

**PRESS RELEASE ON SEXUAL HARASSMENT OF WOMEN AT WORKPLACE
(PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013**

Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 provides protection against sexual harassment. The main objective of the Act is to ensure that every woman is protected against sexual harassment at all the work places, be it in public or private. This will contribute to realisation of their right to gender equality, life and liberty and equality in working conditions everywhere. The Act also covers concepts of '**quid pro quo harassment**' and '**hostile work environment**' as forms of sexual harassment, if it occurs in connection with an act or behaviour of sexual harassment:

Sexual Harassment of Women at Workplace Act, 2013 goes much further to include Organisations, Government Departments, Office, Branch Unit etc. in the Public and Private Sector, Organized and Unorganized, Hospitals, Nursing Homes, Educational Institutions, sports institutes, stadiums, sports complex and any place visited by the employee during the course of employment including the transportation. Even non-traditional workplaces which involve tele-commuting and domestic workers will also get covered under this law.

Under Section 4 of the Sexual Harassment of Women at Workplace Act, it is mandatory that every employer is required to constitute an Internal Complaint Committee at each office or branch with 10 or more employees and under Section 5 a Local Complaint Committee is to be constituted where there is less than (10)Ten employees. The District Officer is required to constitute a Local Complaints Committee at each district, and if required at the block level.

Powers of the Internal Complaint Committee/Local Complaint Committee

- The Complaints Committees have the powers of civil courts for gathering evidence.
- The Complaints Committees are required to provide for conciliation before initiating an inquiry, if requested by the complainant.
- The inquiry process under the Act should be confidential and the Act lays down a penalty of Rs 5000/- on the person who has breached confidentiality.
- The Act requires employers to conduct education and sensitisation programmes and develop policies against sexual harassment, among other obligations.
- Penalties have been prescribed for employers. Non-compliance with the provisions of the Act shall be punishable with a fine of up to ₹ 50,000. Repeated violations may lead to higher penalties and cancellation of licence or registration to conduct business.
- Government can order an officer to inspect workplace and records related to sexual harassment in any organisation.

In this regard, any aggrieved women i.e. victim of Sexual Harassment can make a complaint before the Internal Complaint Committee/Local Complaint Committee.

Under Section 26 of the Act, employers who fail to comply with the provision of the said Act shall be punished with a fine of up to Rupees.50, 000/- (fifty thousand).

The Committees is required to complete the inquiry within a time period of 90 days. On completion of the inquiry, the report to be sent to the employer or the District Officer, as the case may be and are mandated to take action on the report within 60 days.

As per the provision of Section 4 and 5 of the said Act, the Social Welfare Department has directed to all the Government Departments, Government Educations/Private Institutions, Private Companies/Factories, Public Undertakings, Hotels, Banks to constitute the Internal Complaint Committee where the number of employees are more than 10 and the Local Complaint Committee where the number of employees are less than 10. Further the Social Welfare Department vide Notification No.54/WCDD/2015-16 dated: - 25.01.2016 has notified District Collector as District Officer to exercise the powers and to discharge functions under the provision of Section 5 of the Act.

In this regard, an aggrieved women i.e. the victim of Sexual Harassment may make a complaint before the Internal Complaint Committee or Local Complaint Committee.

**IMPLEMENTATION OF SEXUAL HARASSMENT OF WOMEN AT WORKPLACE
(PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013**

Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 provides protection against sexual harassment. The main objective of the Act is to ensure that every woman is protected against sexual harassment at all the work places, be it in public or private for ensuring gender equality, life and liberty and equality in working conditions everywhere. The Act also covers concepts of **“quid pro quo harassment”** and **“hostile work environment”** as forms of sexual harassment, if it occurs in connection with an act or behaviour of sexual harassment.

The Act includes Organizations, Government Departments, Office, Branch Unit etc. in the Public and Private Sector, Organized, Hospitals, Nursing Homes, Educational Institutions, Sports Institutes, Stadiums, Sports complex and any place visited by the employee during the course of employment including the transportation. Even non-traditional workplaces which involve tele-commuting and domestic workers are also covered under this law.

Under Section 4 of the Sexual Harassment of Women at Workplace Act, it is mandatory that every employer is required to constitute a Internal Complaint Committee at each office or branch with 10 or more employees and under section 5 a Local Complaint Committee is to be constituted where there are less than (10) Ten employees. The District Officer is required to constitute a Local Complaint Committee at each district, and if required at the block level.

Under Section 26 of the Act, employers who fails to comply with the provision of the said Act shall be punished with a fine up to Rs.50, 000/- (fifty thousand).

As per the provisions of Section 4 and 5 of the said Act, the Social Justice, Emp. & Welfare Department (Nodal Department) has directed all the Government Departments, Government/Private Educational Institutions, Private Companies/Factories, Public Undertakings, Hotels, Banks to constitute the Internal Complaint Committee where the number of employees is more than 10 (ten) and a Local Complaint Committee where the number of employees are less than 10 (ten). Any aggrieved women i.e. the victim of sexual harassment may make a complaint before the Internal Complaint Committee or the Local Complaint Committee.

Further, the Social Justice, Emp. & Welfare Department vide Notification No: 54/WCDD/2015-16 dated: 25.01.2016 has notified all District Collectors as District Officers to exercise the powers and to discharge the functions under the provision of Section 5 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 201

Sd/-
Joint Director,
W&CDD

Social Justice Empowerment & Welfare Department.

