

# **REPORT OF THE STANDING COMMITTEE ON LAW, JUSTICE AND HUMAN RIGHTS**



**“THE PROTECTION AGAINST HARASSMENT OF WOMEN  
AT THE WORKPLACE (AMENDMENT) BILL, 2014”**

**Report No. 02  
(Thirteenth Parliamentary Year)**

**PRESENTED BY**

**SENATOR MUHAMMAD JAVED ABBASI  
CHAIRMAN**

## **SENATE SECRETARIAT**

### **REPORT OF THE STANDING COMMITTEE ON LAW, JUSTICE AND HUMAN RIGHTS ON “THE PROTECTION AGAINST HARASSMENT OF WOMEN AT THE WORKPLACE (AMENDMENT) BILL, 2014”**

I, Chairman of the Standing Committee on Law, Justice and Human Rights, have the honour to present report on “The Protection against Harassment of Women at the Workplace (Amendment) Bill, 2014” introduced by Senator Farhatullah Babar, on 20<sup>th</sup> January, 2014. The Bill, upon introduction, was referred to the Standing Committee for consideration and report.

2. The composition of the Standing Committee on Law, Justice and Human Rights is as under:-

1. <i>Senator Muhammad Javed Abbasi</i>	<i>Chairman</i>
2. <i>Senator Raja Muhammad Zafarul Haq</i>	<i>Member</i>
3. <i>Senator Mrs. Zahida Khan</i>	<i>Member</i>
4. <i>Senator Dr. Muhammad Farogh Naseem</i>	<i>Member</i>
5. <i>Senator Syed Muzafar Hussain Shah</i>	<i>Member</i>
6. <i>Senator Ms. Ayesha Raza Farooq</i>	<i>Member</i>
7. <i>Senator Nawabzada Saifullah Magsi</i>	<i>Member</i>
8. <i>Senator Saeed Ghani</i>	<i>Member</i>
9. <i>Senator Zaheerud Din Babar Awan</i>	<i>Member</i>
10. <i>Senator Aitzaz Ahsan</i>	<i>Member</i>
11. <i>Senator Farooq Hamid Naek</i>	<i>Member</i>
12. <i>Senator Saleem Zia</i>	<i>Member</i>
13. <i>Minister for Law, Justice and Human Rights</i>	<i>Ex-officio Member</i>

3. The Committee considered the Bill in its meetings held on 13th February, 2014, 11th November, 2014, 20th January, 2015, and 12th June, 2015.

4. The amendment is intended to remove the anomaly so as to make the Act also applicable in educational institutions to matters relating to be pursuit of studies in addition to matters relating to work or employment.

5. The Committee held extensive discussions and invited various stakeholders in order to develop a broad-based consensus. The stakeholders included, Ms. Khawar Mumtaz, Chairperson, National Commission on the Status of Women, Justice (R) Yasmeen Abbasi, Federal Ombudsman for protection against Harassment of Women at Workplace, Human Rights Commission of Pakistan, AASHA, Mr. Akhtar Ali Khan, Vice Chairman, Khyber Pakhtunkhwa Bar Council, representative from Fatima Jinnah University, etc.

6. In the meeting dated 12<sup>th</sup> June, 2015, Ms. Khawar Mumtaz, Chairperson, NCSW, apprised the Committee that three consultations with the stakeholders have been held in respect of the instant proposed amendments, which resulted in the conclusion that the instant Law might not cover the ‘students’, however, there are other laws for the purpose specially Section-509 of the Pakistan Penal Code. She further apprised that fifteen major universities were also made part of the consultations wherein it was informed that the Higher Education Commission has developed a Harassment Policy for the educational institutions, which is being implemented in major universities/ institutions. She requested the Committee that the Harassment of Women at Work Place Act, 2010, is in a juvenile stage and is providing solutions/ remedies for issues being faced by women at the workplace, therefore, it is apt that the Law should be given some time to take its own course. She stated that the instant Law does not need any amendment at the moment.

7. In view of the statement given by the Chairperson, NCSW, Senator Farhatullah Babar, mover of the Bill, stated that he does not intent to press the instant amendment further and requested that the Bill may be treated as withdrawn.

8. Accordingly, the Committee recommends that the “The Protection against Harassment of Women at the Workplace (Amendment) Bill, 2014”, as introduced in the Senate on 20<sup>th</sup> January, 2014, may be treated as withdrawn from the House. (Bill annexed as “A”)



**(RABEEA ANWAR)**  
D.S / Secretary Committee



**( SENATOR MUHAMMAD JAVED ABBASI)**  
Chairman

**[AS INTRODUCED IN THE SENATE]**

**A  
BILL**

*to amend the Protection against Harassment of women  
at the Workplace Act, 2010*

**WHEREAS** it is expedient 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, 2014.

(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 (IV of 2010), in section 2, -

“(i) in paragraph (h), after the word “performance”, the words “and pursuit of studies” shall be inserted and after the words “offensive work”, a slash and words “/pursuit of studies” shall be inserted; and

(ii) in paragraph (n) after the word “activity”, the words “and pursuit of studies in an educational institute” shall be inserted.”.

**STATEMENT OF OBJECTS AND REASONS**

The Protection against Harassment of women at the Workplace Act, 2010 was enacted to create a safe working environment for women which is free of harassment, abuse and intimidation and enabling women to engage in work with dignity.

Experience of the past three years has shown that the definition of 'harassment' and 'workplace' do not cover matters pertaining the studies of a student in an academic institution even though the Act itself is applicable to educational institutes. The Act relates only to employment in an academic institution and not to matters relating to pursuit of studies. Instances have come to notice where students and staff of an academic institution have been declared to be outside the purview of the Act in matters relating to pursuit of studies and not strictly related to work or employment.

The amendment is intended to remove the anomaly so as to make the Act also applicable in educational institutions to matters relating to the pursuit of studies in addition to matters relating to work or employment.

**SENATOR FARHATULLAH BABAR**  
Member-in-charge