

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

UNSTARRED QUESTION NO:1109
ANSWERED ON:28.11.2014
CELL FOR SEXUAL HARASSMENT
Karandlaje Km. Shobha;Patil Shri Kapil Moreshwar;Venugopal Dr. Ponnusamy

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

- (a) whether the Government has set up women complaint cell to address the cases of sexual harassment and other related matters in all public and private institutions as per the direction of Supreme Court in the year 1997;
- (b) if so, details thereof and if not, the reasons therefor;
- (c) whether many Central Government Departments/ Ministries and State Governments have not constituted Internal Complaints Committee for handling sexual harassment cases even after the Sexual Harassment of Women at Workplaces (Prevention, Prohibition and Redressal) Act of 2013 was passed;
- (d) if so, the details thereof, Department/Ministry-wise;
- (e) whether the Act makes it mandatory for all the Depts/Offices to have an internal complaints and Grievances Redressal Committee and if so, the details thereof; and
- (f) whether the Government proposes to amend the laws relating to sexual harassment to widen its scope and bring more clarity thereon, if so, the details thereof?

Answer

MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI)

(a) & (b): The Supreme Court of India laid down formal guidelines for dealing with sexual harassment at the workplace in the case of Vishakha Vs. State of Rajasthan in the year 1997. As per the laid down guidelines, all workplaces are mandated to constitute a complaint committee to deal with complaints of sexual harassment. Taking forward the Supreme Court guidelines, the Ministry has been stressing for setting up of such Committees in every workplace.

(c) to (e): The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 mandated all the workplace which include any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the appropriate Government or the local authority or a Government company or a corporation or a co-operative society having more than 10 workers to constitute Internal Complaint Committee (ICC) for receiving complaints of sexual harassment.

The Act cast an obligation upon all the employers to constitute Internal Complaint Committee. If any employer fails to constitute an Internal Complaint Committee, or contravenes or attempts or abets contravention of other provisions of this Act or any rules made there under, he shall be punishable with fine which may extend to fifty thousand rupees.

The Ministry of Women and Child Development had issued advisories to all State/UT Government on 23rd December, 2013 to ensure effective implementation of the Act. The Ministries/Departments in Government of India have also been advised on 12th November, 2014 to ensure the compliance of the Act.

(f) At present, there is no proposal to amend the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.