

GOVERNMENT OF INDIA  
MINISTRY OF WOMEN & CHILD DEVELOPMENT

**RAJYA SABHA**  
**UN- STARRED QUESTION NO. 631**  
TO BE ANSWERED ON 04.02.2026

**PROTECTION MECHANISMS FOR WOMEN IN POLITICAL PARTIES**

631. MS. SWATI MALIWAL:

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

- (a) whether Government recognizes that women in political parties, though not classified as 'employees', remain vulnerable to sexual harassment in the absence of mandatory Internal Complaints Committees (ICCs);
- (b) if so, the details of any consultations held by the Ministry with the Election Commission of India and political parties regarding the extension of protection mechanisms under the POSH Act, 2013 or the creation of equivalent institutional frameworks; and
- (c) whether Government proposes to issue guidelines or take legislative/administrative measures to ensure mandatory and time-bound institutional protection for women members of political parties and the timeline for such an initiative?

**ANSWER**

MINISTER OF WOMEN AND CHILD DEVELOPMENT  
(SHRIMATI ANNPURNA DEVI)

**(a) To (c):** Sexual harassment of women at the workplace is a grave violation of women's fundamental rights to equality, life, and liberty, as enshrined in Articles 14, 15 and 21 of the Indian Constitution and the right to practice any profession or carry on any occupation, trade or business, which includes a safe working environment, under Article 19(1)(g). Such acts create an insecure work environment, hindering women's participation in the workforce and adversely affect their economic empowerment and the goal of inclusive growth.

The Government of India enacted the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (SH Act), aiming to provide a safe and secure working environment for women across all sectors. The Act covers all women, irrespective of age or employment status and extends its protection to both public and private sector workplaces, organized or unorganized, including domestic

workers. The SH Act, 2013 is designed to be inclusive, intersectional and sector-agnostic.

The following key definitions of the SH Act, 2013 provide that the Act is unequivocally applicable to all women, irrespective of sector, employment status or nature of work.

Section 2(a) of the Act defines "aggrieved woman" as a woman, of any age, whether employed or not, who alleges she has been subjected to sexual harassment at the workplace. It demonstrates the legislature's intention to provide statutory protection irrespective of her employment status.

Section 2(f)- Definition of "employee" includes persons employed at a workplace for any work on regular, temporary, ad hoc, or daily wage basis, either directly or through an agent, including a contractor, with or, without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

Section 2(g) of the Act defines "employer" as

- i. in relation to any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit of the appropriate Government or a local authority, the head of that department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit or such other officer as the appropriate Government or the local authority, as the case may be, may by an order specify in this behalf;
- ii. in any workplace not covered under sub-clause (i), any person responsible for the management, supervision and control of the workplace. (*Explanation. —For the purposes of this sub-clause "management" includes the person or board or committee responsible for formulation and administration of policies for such organisation*);
- iii. in relation to workplace covered under sub-clauses (i) and (ii), the person discharging contractual obligations with respect to his or her employees;
- iv. in relation to a dwelling place or house, a person or a household who employs or benefits from the employment of domestic worker, irrespective of the number, time period or type of such worker employed, or the nature of the employment or activities performed by the domestic worker.

Under Section 2(o), the term "workplace" is expansively defined to include government bodies, private sector organizations, non-governmental organizations and institutions carrying out commercial, professional, vocational, educational, entertainment, industrial, health services or financial activities. Accordingly, the Act applies to formal and informal sectors, organized and unorganized settings and public and private spaces.

In *Jaya Kodate v. Rashtrasant Tukdoji Maharaj Nagpur University (2013)*, the Bombay High Court reiterated that *“the definition of workplace is inclusive and deliberately kept wide by the Parliament to ensure that any area where women may be subjected to Sexual Harassment is not left unattended or unprovided for”*.

Further, vide judgment dated 17.03.2022, in the matter of CCRRA vs. State of Kerala, Hon'ble High Court of Kerala opined that *‘the political parties, which are not having any employer-employee relationship with its members and which are not carrying on with any private venture, undertaking, enterprises, institution, establishment etc. in contemplation of a ‘workplace’ as defined under section 2(o)(ii) of Act, 2013, are not liable to make any Internal Complaints Committee.’*

Subsequently, the petitioner challenged the Kerala High Court's impugned judgment in W.P.(C) No.36059/ 2018 by filing a Special Leave Petition (SLP) before the Supreme Court of India. The Supreme Court, vide Order dated September 15, 2025, dismissed the SLP, observing: *“We are not inclined to interfere with the impugned judgment and order passed by the High Court.”*

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