

## **JMC 208- Media Laws and Ethics**

### **Unit III**

Sexual Harassment and Protection of Women against Sexual Harassment Bill, 2007

#### **Sexual Harassment at Workplace**

Sexual harassment is a common problem affecting all women in this world irrespective of the profession that they are in, but legal system is sleeping and so they fail in providing them security. It's not all, women living in those countries having developed legal system faces other problems like being fired out of work, ridiculed, societal pressure or promises of desired promotion, etc. that makes them left with no words. Sexual harassment is about male dominance over women and it is used to remind women that they are weaker than man. In a society where violence against women is posed just to show the patriarchal value operating in society, these values of men pose the greatest challenge in curbing sexual harassment. Studies have shown that 1 out of every 3 working women are touched by sexual harassment.

Every country is facing this problem today. No female worker is safe and the sense of security is lacking in them. There are certain developments in laws of many countries to protect women workers from sexual harassment. During 2007 alone, the U.S. Equal Employment Opportunity Commission and related state agencies received 12,510 new charges of sexual harassment on the job.

Sexual harassment is rooted in cultural practices and is exacerbated by power relations at the workplace. Unless there is enough emphasis on sensitization at the workplace, legal changes are hardly likely to be successful. Workplaces need to frame their own comprehensive policies on how they will deal with sexual harassment. Instead of cobbling together committees at the court's intervention, a system and a route of redress should already be in place.

Sexual harassment includes such unwelcome sexually determined behavior (whether directly or by implication) as:

- a) Physical contact and advances;
- b) A demand or request for sexual favors;
- c) Sexually colored remarks;
- d) Showing pornography;
- e) Any other unwelcome physical verbal or non-verbal conduct of sexual nature.

India is a democratic country. All citizens have the fundamental right to live with dignity under article 21 of the constitution of India. But there is no law specifically dealing with sexual harassment. Laws are not able to provide justice to the victims. There are various cases brought before the supreme court of India but all cases were not successful in laying down new laws for sexual harassment. In 1997, Supreme court tried to lay down guideline in Vishakha's case. These guideline were somewhat successful because in this case supreme court argued that there is a need for separate laws but it was not given the required attention.

### **Sexual harassment: the law**

According to the law in India, sexual harassment violates the women's fundamental right of gender equality and life with dignity under article 14 and article 21 respectively. Although there are no specific laws for curbing sexual harassment at the workplace in India but certain provisions are there in other legislation like Indian Penal Code, which provides protection against women's sexual harassments such as in IPC:

- Section 294 deals with obscene acts and songs at public place.
- Section 354 deals with assault or criminal force against women.
- Section 376 deals with rape.
- Section 510 deals with uttering words or making gestures which outrages a women's modesty.

There is another act passed by legislature for protecting women's interest namely, Indecent Representation of Women, Act (1997). This act has not been used in cases of sexual harassment but there are certain provisions in this act which can be used in 2 ways:

- 1) If a person harasses another by showing books, photographs, paintings, films, etc. containing indecent representation of women than he will be liable with minimum 2yrs. imprisonment.
- 2) Section 7 of this act punishes companies, if there is indecent representation of women like showing pornography.

The harassed women can also go to civil courts for tortious actions like mental anguish, physical harassment, loss of income in employment of victim, etc.

Sexual harassment can be distinguished on two basis, one of them is quid pro quo in which a woman gets sexually harassed in exchange of work benefits and sexual favours this also lead to some retaliatory actions such as demotion and making her work in difficult conditions. Another is 'hostile working environment' which imposes a duty on employer to provide the women worker with positive working environment and prohibits sexist graffiti, sexual remarks showing pornography and brushing against women employees.

### **Sexual Harassment: Case laws in India**

There are various cases which had come before the courts in India and the judgment in most of the cases has motivated women to register more complaints as compared to earlier:

#### **1) Apparel Export Promotion Council v. A.K Chopra**

The Supreme Court in this case declared that sexual harassment is gender discrimination against women and also said that any act or attempt of molestation by a superior will constitute sexual harassment.

#### **2) Mrs. Rupan Deol Bajaj v. Kanwar Pal Singh Gill**

This case has changed the meaning of the terms, modesty and privacy in such a way that, any kind of harassment or inconvenience done to a women's private or public life will be considered as an offence.

### **3) Vishaka & others Vs. State of Rajasthan & others**

In this case Supreme Court laid down the following guidelines which recognized it not only as a private injury to an individual woman but also as the violation of her fundamental rights. These guidelines are significant because for the first time sexual harassment is identified as a separate category of legally prohibited behavior. These are subjected to all workplaces until any other legislation is passed by parliament in this regard. The guidelines are as follows:

- It is the duty of every employer to deliver a sense of security to every women employee.
- Government should make strict laws and regulations to prohibit sexual harassment.
- Any act of such nature should result in disciplinary actions and criminal proceedings should also be brought against the wrong doer.
- The organization should have a well set up complaint mechanism for the redressal of the complaints made by the victim and should be subjected to a reasonable time.
- This complaint mechanism should be in the form of complaint committee which need to be headed by a women member and at least 50% of the committee members should be women so that victims do not feel ashamed while communicating their problems. This complaint committee should also have a third party involvement in the form of NGO or other body which is familiar with this issue. There is a need of transparency in the functioning of this committee and for that there is a requirement of submission of annual report to the government.
  
- Issues relating to sexual harassment should not be a taboo in the workers meeting and should be discussed positively.
- It is the duty of the organisation to aware the female employees about their rights by regularly informing them about the new guidelines issued and legislation passed.
- The employer or the person in charge is duty biased to take the necessary and reasonable steps to provide support to the victim if sexual harassment takes place due to the act or omission of the third party.
- These guidelines are not limited only to government employers and should also be followed by employers in private sectors.

### **4) Medha Kotwal Lele & ors. v. Union of India & Ors**

This case helped the Vishakha's case to implement the guidelines successfully by issuing notices to all states and the union territories to impart the necessary steps.

### **Bill to prevent Sexual Harassment:**

After few years of the guidelines set by the Supreme Court, the first attempt was made to frame suitable draft legislation with considerable involvement of and pressure from women's organizations. This was called "the protection against sexual harassment of women bill, 2005". However, that too gathered dust till it was replaced by "the protection of women against sexual harassment at workplace bill, 2007" which focused specifically on SH at the workplace, the reason presumably being that the 2005 bill was too wide ranging and hence difficult to implement. This 2007 bill was not in the spirit of Vishakha because it defines aggrieved women

as "...any female/persons whether major or minor, who alleges that she/they have been subject to sexual harassment..." This bill is also silent on third party harassment and is emphasizing only on harassment within the workplace. This bill treats sexual harassment as a civil dispute whereas the Vishakha guideline has provided criminal proceedings for the same. A recent amendment in the draft bill is section 12 (1) which states that "if the allegations of sexual harassment are found to be false, the complainant can be punished for it". This provision will create a new space for employers to manipulate the evidence to stand up against the women. It will abstain women from registering any complaints against the wrongdoer due to the fear that employers can take negative action against them so this part needs to be deleted.

The suggestions made above can make Vishakha guideline to retain their spirit but at the same time it should also ensure that its scope should not become very extensive and riotous.

### **Failure in implementing the laws relating to sexual harassment:**

As per the Vishakha guidelines, it is made compulsory to constitute a complain committee in every workplace but private companies hardly institute them while the government organizations just do it on paper. The organizations in which these committee exists face other serious problems as it is been reported by victims that the committee members do not even have the clue of their responsibilities, powers and duties and so this rarely lead the victim to get justice. The attitude of the employer is deep-seated as they have a presumption that this cannot happen in their organization and so the women's complaint end up with nothing. People use to make fun of her and this makes her incapable of getting justice or being heard properly.

Section 354 (on which the ruling in the Mrs. Rupan Deol Bajaj v. Kanwar Pal Singh Gill was based) and section 509 of IPC is the criminal provision applied in most of the sexual harassment cases, but yet these provisions have only limited effectiveness. Therefore, we can say that there is no strong legislative stand against sexual harassment in the workplace.

A number of bills (by the national commission for women, women's organization and the government) have been drafted but there is still confusion on what bill would serve the purpose better. At present, the draft Protection of Women against Sexual Harassment at Workplace, 2007 is pending with the ministry of women and child development. There are certain suggestions being made by women organizations to make changes in the bill:-

To provide for procedural training of members of the complaints committee.

To modify provisions of section 11 (no action will be taken if the allegation against the respondent is not true) and section 12 (if a local committee concludes that the allegation against the respondent is false, than action will be taken against the complainant) of this bill.

### **Preventive Measures to Curb Sexual Harassment**

Change in attitude of people is a basic requirement for implementing any law in the society for women. This implementation of laws leads to protection against undesired sexual behavior. The prevention of sexual harassment should be done at all level of employees and it should be

checked that the women employees get a positive environment. We recommend the following steps that need to be taken for preventing sexual harassment at workplace.

1. There should be well set up complaint channel which is in direct communication with the women employee. The women should not feel obscure in complaining about the problems she is facing during employment at the workplace. The complaint committee should take all such kind of complaint very seriously and appropriate action must be taken within reasonable time.
2. Women workers' should not fear in talking about any harassment related to sex and it is their duty to immediately bring in notice to the complaint committee about any such act.
3. It is the duty of the complaint committee to keep every complaint confidential.
4. Every organisation should conduct sexual harassment awareness training for both the male and female employees. This mutual learning will help in creating an atmosphere of hostility and employees will feel comfortable. This training should also include the impacts of sexual harassment on women.
5. A commitment is required from all the levels of the organisation for the positive implementation of the policies and procedures made against sexual harassment.
6. Every employee should understand that it is his legal duty to provide every women employee a sense of security in workplace.
7. He should understand that any kind of harassment on his women employee will result in detrimental effects on her health, confidence and her potential at work which also results in her leaving the job.
8. Women should be motivated against sexual harassment and they should be asked to complain about it if they think that it is harming them in any manner and they should make them realize that their complaints will not be subjected to ridicule or any kind of threat.
9. The employer should always be under a fear of any kind of monetary or reputational harm which can occur if such a kind of activity happens in his company. We also think that there is a need of formulating a separate anti-sexual harassment policy dealing particularly with this issue.
10. The committee should never be biased in dealing with certain individuals of the organisation. For example if the accused is a senior executive or partner he should not be excused just for the sake of his position and strict action should be taken against him.

Source/ Reference

<http://www.legalservicesindia.com/article/716/Sexual-Harassment-at-Workplace.html>

**THE PROTECTION OF WOMEN AGAINST SEXUAL HARASSEMENT  
AT WORKPLACE BILL, 2007**

**A BILL**

To provide for prevention and redressal of sexual harassment of women at workplace and for matters connected therewith or incidental thereto. BE it enacted by Parliament in the Fifty-eighth Year of the Republic of India as follows:-

**CHAPTER I  
PRILIMINARY**

1. (1) This Act may be called the Protection of Women against Sexual Harassment at Workplace Act, 2007.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires,- (a) "aggrieved woman" means any woman employee against whom any act of sexual harassment is alleged to have been committed;

(b) "appropriate Government" means in relation to a workplace which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly-

(i) by the Central Government or the Union territory administration, the Central Government;

(ii) by the State Government, the State Government.

(c) "Chairperson" means the Chairperson of the Committee or of the District Committee, as the case may be;

(d) "Committee" means an Internal Complaints Committee constituted under section 4;

(e) "District Officer" means an officer appointed under section 5;

(f) "employee" means a person employed at a workplace for any work on regular, temporary, ad-hoc or daily wage basis, either directly or by or through an agent, including a contractor, with or without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a domestic worker, a co-worker, a contract worker, probationer, trainee, apprentice or by any other name called;

(g) "employer" means:-

(i) in relation to any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit of the appropriate Government or a local authority, the head of that department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit or such other officer as the appropriate Government or the local authority, as the case may be, may by an order specify in this behalf ;

(ii) in any workplace not covered under clause (i), any person responsible for the management, supervision and control of the of the workplace;

- (h) "Local Committee" means the Local Complaints Committee constituted under section 6;
- (i) "member" means a member of the Committee or of the Local Committee, as the case may be;
- (j) "prescribed" means prescribed by rules made under this Act;
- (k) "respondent" means a person against whom a complaint has been made under section 7; (l) "Workplace" means:-
- (i) 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 cooperative society;
- (ii) any private sector organisation or a private venture, undertaking, enterprise, institution, establishment, society, unit or service provider carrying on commercial, professional, vocational, educational, industrial or financial activities including production, supply, sale, distribution or service;
- (iii) a house or dwelling place;
- (iv) and includes any place visited by the employee arising out of, or during and in the course of, employment;
- (v) "Unorganized Sector" which shall come within the meaning of "workplace", means all private unincorporated enterprises including own account enterprises engaged in any agriculture, industry, trade and/or business and includes sectors as mentioned in the schedule, being illustrative.

3. No woman employee at a work place shall be subjected to sexual harassment including unwelcome sexually determined behavior, physical contact, advances, sexually coloured remarks, showing pornography, sexual demand, request for sexual favours or any other unwelcome conduct of sexual nature whether verbal, textual, physical, graphic or electronic or by any other actions, which may include, -

- (i) implied or overt promise of preferential treatment in employment; or
- (ii) implied or overt threat of detrimental treatment in employment; or
- (iii) implied or overt threat about the present or future employment status;
- (iv) conduct which interferes with work or creates an intimidating or offensive or hostile work environment; or
- (v) humiliating conduct constituting health and safety problems.

## **CHAPTER II**

### **CONSTITUTION OF COMMITTEES**

4. (1) For the purpose of this Act, every employer of a work place shall constitute, by an Office Order in writing, an Internal Complaints Committee. Provided that where the offices or administrative units of the workplace are located at different places or divisional or sub-divisional level, the Committee shall be constituted at all administrative units or offices.

(2) The Committee shall consist of the following members namely:-

- (a) a Chairperson, from amongst employees, who shall be a senior level woman, committed to the cause of women. In case a senior level woman employee is not available, the Chairperson shall be appointed from a sister organization or a non-governmental organization;
  - (b) not less than two members from amongst employees committed to the cause of women or who have had experience in social work; and
  - (c) one member from amongst such nongovernmental organisations or associations or other interests committed to the cause of women, as may be specified: Provided that atleast fifty per cent of the members so nominated shall be women.
- (3) The Chairperson and every member of the Committee shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified.
- (4) The Chairperson and members of the Committee shall be entitled to such allowances or remuneration as may be prescribed.
- (5) Where the Chairperson or any member of the Committee contravenes the provisions of section 14, such Chairperson or member, as the case may be, shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh appointment in accordance with the provisions of this section.

5. The appropriate Government may appoint a District Magistrate or Additional District Magistrate or the Collector or Deputy Collector as a District Officer for every District to carry out the functions under this Act.

6. (1) Where at a workplace, constitution of the Committee is not possible or practicable, or where the complaint is against the employer himself, the District Officer may, constitute at every Block, a Local Complaints Committee.

(2) The Local Committee shall consist of the following members:-

- (a) a chairperson to be appointed by the appropriate Government from amongst women committed to the cause of women;
- (b) one member to be appointed by the appropriate Government from amongst the registered trade unions or workers associations functioning in that block or district;
- (c) two members, of whom at least one shall be a woman, to be appointed by the appropriate Government from amongst such NonGovernmental Organizations or associations or other interests committed to the cause of women, as may be specified.

(3) The Chairperson and every member of the Local Committee shall hold office for such period, not exceeding three years, from the date of their appointment as may be specified.

(4) The Chairperson and Members of the Local Committee shall be entitled to such allowances or remuneration as may be prescribed.

(5) The jurisdiction of the Local Committee shall be limited to the area within the Block level where it is constituted.

(6) Where the Chairperson or any member of the Local Committee contravenes the provisions of section 14, such Chairperson or member, as the case may be, shall be removed from the Local Committee and the vacancy so created or any casual vacancy shall be filled by fresh appointment in accordance with the provisions of this section.



### **CHAPTER III COMPLAINT**

7. (1) An aggrieved woman may make a complaint of sexual harassment at workplace to the Committee or the Local Committee, as the case may be, in writing: Provided that where such complaint cannot be made in writing, the Chairperson or any member of the Committee or the Local Committee, as the case may be, shall render all reasonable assistance to the woman making the complaint to reduce the same in writing.

(2) Where the aggrieved woman is not able to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed may make a complaint under this section.

8. (1) At the request of the aggrieved woman the Committee or the Local Committee, as the case may be, may, before initiating enquiry under this Act, take steps to settle the matter between her and the respondent through conciliation.

(2) Where a settlement is arrived at under sub-section (1), the Committee or the Local Committee, as the case may be, shall record the settlement and recommend the employer not to take any action in the matter.

(3) The Committee or the Local Committee, as the case may be, shall provide the copies of the settlement recorded under sub-section (2) to the aggrieved woman and the respondent.

(4) Where a settlement is arrived at under sub-section

(1), no further enquiry shall be conducted by the Committee or the Local Committee, as the case may be.

9. (1) Where conciliation under sub-section (1) of section 8 is not arrived at, the Committee or the Local Committee, as the case may be, shall, subject to the provisions of section 14, proceed to make enquiry into the complaint in such manner as may be prescribed: Provided that where the aggrieved woman informs the Committee or the Local Committee, as the case may be, that any term or condition of the conciliation arrived at under sub-section (1) of section 8 has not been complied with by the respondent, the Committee or the Local Committee shall also proceed to make inquiry into the complaint.

(2) The Committee or the Local Committee, as the case may be, shall have such powers for the purpose of making enquiry under sub-section (1) as may be prescribed.

(3) The enquiry under sub-section (1) shall be completed within a period of ninety days.

(4) Where the Committee or the Local Committee, as the case may be, fails to complete the enquiry within the period specified under sub-section (3), the employer or the District Officer, as the case may be, may take such action as may be prescribed.

### **CHAPTER IV ENQUIRY INTO COMPLAINT**

10. (1) During the pendency of enquiry, on a written request made by the aggrieved woman, the Committee or the Local Committee, as the case may be, may recommend to the employer to-

- (a) transfer the aggrieved woman or the respondent to any other workplace; or
- (b) grant leave to the aggrieved woman; or
- (c) grant to the aggrieved woman any other relief which may be prescribed.

(2) On the recommendation of the committee or the Local Committee, as the case may be, under sub-section (1), the employer or the District Officer may take such necessary action as may be deemed proper.

11. (1) On the completion of an enquiry under this Act, the Committee or the Local Committee, as the case may be, shall provide a report of its findings to the employer, or as the case may be, District officer.

(2) Where the committee or the Local Committee, as the case may be, arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the employer or the District Officer that no action is required to be taken in the matter.

(3) Where the committee or the Local Committee, as the case may be, arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the employer or the District Officer, as the case may be, -

(a) to take action for misconduct in accordance with the provisions of the service rules applicable to the respondent or where no such service rules have been made, in such manner as may be prescribed; or

(b) to deduct from the salary or wages of the respondent such sum of compensation to be paid to the aggrieved woman or to legal heirs, as it may determine, in accordance with the provisions of section 13; or to direct the respondent to pay such compensation to the aggrieved woman.

(4) Where any recommendation has been made to the employer or the District Officer under subsection (1) he shall act upon the recommendation within ninety days of its receipt by him: Provided that where the employer or the District Officer is not in agreement with any conclusion arrived at or recommendation made by the committee or the Local Committee, he may alter the conclusion or recommendation in consultation with the committee or the Local Committee, as the case may be, and the parties concerned in such manner as may be decided in the consultation and shall act upon the recommendation within ninety days of completion of the consultation.

12. (1) Where the Committee or the Local Committee, as the case may be, arrives at a conclusion that the allegation against the respondent is false or malicious or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer or the District Officer to take action against the woman or the person who has made the complaint in accordance with the provisions of the service rules applicable to her or him or where no such service rules have been made, in such manner as may be prescribed.

(2) Where the Committee or the Local Committee, as the case may be, arrives at a conclusion that during the enquiry any witness has given false evidence or produced any forged or

misleading document, it may recommend to the employer of the witness or the District Officer to take action in accordance with the provisions of the service rules applicable to the said witness or where no such service rules have been made, in such manner as may be prescribed.

13. (1) For the purpose of determining the compensation to be paid to the aggrieved woman under clause (b) of sub-section (3) of section 11, the Committee or the Local Committee, as the case may be, shall have regard to-

- (a) the mental trauma, pain, suffering and emotional distress caused to the aggrieved woman;
- (b) the loss in the career opportunity due to the incident of sexual harassment;
- (c) medical expenses incurred by the victim for physical or psychiatric treatment;
- (d) the income and financial status of the respondent; (e) feasibility of such payment in lump sum or in installments.

14. Notwithstanding anything contained in the Right to Information Act, 2005, the contents of the complaint made under sub-section (1) of section 7, the identity and addresses of the aggrieved woman, respondent and witnesses, any information relating to conciliation and enquiry proceedings, recommendations of the Committee or the Local Committee, as the case may be, and the action taken by the employer under the provisions of this Act shall not be published, communicated or made known to the public, press and media in any manner: Provided that information may be disseminated regarding the justice secured to any victim of sexual harassment under this Act without disclosing the identity and address of the aggrieved woman, respondent and witnesses.

15. Where any person entrusted with the duty to handle or deal with the complaint, enquiry or any recommendations or action to be taken under the provisions of this Act contravenes the provisions of section 14 shall be liable for penalty in accordance with the provisions of the service rules applicable to the said person or where no such service rules have been made, in such manner as may be prescribed.

16. Any person aggrieved by any order passed under clauses (a) or (b) of sub-section (3) of section 11 or subsections (1) or (2) of section 12 or section 15 may prefer an appeal in accordance with the provisions of the service rules applicable to the said person or where no such service rules have been made, in such manner as may be prescribed.

## **CHAPTER V DUTIES OF EMPLOYER**

17. The employer shall-

- (a) provide a safe working environment at the workplace;
- (b) display at any conspicuous place in the workplace the Office Order made under subsection (1) of section 4;

- (c) undertake workshops and training programmes at regular intervals for sensitizing the members;
- (d) provide necessary facilities to the Committee or the Local Committee, as the case may be, to deal with the complaint and conduct enquiry;
- (e) ensure the attendance of respondent and witnesses before the Committee or the Local Committee, as the case may be;
- (f) make available such information to the Committee or the Local Committee, as the case may be, as it may require with regard to the complaint made under sub-section (1) of section 7.

## **CHAPTER VI MISCELLANEOUS**

18. The Committee or the Local Committee, as the case may be, shall in each calendar year prepare, in such form and at such time as may be prescribed, an annual report and submit the same to the employer.

19. The employer shall include a section on the cases filed and judgments conferred under this Act in each annual report of his organization.

20. (1) The appropriate Government, on being satisfied that it is necessary in the public interest or in the interest of women employees at a workplace to do so, by order in writing,-

- (a) call upon any employer or District Officer to furnish in writing such information relating to sexual harassment as it may require;
- (b) authorise any officer to make inspection of the records and workplace in relation to sexual harassment, who shall submit a report of such inspection to it within such period as may be specified in the order.

(2) Every employer and District Officer shall produce on demand before the officer making the inspection all information, records and other documents in his custody having a bearing on the subject matter of such inspection.

21. Where the employer or the District Officer fails to-

- (a) constitute a Committee under subsection (1) of section 4;
- (b) take action under sections 11, 12 and 19; and
- (c) contravenes or attempts to contravene or abets contravention of other provisions of this Act or any rules made thereunder, he or she shall be punishable with fine which may extend to rupees ten thousand.

22. (1) The Central Government may, by notification in the official gazette, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

- (a) the allowances and remuneration to be paid to the Chairperson and members under sub-section (4) of section 4;

- (b) the allowances and remuneration to be paid to the Chairperson and members under sub-section (4) of section 6;
  - (c) the person who may make complaint under subsection (2) of section 7; (d) the manner of enquiry under sub-section (1) of section 9;
  - (e) the powers for making enquiry under sub-section (2) of section 9;
  - (f) the action to be taken by employer or District Officer under sub-section (4) of section 9;
  - (g) the relief to be recommended under clause (c) of subsection (1) of section 10;
  - (h) the manner of action to be taken under clause (a) of sub-section (3) of section 11;
  - (i) the manner of action to be taken under sub-section (1) of section 12;
  - (j) the manner of action to be taken under sub-section (2) of section 12;
  - (k) the manner of action to be taken under section 15; (l) the manner of appeal under section 16; and
  - (m) the form and time for preparation of annual report by Committee under section 18;
- (3) Every rule made by the Central Government under this Act shall be laid as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.
- (4) Every rule made under this Act by the State Government shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House, before that House.

### **References / Source**

<http://wcd.nic.in/protshbill2007.htm>

[https://www.prsindia.org/sites/default/files/bill\\_files/draft\\_sexual\\_harassment\\_bill.pdf](https://www.prsindia.org/sites/default/files/bill_files/draft_sexual_harassment_bill.pdf)