

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

RAJYA SABHA
UNSTARRED QUESTION NO. 789
TO BE ANSWERED ON 26.07.2023

IMPLEMENTATION OF POSH ACT

789. PROF. MANOJ KUMAR JHA:

Will the Minister of Women and Child Development be pleased to state:

- (a) the number of Government or semi-Government institutions that do not have Internal Complaints Committee (ICC);
- (b) the number of organizations that have ICC in place;
- (c) whether Government has identified any implementation challenges with respect to the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (PoSH);
- (d) if so, the details thereof;
- (e) the number of sexual harassment complaints received by the ICC in 2022-23;
- (f) whether Government is taking any steps to prevent sexual harassment of women at workplace employed in informal sector; and
- (g) if so, the details thereof?

ANSWER

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

(a) to (g): 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 sector. 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) where the number of employees/ workers is more than 10. Similarly, the Appropriate Government is authorized to constitute Local Committee (LC) in every district to receive complaints from organizations 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 organizations 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). In all these organizations, during the year 2022-23, a total of 02 cases were received out of which 01 has been disposed of.

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 organize workshops and awareness programmes at regular intervals for sensitizing the employees.
