

**GOVERNMENT OF INDIA
WOMEN AND CHILD DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:1743

ANSWERED ON:23.03.2012

REPORTING ON SEXUAL ABUSE CASES

Bajirao Shri Patil Padamsinha ;Gawali Patil Smt. Bhavana Pundlikrao ;Sukur Shri Jadhav Baliram

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

- (a) whether Government has formulated any bill/policy regarding reporting of sexual abuse cases against women and children;
- (b) if so, the details and objectives thereof;
- (c) whether any recommendations/suggestions have been received from various agencies including standing committee in this regard; and
- (d) if so, the details thereof and the reaction of the Government thereto?

Answer

MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH)

(a): Yes Madam. To protect children and women from sexual abuse and exploitation, the Ministry has prepared 'The Protection of Children from Sexual Offences Bill, 2011' and 'The Protection of Women against Sexual Harassment at Workplace Bill, 2010'.

(b): The objectives of the Protection of Children from Sexual Offences Bill, 2011, are to protect children from offences of sexual assault, sexual harassment, pornography. It provides for establishment of Special Courts for trial of such offences keeping the best interest of the child as of paramount importance at every stage of the judicial process. The Bill also incorporates detailed child-friendly procedures for reporting and trial of cases.

The Protection of Women against Sexual Harassment at Workplace Bill, 2010 provides protection to all women, irrespective of her age or employment status, whether in the organized or unorganized sectors, and covers a client, customer, apprentice, daily wage worker, student/ research scholar and patient in a hospital. The Bill defines "sexual harassment at the workplace" in a comprehensive manner, in keeping with the definition laid down in the Vishaka judgment of Hon'ble Supreme Court, and broadens it further to cover the promise or threat to a woman's employment prospects or creation of hostile work environment, which is equally detrimental to her equality rights.

(c)&(d): The Protection of Children from Sexual Offences Bill, 2011 has been reviewed by the Department-related Parliamentary Standing Committee on Human Resource Development. The Committee received several suggestions from Civil Society Organizations, Non-Governmental Organizations and experts, and these were forwarded to Ministry of Women and Child Development. The Committee presented its Report on 21st December, 2011, which includes several recommendations for amendment to the Bill.

The Protection of Women against Sexual Harassment at Workplace Bill, 2010 has also been reviewed by the Department related Parliamentary Standing Committee on Human Resource Development. The Committee presented its Report on 8th December 2011. It has made wide ranging recommendations on various provisions of the Bill and has suggested that the Bill may be passed after incorporating their recommendations regarding title of the Bill, issue of gender neutrality, inclusion of domestic workers, definition of employer, sexual harassment, concept of victimisation and complaint of sexual harassment etc.

The Ministry reviewed the reports submitted by the Parliamentary Standing Committee on both the Bills and made necessary changes based on the recommendations. The amendments to the Bills have been circulated to the concerned Ministries/Departments for comments.