GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

RAJYA SABHA
UN-STARRED QUESTION NO. 3516
TO BE ANSWERED ON 25.03.2021

SEXUAL HARASSMENT OF WOMEN AT THEIR WORKPLACE

3516. SHRI PRASANNA ACHARYA:

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

(a) the number of incidents of sexual harassment of women at their work places reported during last five years, a State-wise and site-wise report;

(b) in how many such cases the accused have been punished by the competent authorities or by Court of law; and

(c) whether the Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013 have enough provision to protect women worker at work site, if not, whether there is any proposal for amendment of the law?

ANSWER

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

(a) & (b): National Crime Records Bureau (NCRB) compiles and publishes information on crimes in its publication “Crime in India”. The cases of sexual harassment of women at workplace may broadly fall under the category of 'assault on women with intent to outrage her modesty-Sec. 354 of IPC', 'attempt to commit rape -Sec. 376/ 511 of IPC' and ‘insult to the modesty of women- Sec 509 of IPC''. The NCRB report contains data including number of convictions thereon under these categories also. The published reports are available till the year 2019 at the website of NCRB i.e. https://ncrb.gov.in/.

(c) 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.

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