment has been a growing focus in social and legal discussions for the past twenty years, with the implementation of the Sexual Harassment Act of 2013, sexual harassment within educational institutions has only recently acquired significant attention. This research paper aims to shed light on the concerning issue of sexual harassment in Indian educational institutions.

Learning with Dignity: The Human Rights Imperative of Quality Education

The pursuit of high-quality education, where each person learns with dignity and realizes their full potential, is recognized by international agreements as a fundamental human right, not just a desire. As per Article 26 of the Universal Declaration of Human Rights (UDHR), everyone has the unrestricted right to education. The International Covenant on Economic, Social and Cultural Rights (ICESCR), which ensures equitable access to higher education, progressive implementation of free secondary education, and free compulsory elementary education (Article 13), expands on this right. These documents clearly state that governments have a moral and legal duty to ensure that all citizens have access to high-quality education. But access alone is not everything that quality education is about. Article 29 of the Convention on the Rights of the Child (CRC) has emphasized on the concept of right to education that maximize a child's physical and mental capacities as well as the skills and personality of the child (Lansdown et al., 2022).

Equal access for women at all educational levels is guaranteed under Article 10 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which also mandates that discrimination in education must end. This entails combating gender stereotypes in the classroom, offering harassment-free, secure learning settings, and encouraging female involvement in all subject areas. These international agreements' clauses provide a precise definition of what "learning with dignity" entails. It stands for inclusive, egalitarian education that gives each person the tools they need to succeed. This vision needs to be realized through a multifaceted strategy. Governments need to fund the training of skilled educators, provide well-equipped classrooms, and provide curricula that uphold human rights, cultural sensitivity, and critical thinking. In addition, community involvement is essential. Collaboration between civil society organizations, educators, and parents is necessary to establish a welcoming classroom that values inclusion and diversity. To find and fix disparities and guarantee ongoing quality improvement, educational systems must be continuously monitored and evaluated. International law recognizes the right to a high-quality education, where each person can learn with dignity, as a human right rather than a privilege (Mag et al., 2017). Inclusive, egalitarian, and empowering educational institutions can be created that help every student reach their full potential and clear the path for a more equitable and prosperous future by adhering to the values set forth in these norms.

POSH Act, SDGs, and Quality Education: A Powerful Interplay

The Indian constitutional mandates serve as the foundation for the Sexual Harassment of Women at Work (Prevention, Prohibition and Redressal) Act, (PoSH Act). The Supreme Court provided this interpretation of the constitution in the *Vishaka v. State of Rajasthan ((1997) 6 SCC 241)* case, which gave rise to the famous Vishaka Guidelines. By fostering gender

equality, empowering girls, and building secure and welcoming learning environments, the POSH Act directly aids in the achievement of SDG 4. By addressing gender-based violence and discrimination, it further aligns with SDG 5 and opens the door for equal access to education. By fostering an environment of respect and accountability and, most importantly, by guaranteeing that women can work without fear of harassment, the POSH Act strengthens institutions and advances SDG 8—peace, justice, and strong institutions. These outcomes can result in higher productivity and economic growth. The psychological state and general wellbeing of students might be adversely affected by sexual harassment. By addressing harassment, the POSH Act improves the learning environment and frees up students to focus on their academics and personal growth in multiple ways by creating a safe and inclusive learning environment, promoting gender equality and empowering girls and strengthening institutions & upholding justice. Institutional accountability and transparency will be strengthened by this (Dwivedi, 2020).

POSH in Education: Expanding the Scope of UGC Guidelines

Young people's thoughts and destinies are significantly shaped by higher education institutions. Establishing a secure and welcoming learning environment that is free from harassment and discrimination of any kind and where both staff and students feel appreciated and respected is essential. Formally known as the University Grants Commission (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2015, the University Grants Commission (UGC) POSH Regulation 2015 is a significant regulation that aims to ensure an equitable and safe learning environment for all students and employees in higher education institutions in India. The POSH Act serves as the foundation for this regulation. The POSH Act and the UGC Regulations require higher education institutions, as well as their staff and students, to be well informed of their rights, responsibilities, and channels for recourse. A thorough framework for addressing sexual harassment in higher education institutions is provided by the POSH Act 2013 and the UGC (POSH) Regulations 2015. Such factors were indicators to the UGC that legislation dedicated to higher educational institutes is mandatory. While higher education institutions are explicitly included in the definition of the POSH Act under section 2(o) of the act, the benefits of the POSH act for female employees were taken into consideration when the UGC and the Ministry of Human Resource Development drafted the UGC POSH Regulations, 2015 to emphasise the act and its implications for higher education institutions.

The UGC Regulations placed emphasis on Higher Educational Institutions and the need to take decisive action against any form of gender-based violence directed towards staff members and students of all gender identities, including transgender identities. According to the regulation, sexual harassment is gender-neutral, and educational institutions must respond to complaints from both male and female staff members as well as all students, regardless of gender. By taking a ground - breaking step and implementing a gender-neutral approach, these UGC regulations allow victims of sexual abuse of any gender to file a complaint. Additionally, the UGC POSH regulations safeguard the rights of all enrolled students at the institute and guarantee their safety from sexual abuse. The aforementioned regulation specifies sexual harassment in paragraph 2(k). Higher Education Institutions are required by Regulation 3(d) of

the UGC POSH regulation to take immediate action in the event of any sexual harassment against staff or students, regardless of their gender, acknowledging that sexual harassment primarily affects female students and employees. However, male students and students who identify as third gender are not exempt from the UGC POSH regulation. This gender impartiality language in the POSH rule is ground - breaking in a number of respects. It has been useful to compare the mistreatment and discrimination of male, female, and third gender students and workers to the hierarchical nature of the corporate sector. A deeper understanding of sexual misconduct and its effects on males and sexual minorities would be possible with the implementation of this gender-neutral UGC - POSH anti-sexual harassment legislation. The case law of *Malabika Battcharjee v. Internal Complaints Committee, Vivekananda College and Ors (2021(1) SCT 431 (Calcutta))* has recently affirmed this policy.

Technological Aids for POSH Act Implementation in Education

Technological advancement can play a significant role in the proper implementation of POSH Act and University Grants Commission (UGC) POSH Regulation 2015 within the higher educational institutions. As preventive mechanism, online awareness modules could be introduced that can educate students, faculty and staff about POSH Act, its procedures and acceptable behaviour. Virtual training programs can equip individuals to recognize and respond to potential harassment situations. Introducing mobile apps or online portals can provide a safe and accessible channel for reporting incidents anonymously. For proper reporting and investigation, a centralized complaint management system could be implemented to streamline the complaint filing process, track progress and ensure confidentiality along with an E-evidence collection facility. In addition, online counselling services, providing legal aid sources for complainants and online training programs to equip Internal Complaint Committee members with skills to conduct fair investigation can act as effective support and redressal mechanisms. By embracing technological advancements, educational institutions can enhance the effectiveness of the POSH Act, fostering a safer and more inclusive environment for all.

Achieving gender equality through quality education requires more than just the legal framework. For this legal framework to live up to its expectations, effective execution is essential. Strong monitoring systems are therefore required to spot and resolve enduring gender gaps in schooling. Furthermore, it is critical to allocate sufficient funds to guarantee high-quality education for everyone, especially girls from underrepresented groups. Investing in gender-sensitive teacher training and establishing secure, encouraging learning environments for females are equally essential. Such actions can be required by law, guaranteeing that funding allotment and teacher preparation programs give equal weight to closing the gender gap in education.

CONCLUSION

Sexual harassment was long considered an unnamed problem. After years of study, a wide range of ideas, theories, laws, preventative measures, and experience-based knowledge are now available and are always being improved upon. One of the most important steps towards attaining high-quality education and accomplishing the Sustainable Development Goals (SDGs) of the United Nations has been the implementation of the POSH Act, 2013. The Act provides safe and secure learning settings free from sexual harassment, enabling students—

especially girls—to pursue their academic goals fearlessly. By allowing women to fully engage in the workforce, this in turn promotes decent employment and economic growth (SDG 8) as well as gender equality (SDG 5). Respect is promoted in educational institutions by the Act's emphasis on capacity building, complaint redressal procedures, and prevention. This aligns with SDG 4, which emphasizes the need to guarantee inclusive, egalitarian, high-quality education and to support opportunities for lifelong learning for everyone. The POSH Act gives students the tools they need to realise their full potential and become change agents by establishing a secure environment for learning.

In simple terms, the POSH Act is an effective instrument for achieving the SDGs and improving the quality of education. By putting student's safety and wellbeing first, we can raise a generation of capable people who can make significant contributions to a society that is more just and equal. Ensuring safe spaces for learning is the first step towards a brighter future, and the POSH Act is a big step in that direction. Higher education institutions have a moral as well as legal commitment to ensure POSH compliance. Institutions may establish a secure and welcoming learning environment where everyone feels empowered to succeed by putting in place thorough POSH rules, offering quality training, and encouraging an atmosphere of open communication and respect making use of new technological advancements. Through the removal of obstacles, the advancement of diversity, and the maintenance of justice, the Act sets the stage for a day when all students can flourish in secure and fair learning settings.

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