

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UN-STARRED QUESTION NO.2681
TO BE ANSWERED ON 06.03.2020

SEXUAL HARASSMENT OF WOMEN AT WORKPLACE

2681. ANUBHAV MOHANTY :

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

- (a) whether the Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act provides protection to women workers in the unorganized sector and if so, the details thereof;
- (b) whether the constitution of Internal Complaints Committee for receiving complaints of sexual harassment of women employees is mandatory in the private sector and if so, the details thereof
- (c) if not, the reasons therefor; and
- (d) the measures taken by the Government to protect women from sexual harassment at their place of work?

ANSWER

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

(a) to (c) : Safety and security of women in the country is of utmost priority for the Government. The Government of India enacted 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013' (SH Act) which aims to provide safe and secure work environment to women. The Act covers all women, irrespective of their age or employment status and provides protection against sexual harassment at all workplaces. In addition existing provisions of Indian Penal Code (IPC) are also applicable to various offences of sexual harassment.

The Act is applicable to all women whether working in organised or unorganised sector. As per Section 2(p), unorganised sector in relation to a workplace means an enterprise owned by individuals or self-employed workers and engaged in the production or sale of goods or providing service of any kind whatsoever, and where the enterprise employs workers, the number of such workers is less than ten.

The Act casts an obligation upon every employer of a workplace to provide a safe and secure working environment free from sexual harassment by constituting Internal Committee (IC) for receiving complaints of sexual harassment at workplace and by displaying at conspicuous places penal consequences of sexual harassment and order constituting IC.

(d) For effective implementation of the Act, the Ministry of Women and Child Development has developed handbook and a training module around the provisions of the 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013'. In addition, Ministry of Women and Child Development issues advisories from time to time to all State Governments/ UT Administrations, Ministries/ Departments of Government of India and business associations including Associated Chambers of Commerce & Industry of India (ASSOCHAM), Federation of Indian Chambers of Commerce and Industry (FICCI), Confederation of Indian Industry (CII), National Association of Software and Services Companies (NASSCOM) etc., to ensure effective implementation of the Act.

On 31st July 2018, the Ministry of Corporate Affairs, at the request of this Ministry, has amended the Companies (Accounts) Rules, 2014 making mandatory the inclusion of a statement about compliance with the provisions relating to the constitution of IC under the SH Act in the Report of the Board of Directors.

The Ministry has developed an online complaint management system titled the Sexual Harassment electronic–Box (SHe-Box, www.shebox.nic.in) for registering complaints related to sexual harassment of women at workplace.

The Department of Personnel and Training, Ministry of Personnel, Public Grievances and Pensions, Government of India has also issued advisories to all the Central Ministries/ Departments directing them to complete the inquiry in a time bound manner and to include the information related to number of cases filed under the SH Act and their disposal in their annual report.
