

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UN-STARRED QUESTION NO. 3683
TO BE ANSWERED ON 11.08.2023

SEXUAL HARASSMENT ALLEGATION AGAINST WFI CHIEF

3683. SHRI ANTO ANTONY:
SHRI S. VENKATESAN:

Will the MINISTER OF WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether the Government/ Ministry has taken note of the sexual harassment allegations by the wrestlers and POCSO charges against the Chief of the Wrestling Federation of India, if so, the details thereof;
- (b) whether the Ministry/National Commission for Woman (NCW) has made any enquiry in this regard;
- (c) if so, the details thereof and if not, the reasons therefor;
- (d) whether the NCW has taken suo-moto cognizance of such cases based on Media Reports in the past;
- (e) if so, the details of such cases during the last five years, year-wise; and
- (f) whether Ministry proposes to carry out periodical random special audit on the functioning of Internal Complaints Committees and put redressal mechanisms in place at various institutions and if so, the details thereof?

ANSWER

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

(a) to (f): 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. Further, as per Section 25 of the SH Act, 2013 the appropriate government can authorize any officer to make inspection of records and workplace in relation to sexual harassment on being satisfied that it is necessary in public interest or in the interest of women employees at workplace. Section 26 provides penalty for non-compliance of provisions of the Act.

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. As informed by Department of Sports, in the year 2023, the Wrestling Federation of India (WFI) received one complaint of sexual harassment and an FIR has been registered and charge sheet has since been filed in the court.

The National Commission for Women (NCW) has taken Note on the allegations made and based on the complaints received, a letter dated 24.04.2023 and subsequent reminders were written to the Commissioner of Police, Delhi for Action Taken Report. The Commission also takes *suo-moto* cognizance based on the Media Reports of the incidents. The number of *suo-moto* cases taken during the last five years i.e. 2018-19, 2019-20, 2020-21, 2021-22 and 2022-23 are 175, 206, 252, 253 and 370 respectively.

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.
