

[TO BE INTRODUCED IN THE NATIONAL ASSEMBLY]

A
Bill

further to amend the Protection against Harassment of Women at the Workplace Act, 2010 (IV of 2010)

WHEREAS, it is expedient further to amend The Protection against Harassment of Women at the Workplace Act, 2010 (IV of 2010), for the purposes hereinafter appearing.

It is hereby enacted as follows:-

1. Short title and Commencement.-(1) This Act may be called The Protection against Harassment of Women at the Workplace (Amendment) Act, 2016.

(2) It shall come into force at once.

2. Amendment of section 2, Act IV of 2010.- In the Protection Against Harassment of Women at the Workplace Act 2010 (No. VI of 2010), hereinafter referred to as the said Act, in section 2,-

- (a) in sub-section (f), after the word "apprentice", the words " or a student", shall be inserted;
- (b) in sub-section (g), in paragraph (iii), after the words "department", the words " or an educational institution", shall be inserted; and
- (c) in sub-section (h), after the word "employment", the words "or study, as the case may be", shall be inserted.

3. Amendment of section 4, Act IV of 2010.- In the said Act, in section 4, in sub-section (4),-

- (a) In paragraph (i), after sub-paragraph (d), the following new sub-paragraphs shall be added, namely:-

"(e) In case a student of an institution is proved to be guilty of an offence under this Act, cancellation of admission, cease to be a student in current degree programme and ban on admission in all future programmes;

(f) In case of an employee including teachers or all other staff members working on contract basis proved to be a guilty of any offence under this Act, cancellation of contract alongwith penalty which may extend up to one million rupees for payment to the victim of harassment."

- (b) In paragraph (ii), after sub-paragraph (e), the following new sub-paragraphs shall be added, namely.-

"(f) Registration of FIR against a teacher or any staff member having been proved guilty under this Act under relevant provisions of Criminal Procedure Code relating to the offence alongwith initiation of department at disciplinary proceedings against the accused employee, teacher, any other person or a student."

4. Amendment of section 11, Act IV of 2010.- in the said Act, in section 11 the following new sub-section (4), shall be added, namely.-

"(4) Each public or private organization in the country where even single female employee is working, shall submit quarterly report to the Federal Ombudsman against Harassment of Women at Workplace containing cases of harassment, if any, alongwith action taken against the accused persons. In case of failure of submission of report on quarterly basis, the responsible person of such employer shall be fined with an amount which may extend upto rupees fifty thousand".

STATEMENT OF OBJECTS AND REASONS

The Protection against Harassment of Women at the Workplace Act, 2010, was enforced in the country for protection of working female employees but a number of harassment incidents have taken place in the educational institutions of the country. These incidents have been reported in the press and electronic media but no proper remedy is available for redressal in this regard.

2. Through this amendment, it has been proposed to expand definitions, and make the punishments severe. Moreover, the employer of all public and private organizations has been made bound to submit quarterly report for the cases of harassment and action taken against the accused persons. Hopefully, these measures shall bring amazing results for a safer environment for the female workers.

3. The Bill aims to seek the above-mentioned objective.

Sd/-

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