

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

RAJYA SABHA
STARRED QUESTION NO. *144
TO BE ANSWERED ON 02.08.2023

POSH ACT AND ITS IMPLEMENTATION

*144. SMT. VANDANA CHAVAN:

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether according to the report titled "Changed Awareness of PoSH in Workplace" published by National Human Resource Development, only 8 per cent of women in the workplace are aware of the provisions of the PoSH Act, if so, steps being taken by Government in this respect;
- (b) the system to monitor and whether Government organisations have complied with requirements of the Act, details regarding number of organisation and their compliance as per the legislation; and
- (c) whether 16 out of 30 National Sports Federations in the country have not constituted Internal Complaints Committee (ICC), if so, action Government plans to take in this respect?

ANSWER

MINISTER OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI SMRITI ZUBIN IRANI)

(a) to (c) : A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO RAJYA SABHA STARRED QUESTION NO. 144 FOR 02.08.2023 ASKED BY SMT. VANDANA CHAVAN REGARDING 'POSH ACT AND ITS IMPLEMENTATION'

(a) to (c): The Government has enacted "the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" (SH Act) to provide protection to women against sexual harassment at workplace and for the prevention and redressal of complaints related to it. The Act covers all women, irrespective of their age, employment status or nature of work whether working in public or private, organised or unorganised, formal or informal sectors. The Act casts an obligation upon employers of all workplaces, public or private, to provide a safe and secure working environment free from sexual harassment, whereby every employer is mandated to constitute an Internal Committee (IC) wherever the number of employees/ workers is more than 10. Similarly, the Appropriate Government is authorised to constitute Local Committee (LC) in every district to receive complaints from organisations having less than ten workers or if the complaint is against the employer himself.

The responsibility of constituting Internal Committees (ICs) as per provisions of the Act, with reference to the workplaces falling within their respective jurisdiction, rests with the appropriate Governments i.e. the concerned Ministries/ Departments/ Offices of the Central Government. Similarly, in relation to the work places in a State/ UT, the responsibility lies with State Governments/ UT administrations. They are also responsible for monitoring the implementation of the Act and maintaining data on the number of cases filed and disposed of. The details of number of cases of sexual harassment filed and resolved are not maintained centrally. In so far as, the Ministry of Women and Child Development is concerned, the Internal Committee (IC) are constituted in the main secretariat of the Ministry as well as in its associated organisations such as National Commission for Women (NCW), National Commission for Protection of Child Rights (NCPCR), Central Adoption Resource Authority (CARA), National Institute for Public Cooperation and Child Development (NIPCCD), Rashtriya Mahila Kosh (RMK) and Central Social Welfare Board (CSWB).

Further, being the Nodal Ministry, the Ministry of Women and Child Development (MWCD) issues advisories to all Central Ministries/ Departments and State Governments/ UTs from time to time to ensure proper implementation of the Act including for setting up of IC and LC for all workplaces and to organise workshops and awareness programmes at regular intervals for sensitising the employees. In so far as the report titled "Changed Awareness of PoSH in Workplace" published by 'National Human Resource Development' is concerned, the Government is neither aware of the methodology of the study nor its findings, hence it cannot endorse the authenticity of the report.

The provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) (POSH) Act, 2013 are applicable to the National Sports Federations (NSFs), which are autonomous bodies, as also to those sports governing bodies which are under Central Government and the State Governments/ UT Administrations, as applicable to any entity defined in the Act. These bodies are bound to take action, including formation of the Internal Complaints Committee (ICC), in terms of the extent legal provisions in cases of sexual harassment reported to them. Details of the NSFs with duly constituted ICC are given at **Annexure-I**.

REFERRED TO IN REPLY TO PART (c) OF RAJYA SABHA STARRED QUESTION NO. *144 TO BE ANSWERED ON 02/08/2023 ASKED BY SMT. VANDANA CHAVAN REGARDING POSH ACT AND ITS IMPLEMENTATION

Names of recognized NSFs which have formed Internal Complaints Committees

	All India Tennis Association
	Indian Pancak Silat Federation
	Yogasan Bharat
	Squash Rackets Federation of India
	Archery Association of India
	Sepaktakraw Federation of India
	Amateur Soft Tennis Federation of India
	Kudo International Federation of India
	Wushu Association of India
	Indian Weightlifting Federation
	Rowing Federation of India
	Athletics Federation of India
	Cycling Federation of India
	Amateur kabaddi Federation of India
	Kho Kho Federation of India
	Indian Golf Union
	Gymnastics Federation of India
	Paralympic Committee of India
	Equestrian Federation of India
	Boxing Federation of India
	Hockey India
	Cerebral Palsy Sports Federation of India
	All India Football Federation of India
	School Games Federation of India
	Ju-Jitsu Association
	All India Chess Federation
	WAKO India Kickboxing Federation
	National Rifle Association of India
	Shooting Ball Federation of India
	Roller Skating federation of India
	Swimming Federation of India
	Basketball Federation of India
	Fencing Association of India
	All India Sports Council of Deaf
	Special Olympic Bharat
	Bridge Federation of India
	Billiards & Snooker Federation of India
	Netball Federation of india
	Badminton Association of India
	Tenpin Bowling Federation (India)
	Yachting Association of India
	Indian Kayaking & Canoeing Association
	Indian Polo Association
	Indian Triathlon Federation
	Table Tennis Federation of India
	Roll Ball Federation of India
	AtyaPatya Federation of India
	Tennis Ball Cricket Federation of India
	Indian Rugby Football Union
	Cycle Polo Federation of India
	Softball Federation of India
	Taekwondo Federation of India
	Wrestling Federation of India*

* At present the affairs of Wrestling Federation of India are being managed by the Ad hoc Committee appointed by Indian Olympic Association.