



news flash

December 2014



ANNUAL REPORT TO BE SUBMITTED UNDER THE SEXUAL HARASSMENT ACT

Section 21 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (“Act”) requires the Internal Complaints Committee to prepare an annual report (“**Report**”) in each calendar year and submit the Report to the employer and the district officer. In Maharashtra, the Deputy Collector of each district has been appointed as the district officer under the Act.¹

The following details are required to be included in the Report:

- (a) Number of complaints of sexual harassment received in the year
- (b) Number of complaints disposed off during the year
- (c) Nature of action taken by the employer
- (d) Number of cases pending for more than 90 days
- (e) Number of workshops or awareness programmes against sexual harassment carried out

In our view, names of the parties are not required to be given in the report.

Although no specific time has been prescribed, in our view, employers must ensure that this Report is filed on 31 December and in no event later than the first week of January of the subsequent year. Failure by the employer to file the Report is punishable with a fine which may extend to Rs. 50,000. In case of a second or subsequent conviction under the Act, the employer may be punished with twice the punishment prescribed or by cancellation of his licence or withdrawal of his registration.

For additional information regarding provisions of the Act please refer to our Newsflash available at <http://almtlegal.com/articles-pdf/ALMT%20Newsflash%20Sexual%20Harassment%20Act.pdf>

Disclaimer

This news flash has been written for the general interest of our clients and professional colleagues and is subject to change. It is not intended to be exhaustive or a substitute for legal advice. We cannot assume legal liability for any errors or omissions. Specific advice must be sought before taking any action pursuant to this news flash. Our views are based on the existing provisions under the Indian laws and our personal interpretation thereof. No assurance is given that the courts or any other authority may concur with the views expressed herein.

¹ Notification issued by Govt. of Maharashtra, Women & Child Development Dept. dated 11 September 2014 bearing GR No. MKC-2014/C.R.63/MKK

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For further clarification and details on the above, you may write to the Labour & Employment team comprising of (amongst others) Aliff Fazelbhoy (Senior Partner) at afazelbhoy@almtlegal.com, Kruti Desai (Partner) at kdesai@almtlegal.com, Mallika Noorani (Associate) at mnoorani@almtlegal.com.

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