

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UNSTARRED QUESTION NO. 1842
TO BE ANSWERED ON 02.08.2024

SEXUAL HARASSMENT OF WOMEN AT WORKPLACE

1842. MS. S JOTHIMANI:

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

- (a) the total number of cases registered and resolved under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (PoSH) during the last five years;
- (b) the details of the status of implementation of provisions of Internal Complaint Committees in the Government body and private companies in the country, State/ UT-wise;
- (c) whether the Union Government is considering for any policy reform in view of rising cases and pendency over the years;
- (d) if so, the details thereof and if not, the reasons therefor;
- (e) whether there is any discrepancy in the implementation of Vishakha guidelines in the country; and
- (f) the details of the status of Vishakha guidelines implementation, State/ UT-wise?

ANSWER

MINISTER OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI ANNPURNA DEVI)

(a) to (d): Safety and security of women in the country is of utmost priority for the Government. Keeping this in view, the Government has enacted "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" (SH Act) which aims 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 sector. 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) where the number of employees/ workers is more than 10. Similarly, the Appropriate Government is authorized to constitute Local Committee (LC) in every district to receive complaints from organizations having less than ten workers or if the complaint is against the employer himself. The Act has enough provisions to deal with various aspects of the matter including penal provisions for those who violate the provisions of the Act including for the employers.

Employers are required to organize workshops and awareness programs at regular intervals for sensitizing the employees with the provisions of the Act and orientation programmes for members of the Internal Committee in the manner as may be prescribed. In addition, being a 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 organize workshops and awareness programmes at regular intervals for sensitizing the employees.

The responsibility of the implementation of the Act at District and State levels rests with the State of the appropriate Government to monitor the implementation of the Act and maintain data on the number of cases filed and disposed of in respect of all cases of sexual harassment at workplace, which are established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the State. The State/ UT/ district-wise details of number of cases of sexual harassment filed and resolved is not maintained centrally.

(e) and (f): In the matter of Vishakha Vs State of Rajasthan, the Hon'ble Supreme Court of India set a guideline popularly known as 'Vishakha Guidelines' for prevention of sexual harassment at workplace. Subsequently, the Government enacted the "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" duly taking into consideration the Vishakha guidelines. The aforesaid Act came into force from 09.12.2013.
