



PREVENTION OF SEXUAL HARASSMENT AT WORK PLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013

What is Sexual Harassment?

As per Section 2(n) of the act, "sexual harassment" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:—

- (i) Physical contact and advances; or
- (ii) A demand or request for sexual favours; or
- (iii) Making sexually coloured remarks; or
- (iv) Showing pornography; or
- (v) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

As per Section 3 of the act, the following circumstances, among other circumstances, if it occurs, or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment:—

- (i) Implied or explicit promise of preferential treatment in her employment; or
- (ii) Implied or explicit threat of detrimental treatment in her employment ; or
- (iii) Implied or explicit threat about her present or future employment status; or
- (iv) Interference with her work or creating an intimidating or offensive or hostile workenvironment for her; or
- (v) Humiliating treatment likely to affect her health or safety.

Punishment for Sexual Harassment?

As per section 13 of the act, when it is concluded that allegations are true, following actions may be recommended-

- (A). As per section 13(3)(ii) and 15 of the act, the aggrieved women maybe paid compensation based on the mental trauma, pain, suffering and emotional distress, the loss in the career opportunity due to the incident, medical expenses for physical or psychiatric treatment, the income and financial status of the respondent, feasibility of such payment in lump sum or in installments.
- (B). As per section 13(3)(i) of the act, action for sexual harassment shall be taken as a case of 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.

Any Employee facing Sexual Harassment may approach the Member Secretary of Internal Complaints Committee

Ms. Kanchan Wanchoo Sharma- Tel. 011- 26707742