

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UNSTARRED QUESTION NO. 5669
TO BE ANSWERED ON 26.07.2019

SHE BOX PORTAL

5669. DR. SHASHI THAROOR:

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

- (a) whether the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 prohibits and penalizes the publication of information regarding the details of the complaint and complainant and if so, the details thereof;
- (b) whether the 'SHe-Box' websites states that the Government of India will not be responsible for any data leak from the SHe-Box portal and if so, the details thereof;
- (c) the steps taken by the Government to ensure that the details of complainants under 'SHe-Box' is protected, so that complainants are assured of confidentiality while lodging complaints; and
- (d) whether the 'SHe-Box' has any authority to take action against erring Internal Complaints Committees, if so, the details thereof?

ANSWER

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

- (a): Yes, Sir. Section 16 and 17 read with Rule 12 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (The SH Act) and Rules made there under prohibit and penalise the publication of information regarding the details of complaints and complainants under this Act. Section 16 clearly states that "Notwithstanding anything contained in the Right to Information Act, 2005, the contents of the complaint made under section 9, the identity and addresses of the aggrieved woman, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee or the Local Committee, as the case may be, and the action taken by the employer or the District Officer under the provisions of this Act shall not be published, communicated or made known to the public, press and media in any manner.

Provided that information may be disseminated regarding the justice secured to any victim of sexual harassment under this Act without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved woman and witnesses."

As per Section 17, where any person entrusted with the duty to handle or deal with complaint, inquiry or recommendations or action to be taken under the provisions of this Act, contravenes the provisions of section 16, shall be liable for penalty in accordance with the service rules applicable to said person or where no such rule exist, as per Rule 12 which states that the employer shall recover a sum of five thousand rupees as penalty from such person.

- (b) & (c): No, Sir. Government of India has taken all reasonable steps to keep the identity of the aggrieved women/complainant confidential. Care has been taken so that only authorized officers and complainant could access the portal through their login id and passwords to ensure such confidentiality. However, as the information uploaded on any website can be prone to cyber attacks and consequent data breach, the user has been cautioned to accept the inherent security risks associated with providing information over the internet.
- (d): No, Sir.