

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UN-STARRED QUESTION NO.1640
TO BE ANSWERED ON 11.02.2022

CASES OF SEXUAL HARASSMENT

1640 : MS. DEBASREE CHAUDHURI:
SHRIMATI POONAM MAHAJAN:
DR. VISHNU PRASAD M.K.:

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

- (a) the number of cases of sexual harassment filed and resolved, local committees formed especially in informal sector during the last three years State/UT/ district-wise;
- (b) the details of steps taken by Government to enforce and monitor implementation of Prevention of Sexual Harassment (POSH) Act in informal sector and ensure its compliance by the employers;
- (c) the details of steps taken by the Government to expand capacity of committee members to handle sexual harassment complaints; and
- (d) the details of POSH training, educational material, awareness programs conducted for women in informal sector to encourage better reporting of sexual harassment cases; and
- (e) the other steps being taken by the Government to ensure compliance of the provisions of POSH Act by employers?

ANSWER

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

(a) to (e): The Government of India has enacted 'the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013' (SH Act) with the aim to provide safe and secure work environment to women. The Act is applicable to all women irrespective of their age or employment status, working in organised or unorganised sector. The Act casts an obligation upon all States to constitute Local Committees (LCs) in every district to receive complaints from organizations having less than 10 workers or if the complaint is against employer himself, for receiving complaints of sexual harassment at workplace.

The responsibility of implementation of the Act at State and District levels rests with the appropriate Government i.e. the respective State Governments in respect of all workplaces, which are established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the State and any other workplace falling within its territory. They are responsible for monitoring the implementation of the Act and maintaining the data on the number of cases filed and disposed of. The data of State/ UT/ district-wise details of number of cases of sexual harassment filed and resolved is not maintained centrally. However, the National Crime Records Bureau (NCRB) compiles data regarding sexual harassment in work/ office premises (Section 354A of IPC) since 2017 in its publication namely 'Crime in India'. The published report is available till the year 2020, which is available at its website <https://ncrb.gov.in>.

The Act casts an obligation upon every employer to create an environment which is free from sexual harassment. For the purpose, employers are required to organize workshops, orientation and awareness programmes at regular intervals for sensitizing the employees and towards building the capacity of Internal Committee (IC) members around the provision of this legislation and display at any conspicuous place notice regarding the constitution of Internal Committee and penal consequences of sexual harassment etc.

To ensure effective implementation of the Act, a handbook and a training module have been developed. In addition, Ministry of Women and Child Development, from time to time, has issued advisories to all State Governments/ UT Administrations, Ministries/ Departments of Government of India and business associations/ chambers to ensure effective implementation of the Act. Video conferences have also been held with all State Governments/ UT administrations requesting them to establish and build capacity of LCs in each district of the country.

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.

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 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.
