

The Law Related to Protection of Women from Sexual Harassment at Workplace in India: An Analysis

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ABSTRACT

Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 aims to prevent sexual harassment at workplace and seeks to provide method for redressing the complaints of sexual harassment and for matters connected therewith or incidental thereto. The Act provides for the specific mechanism for speedy and cheap disposal of the complaint. This Act is divided into VIII chapters comprising a total of thirty Sections. The purpose of this paper is to provide the detailed analysis of this legislation. This paper throws light on some grey areas of this legislation which needs to be addressed. It may be hoped that the existing legislation may be suffice to tackle with the problem of sexual harassment of women at workplace. But this problem cannot be abolished only through the passing of legislation rather it also demands the social awakening and change in the attitude of masses imperative to create equal social status and due respect.

Key Words: Aggrieved Woman, Internal Complaints Committee, Local Complaints Committee, Gender Neutrality.

Introduction

“Law is what the Judges declare; those statutes, precedents, the opinions of learned experts, customs and morality are the sources of the Law.”

Prof. Gray

After Vishakha's judgment, looking into the gravity of the issue of Sexual Harassment of women at workplace, it was felt that the guidelines and norms are not sufficient to deal with the incidents of this issue and a strong piece of legislation is the need of the hour. Accordingly, several attempts have been made by the Central Government to comply with the directions and guidelines laid down by the judiciary by proposing Bills on this issue right from the year 2000. The National Commission at the instance of Central Government had shown its seriousness in getting a law enacted on this subject many times.³ After many draft Bills on this issue, finally, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Bill, 2012 was eventually passed by the Lower House of the Parliament (Lok Sabha) on September 3, 2012, then passed by the Upper House of the Parliament (Rajya Sabha) on February 26, 2013 and received the President's assent on April 22, 2013. The Indian Ministry of women and Child Development notified December 9, 2013 as the

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³Ranbir Kaur, "Sexual Harassment of Working Women: The Legal Approach" XII *KULR* 105-106 (2005).

effective date of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act and the Rules.⁴

Analysis of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

This Act aims to prevent sexual harassment at workplace and seeks to provide mechanism for redressing the complaints of sexual harassment and for matters connected therewith or incidental thereto. This Act is divided into VIII chapters comprising a total of thirty Sections. The detailed analysis of this Act is done hereunder:

Preliminary- Chapter I of this Act consists of preliminary provisions. *Section 1*⁵ provides for the short title, extent and commencement. *Section 2*⁶ of the Act defines the various terms used in this Act for example, sexual harassment, aggrieved woman, employer, sexual harassment, workplace and domestic worker etc.

- ❖ Aggrieved woman⁷- A working woman of any age who is employed in a workplace or a dwelling place or house and is harassed sexually. In case of workplace, even if she is not employed that particular workplace. This definition under the Act is wide enough to cover all women irrespective of her age or employment status, whether they are working in the organized or unorganized sectors, public or private, and also covers clients, customers and domestic workers in a broader aspect.
- ❖ Domestic worker⁸- A woman who is employed to do the household work in any household for remuneration directly or through agency on a temporary, part time, permanent or full time basis but does not include the employer's family member.
- ❖ Employee⁹- This term widely covers regular, temporary, ad hoc employees, individuals engaged on a daily wage basis, either directly or through an agent, contract labourers, co-workers, probationers, trainees and apprentices, with or without knowledge of the principal employer, whether for remuneration or not, working on a voluntary basis or otherwise, whether the terms of employment are express or implied.
- ❖ Employer¹⁰- It refers to the head of the department, organization, undertaking, establishment, enterprise, institution, office, branch or unit or appropriate government or the local authority or such officer specified in this behalf; any person whether contractual or not responsible for the management, supervision and control of a designated workplace; a person or household who employs or benefits from the employment of domestic worker or women employees
- ❖ Sexual Harassment¹¹- It includes the unwelcome acts or behavior directly or by implication, of physical contact or advances; or demand or request for sexual favours; or making sexually coloured

⁴A.T. Jagadish, G.M. Saraveshwara, "An Overview of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 3 *Kar. L.J.* 57 (2013).

⁵Short title, extent and commencement.

⁶Definitions.

⁷The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, Section 2(a).

⁸*Id.* Section 2(e).

⁹*Id.* Section 2(f).

¹⁰*Id.* Section 2(g).

¹¹*Id.* Section 2(n).

The Law Related to Protection of Women from Sexual Harassment at Workplace in India: An Analysis

remarks; or showing pornography; or any other unwelcome physical, verbal or non-verbal conduct or sexual nature.

- The Act has based its definition of sexual harassment on the legally binding guidelines laid down by the Supreme Court of India in the Vishakha's case. These guidelines were based on the right to equality and dignity accorded under the Indian Constitution as well as the by the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).
- ❖ Workplace¹² - The Act goes much further to include the following in the definition of workplace:
 - i. Government organizations, including government department, undertaking, establishment, company, corporations and cooperative societies;
 - ii. Private sector organizations, venture, society, trust, non-governmental organization, unit or service providers providing services which are commercial, professional, vocational, educational, entertainment, industrial, health related or financial activities, including production, supply, sale, distribution or service;
 - iii. Hospitals or nursing homes;
 - iv. Sports institutes, facilities whether residential or not used for training, sports or other activities relating thereto;
 - v. Places visited by the employee during the course of employment including transportation provided by employer;
 - vi. A dwelling place or a house.

Section 3¹³ of the Act stipulates that a woman shall not be subjected to sexual harassment at any workplace. It provides for the various circumstances amidst other circumstances that may amount to sexual harassment

Internal Complaints Committee-Chapter II of this Act consists of Constitution of Internal Complaints Committee. **Section 4**¹⁴ states that every employer of a workplace shall by an order in writing constitute a committee to be known as Internal Complaints Committee. The constitution of the Internal Complaints Committee includes a senior woman employee of the workplace as a Presiding Officer, two members at minimum from amongst members employees preferably committed to the cause of women or had experience in social work or legal knowledge, one member from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with issues relating to sexual harassment. The Presiding Officer shall be nominated from other offices or administrative units of the workplace. In case of non-availability of senior level women employee from the other offices or administrative units, the Presiding Officer shall be nominated from any other workplace of the same employer or other department or organization. At least one-half of the total members so nominated shall be women. This section specifies the tenure for holding office by such nominated members of Internal Complaints Committee to be a maximum of three years. It also provides for the removal of Presiding Officer or nominated members from the committee. Further, it states that any vacancy created or casual vacancy shall be filled by the fresh nomination as provided in this section.

¹²*Id.* Section 2(o).

¹³Prevention of sexual harassment.

¹⁴Constitution of Internal Complaints Committee.

Constitution Local Complaints Committee-Section 5¹⁵ of this Act provides for notification by the appropriate government to a District Magistrate or additional District Magistrate or the Collector or Deputy Collector as a District Officer for every District to exercise powers or discharge functions under the proposed legislation. The responsibility of facilitating and monitoring the activities under this act shall be given to the District Officer. As per **Section 6¹⁶**, every District Officer shall constitute the Local Complaints Committee in the district concerned. This Committee will address the complaints of sexual harassment from such establishments where the Internal Complaints Committee had not been constituted due to having less than ten workers or if the complaint is against the employer himself. It also stipulates the designation of one nodal officer by the District Officer in every block, taluka, tehsil and ward or municipality. The jurisdiction of the Committee is extended to the areas of the district where it is constituted. **Section 7¹⁷** of the Act sets out the composition, tenure and other terms and conditions of Local Complaints Committee. The Chairperson has to be a woman eminent in the field of social work and committed to the cause of women, one woman member has to be nominated from amongst the women working in block, taluka or tehsil or ward or municipality in the district; nomination of two members, of whom at least one shall be woman from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment. At least one of the nominees shall have legal background or legal knowledge. Amongst the nominees one shall be a woman belonging to the scheduled castes or the scheduled tribes or the other backward classes or minority community. The concerned officer dealing with the social welfare or women and child development in the district shall be an ex officio member. It further specifies the tenure of the chairperson and members of the Local Complaints Committee to hold office for a maximum of three years. It provides for the removal of the Chairperson or any member of the Local Complaints Committee and also prescribes the remuneration to be paid to the same. **Section 8¹⁸** states that the Central Government may make grants of sum of money to the State Government. It further provides for the setting up of an agency by the State Government and transfer of grants to such agency. The payment to the District Officer by the agency is required under this section. It further provides for the maintenance and audit of accounts of agency in consultation with the Accountant General of the State.

Complaints- Chapter IV deals with the procedure of filing complaint. It also initiates the procedure laid down for conciliation and inquiry of sexual harassment. **Section 9** provides that the complaint of sexual harassment at workplace can be filed by any aggrieved woman to the internal complaints committee if so constituted or the local complaints committee, in case not so constituted within a period of three months from the date of incident and in case of series of incidents, within a period of three months from the date of last incident. All reasonable assistance shall be provided to the woman by the Presiding Officer, or any member of the internal complaints committee or the Chairperson or any member of the local complaints committee for making the complaint in writing where such complaint cannot be made in writing. The committees shall extend time limit for the reasons to be recorded in writing to maximum three months. If the aggrieved woman is unable to make complaint on account of her physical or mental incapacity or death, the legal heir or the other person prescribed

¹⁵Notification of District Officer.

¹⁶Constitution and jurisdiction of Local Committee.

¹⁷Composition, tenure and other terms and conditions of Local Committee.

¹⁸Grants and audit.

The Law Related to Protection of Women from Sexual Harassment at Workplace in India: An Analysis

under this section can make complaint on her behalf. **Section 10**¹⁹ requires the settlement of matter between the aggrieved woman and respondent through conciliation at her request. It prohibits the monetary settlement through conciliation. In case of arrival of a settlement the committees shall record the settlement so arrived and forward the same to the employer or the District Officer to take action under the specified recommendation. The copies of the settlement recorded shall be provided to the aggrieved woman and the respondent by the internal complaints committee or the local complaints committee. **Section 11**²⁰ requires the respondent as an employee, the internal complaints committee and the local complaints committee shall conduct an inquiry in the prescribed manner. Where the aggrieved woman informs the concerned committee that any term or condition of the settlement has not been complied with by the respondent then an inquiry into the complaint can be made by the same committee or forward the complaint to the police. An opportunity of being heard shall be given to both the parties and a copy of findings shall be made available to enable them to make representation against the findings before the committee. Notwithstanding, anything contained in section 509 of the Indian Penal Code, the court may, when the respondent is convicted of the offence, order payment of appropriate sums to the aggrieved woman by the respondent. For the purpose of making an inquiry, the committees are vested with power of a civil court under Civil Procedure Code. The inquiry shall be completed within a period of ninety days.

Inquiry into complaint- Chapter V of this act deals with the inquiry into the complaint. **Section 12**²¹ provides for the recommendations to the employer made by the Internal Complaints Committee or the Local Complaints Committee. A written request shall be made by the aggrieved woman regarding the transfer, granting leave or other relief to the aggrieved woman. The leave granted to the aggrieved woman shall be in addition to the leave she would be entitled otherwise. And further, casts a duty on the employer to implement the same and shall send report of such implementation to the above mentioned committees. **Section 13** requires that on the completion of an inquiry under the proposed legislation, the Internal Complaints Committee or the Local Complaints Committee shall provide a report of its findings to the employer or the District Officer within a period of ten days from the date of completion of the inquiry and same shall be made available to both the parties. The Committees are required to recommend the employer or the District Officer to not take any action in the matter where allegation against the respondent has not been proved. In case where the Committees concludes the proof of allegation against the respondent then, it shall make recommendations to the employer or District Officer to take action for sexual harassment or to deduct from the salary of the respondent sum as consider appropriate to be paid to the aggrieved woman to the employer or the District Officer. Where the employer is unable to make such deduction from the salary of the respondent due to his being absent from duty or cessation of employment it may direct the respondent to pay such compensation to the aggrieved woman. The Internal Complaints Committee or the Local Complaints Committee shall forward the order regarding recovery of the sum as an arrear of land revenue to the concerned District Officer in case of the failure of the respondent to pay the same. Instructions are given to the employer or the District officer to act upon the recommendation within sixty days of its receipt by him. **Section 14**²² states

¹⁹Conciliation.

²⁰Inquiry into complaint.

²¹Action during pendency of inquiry.

²²Punishment for false or malicious complaint and false evidence.

that when the allegation against the respondent as false or malicious or production of false complaint with forged or misleading document by the aggrieved woman or any other person are proved, then the employer or the District Officer can take action against such woman or the person on the recommendation of the Internal Complaints Committee or the Local Complaints Committee. The action taken should be in accordance with the provisions of service rules and where no service rules exist, in such a manner as may be prescribed by rules. The action against the complainant cannot be simply attracted by a mere inability to substantiate a complaint or by providing adequate proof. The malicious intent or falsehood on part of the complainant shall be established. If false evidence or forged or misleading document has been given by the witness during the inquiry then the Internal Complaints Committee or the Local Complaints Committee may recommend the employer of the witness or the District Officer to take action, as per the service rules applicable or rules under the Act. **Section 15**²³ provides for determination of compensation to be paid to the aggrieved woman. **Section 16**²⁴ prohibits publication or making known contents of complaint and inquiry proceedings relating to identity and addresses of the aggrieved woman, respondent and witnesses, conciliation and inquiry proceedings related information, recommendations of the Internal Complaints Committee and Local Complaints Committee, publication or communication of action taken by the employer or the District Officer. The information regarding the justice secured by any victim of sexual harassment may be disseminated without disclosing the name, address, identity or any other particulars calculated which may lead to the identification of the aggrieved woman or witnesses. **Section 17**²⁵ imposes penalty for disseminating confidential information prohibited under the previous section. **Section 18**²⁶ stipulates that the aggrieved person can prefer an appeal to the court or tribunal in accordance with the provisions of the service rules applicable and where no such rule exists, in such a manner as may be prescribed. It shall be preferred within a period of ninety days of the recommendations.

Duties of Employer- Chapter VI of this Act lays down the duties of employer under **Section 19**. Such duties of the employer are to provide a safe working environment at the workplace, to display the order constituting the Internal Complaints Committee at any conspicuous place in workplace, awareness and orientation programmes to sensitize the employees should be conducted at regular intervals, necessary facilities should be provided to the Committees for dealing with the complaint and conducting an inquiry, assist in securing attendance of respondents and witnesses, make available complete information, with regard to the complaint, provide assistance to the woman if she decides to file a complaint under Indian Penal Code or any other law for the time being in force, initiate action against the perpetrator under the Indian Penal Code or any other law for time being in force, treat sexual harassment as a misconduct, monitoring the timely submission of reports by the Internal Complaints Committee.

Duties and Powers of District Officer- Chapter VII of this Act prescribes the duties and powers of District Officer under **Section 20**²⁷. The main duty of District Officer is to monitor the reports timely

²³ Determination of compensation.

²⁴ Prohibition of publication or making known contents of complaint and inquiry proceedings.

²⁵ Penalty for publication or making known contents of complaint and inquiry proceedings.

²⁶ Appeal.

²⁷ Duties and Powers of the District Officer.

The Law Related to Protection of Women from Sexual Harassment at Workplace in India: An Analysis

submitted and furnished by the Local Complaints Committee. Also, he shall take appropriate measures to engage non-governmental organisations for creating awareness on sexual harassment and the rights of women.

Miscellaneous- Chapter VIII of this legislation incorporates the miscellaneous provisions. As per *Section 21*²⁸, an annual report shall be prepared in the prescribed manner by the Internal Complaints Committee or the Local Complaints Committee and the same shall be submitted to the employer and the District Officer. A brief report on the annual reports shall be forwarded to the State Government. *Section 22*²⁹ provides that the employer shall include in its report whatever cases on the subject were filed or their disposal under this Act in their annual report of his organization. Where there is no requirement of such report, he should intimate the District Officer of such number of cases, if any. *Section 23*³⁰ provides for the monitoring the implementation and maintenance of data by the appropriate Government. *Section 24*³¹ enshrines certain measures on the appropriate Government in order to publicise the Act. These measures include: developing relevant information, education, communication and training materials; organizing awareness programmes; advancing the understanding of the public regarding the Act, formulating orientation and training programmes for the members of the Local Complaints Committee. These provisions advocate the initiatives to be undertaken by the Government with regard to the prevention of sexual harassment at workplace. As per *Section 25*³² the appropriate Government by writing an order may ask any employer or District Officer to furnish relevant information relating to sexual harassment in writing and authorise any officer to inspect records in this regard and to further submit a report on the same within a prescribed period. It further requires the employer and the District Officer to make available all relevant information, records and other documents in their possession necessary to carry out such inspection. *Section 26*³³ prescribes the punishment for the employer in case of his failure to constitute an Internal Complaints Committee. It further imposes penalty of fine extendable to fifty thousand rupees in case of contravention, attempt or abetment to contravene the other provisions of the Act or the rules made thereunder. If any employer is convicted for the repetitive crime, then he shall be liable for twice the punishment in the first instance. In case prescription of higher sentence for the offence is provided in any other law, the court shall take due cognizance of the same while awarding the punishment. Moreover, the Government or the local authority is empowered to cancel licence or registration or withdrawal or non-renewable etc. required for carrying his business or activity. As per *Section 27*³⁴ no court shall take into cognizance of any offence punishable under the proposed legislation or rules made thereunder, except in cases where a complaint is made by the aggrieved woman or any person authorized by the Internal Complaints Committee or Local Complaints Committee in this behalf. Only the Metropolitan Magistrate or a Judicial Magistrate of the first class and the courts above shall have jurisdiction to try any offence punishable under the proposed legislation. Every offence under this legislation shall be non-cognizable. *Section 28*³⁵ stipulates that

²⁸ Committee to submit annual report.

²⁹ Employer to include information in annual report.

³⁰ Appropriate Government to monitor implementation and maintain data.

³¹ Appropriate Government to take measures to publicise the Act.

³² Power to call for information and inspection of records.

³³ Penalty for non-compliance with provisions of Act.

³⁴ Cognizance of offence by Courts.

³⁵ Act not in delegation of any other law.

the provisions of the proposed legislation shall be in addition to and not in derogation of any other law for the time being in force. *Section 29*³⁶ empowers the Central Government to make rules for the carrying out the provisions of the proposed legislation by notifying in the Official Gazette. The Central Government has been empowered to make rules with respect to the allowances or fees to be paid to the Chairperson or the members of the committee. It is further, empowered to make the rules with respect to the making of complaint, inquiry, action to be taken by the employer or the District Officer, the recommendation of relief or manner of action to be taken under the provisions of the proposed Act, filing of appeal and rules with respect to preparation of annual report by the committee. The rules made by the Central government to be laid for atleast thirty days before both the houses of the Parliament when the same is in session or for two or more consecutive sessions taken together. The rule making power of the Central government is not absolute but subject to scrutiny by the both houses of the Parliament and approval or modifications therefrom without prejudice to the validity of anything previously carried out under such rule. This section also requires the placing of rules made under the proposed legislation by the State Government before both houses of the legislature or where there is only one house before such house for scrutiny or modifications. *Section 30*³⁷ enables the Central Government to make such provisions obligatory for eradicating any difficulty that arises while giving effect to the provisions of this Act. Such order for making provisions shall not be made after the expiry of a period of two years from the commencement of the proposed legislation. Such provision shall be tabled before each house of the Parliament at the earliest after it is made.

Critical Analysis of the Sexual Harassment of Women (Prevention, Prohibition and Redressal) Act, 2013

This Act is a significant step towards the ensuring of safe and healthy environment to the working women. However, there are some grey areas of this legislation which need to be addressed. The biggest drawback of this legislation is total absence of gender neutrality. It only addresses the issue of protection of women employees. There are incidents of sexual harassment of men and transgender people at the workplace which often goes unnoticed. Therefore, provisions regarding the protection of men and transgender employees need to be incorporated in this Act as soon as possible. The legislation is ambiguous about the age of woman while defining the word “aggrieved woman.” It has stipulated the word “any age” in the definition which is quite confusing as generally, a female below the age of eighteen years cannot be called as woman.³⁸ Section 4 requires that the Committee shall constitute of senior level woman employee to be employed as Presiding Officer with two members from amongst employees and one member from amongst non-governmental organisations or associations. But the researcher is of the opinion that the Presiding Officer of the Committee should not of specific gender as we all know that males and transgender people too are subjected to sexual harassment at workplace. The practical implementation of the requirement of “one member from amongst the non-governmental organisations” is quite difficult as we all are aware that the aggrieved woman often wants to keep such matters confidential as she may not feel comfortable in relying on a person outside the organisation on such a sensitive issue. She may fear the possibility of

³⁶ Power of appropriate Government to make rules.

³⁷ Power to remove difficulties.

³⁸ Voleti Gopal, “Whether the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 is in derogation of other laws?” 3 *SCJ* 14 (2014).

The Law Related to Protection of Women from Sexual Harassment at Workplace in India: An Analysis

leakage of complaint by such member outside the organisation which may hamper her reputation through the unwanted publicity. Then, how is it possible for an aggrieved woman to trust a person from outside organisation for the offence under this Act. Then again, the question arises that if the committees were not constituted then who shall be made responsible for the non-constitution of committees. Against whom the action shall be initiated for the non-constitution. The Act is silent upon these questions because it has no provisions dealing with the answers regarding such questions. Hence, it is suggested to add new provisions providing for the responsibility of keeping a check on the constitution of such committee. Section 9 of this legislation states that the time period for making written complaint under the reasonable circumstances can be extended but the question arises that what circumstances will constitute as reasonable circumstances under the proposed legislation. Moreover, the Act is also mute about the reliefs while granting conciliation without monetary settlement between the complainant and respondent. The Internal Complaints Committee or the Local Complaints Committee are empowered under this legislation to recommend to the employer to deduct such sum from the respondent's salary as may be considered appropriate to be paid to the aggrieved woman in case the allegations against him have been proved. But the legislation does not stipulate any monetary liability on the employer for the actual misconduct of his or her employees, which is fairly uncommon.³⁹ The Act allows the punishment for false or malicious complaints and false evidence given by the complainant. This provision itself may dissuade a complainant from coming forward to file a complaint by mere presumption of fear of contemplation of action against her, defeating the very purpose of law for which it is enacted.⁴⁰ The provision of mere inability to substantiate the complaint or provide adequate proof need not attract action against the complainant actually encourages the filing of false or malicious complaints. Although there may be merit in providing safeguards against malicious complaints but this provision violates the right of innocent respondent who had been falsely accused putting him at the risk of losing his reputation. Therefore, it is suggested to set up a mechanism for identifying the false complaints and to ensure the prohibition of such instances in the future. It may be noticed that the onus of implementation of this Act rests on the shoulders of the employers relinquishing the State from its responsibilities. The concept of Section 26 regarding the employer's failure to constitute an internal complaints committee is quite confusing. Because of this, the doubt may arise, as to whom the complaint is to be made regarding the employer's failure in the above-mentioned section.⁴¹

Sexual harassment is something which many people face in day today life but hesitate to speak about it openly due to the fear of losing job or reputation and for many more personal reasons. Most of the victims avoid reporting of such cases to escape the trap of endless judicial proceedings. Therefore, it is recommended to address the flaws of this legislation in order to ensure its proper implementation.

³⁹ Charanjiv Singh, "Law to Prevent Sexual Harassment at Workplace in India: An Analysis" VII *PULJ* 148 (2013).

⁴⁰ Ashutosh Hajela, "Vulnerability of Laws relating to Sexual harassment of women at Workplace in India: A Critical Appraisal" 9 *ALR* 80 (2013).

⁴¹ The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, available at: <https://www.lawoctopus.com/academike/sexual-harassment-workplace-prevention-prohibition-redressal-act-2013-critical-analysis/> (Visited on August 10, 2021).

Conclusion

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 clearly states about the protection of women against sexual harassment at workplace and for the prevention and redressal of complaints of sexual harassment. It defines as to what constitutes sexual harassment and also provides the circumstances under which an act may amount to sexual harassment. The important feature of this Act is that it has mandated the setting up of the Internal Complaints Committee and Local Complaints Committee for the redressal of complaints of sexual harassment at workplace. The committees shall have the same powers as are vested in a civil court. The Act further suggests the settlement of matter between the aggrieved woman and the respondent through conciliation at the request of the aggrieved woman. To ensure that the protections contemplated under this Act do not get misused, punitive measures are taken against the filing of false or malicious complaints. The non-compliance with the provisions of this Act may lead to fine and can further lead to cancellation of license or withdrawal, or non-renewable, or approval, or cancellation of registration. It may be hoped that the existing legislation may be suffice to tackle with the problem of sexual harassment of women at workplace. But, this problem cannot be abolished only through the passing of legislation rather it also demands the social awakening and change in the attitude of masses imperative to create equal social status and due respect.