



# Sexual Harassment at Work Place

- Adab Singh Kapoor and Associates

# What is Sexual Harassment?

- Section 2(n), Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013( Act of 2013)
- Section 354 A of the Indian Penal Code, 1860



# Objective of the Act of 2013

- Provide protection against sexual harassment of women at workplace.
- Prevention and Redressal of complaints of sexual harrassment.



# Background

- Constitutional Mandate: Article 14, 15, 19(1)(g), 21
- Convention on Elimination of All Forms of Discrimination Against Women( CEDAW): Article 11 provides State Parties to take all appropriate measures to eliminate discrimination against women in the field of employment.
- Vishaka & Ors v State of Rajasthan & Ors (1997(7) SCC 323)
- Medha Kotwal Lele and Ors. vs. Union of India (AIR 2013 SC 93)



# Scope of the Act of 2013

- Section 4(o) of the Act of 2013 defines workplace and even includes a dwelling place or a house.



# Salient Features

- Internal Complaints Committee( Chapter II)
- Local Complaints Committee( Chapter III)
- Complaint of Sexual Harassment (section 9)
- Conciliation( section 10)
- Inquiry into Complaint ( section 11)
- Action during Inquiry( section 12)
- Inquiry Report( section 13)
- Punishment for false complaint (section 14)



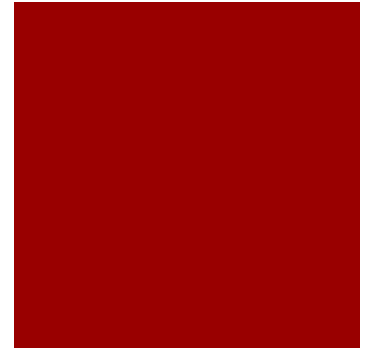
# Salient Features Contd.

- Determination of Compensation( section 15)
- Non-Disclosure( Section 16)



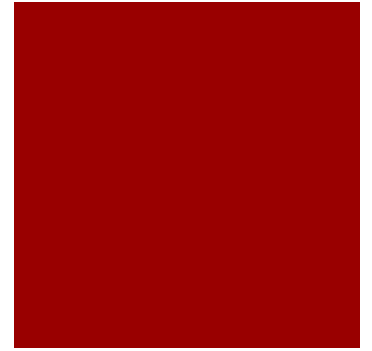
# Duties of Employer

- Section 19 provides for the duties of the Employer.





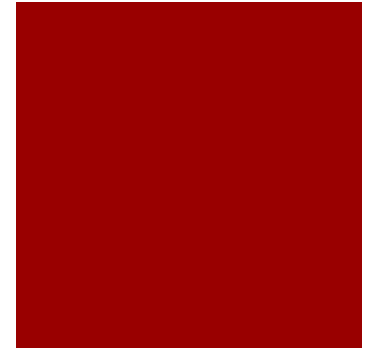
# Discussion Points



Act of 2013 vis a vis IPC

Monetary Settlement

Cases



THANK YOU

Adab Singh Kapoor and Associates

C-523, LGF, Chittaranjan Park, ND 19

011-40550902/ +919818073491