

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. 03
(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 12th May, 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 11th November, 2014, 20th January, 2015, and 12th June, 2015.

4. The amendment is intended to vest the Woman Ombudsman with powers, like the Wafaqi Mohtasib and the Federal Tax Ombudsman, to undertake any investigation on

his own motion in addition to a complaint made to him by any aggrieved person or on a reference by designated authorities.

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 12th June, 2015, Ms. Khawar Mumtaz, Chairperson, NCSW, stated that the instant Law is relatively new and in initial stages of its implementations, 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 12th May, 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 10, Act IV of 2010.- In the Protection against Harassment of women at the Workplace Act, 2010 (IV of 2010), in section 10, in sub-section (1),-

- (i) in paragraph (v), the word "and" occurring at the end shall be omitted;
- (ii) in paragraph (vi) for the "full stop" occurring at the end a semicolon and word "; and" shall be substituted; and
- (iii) after paragraph (vi) amended as aforesaid, the following new paragraph shall be inserted, namely: -

"(vii) The Mohtasib may, on a complaint by any aggrieved person or on a reference by the President, the Federal Council or the National Assembly, or on a motion of the Supreme Court or a High Court made during the course of any proceedings before it or of his own motion, as case may be, undertake any investigation into any allegation of mal-administration on the part of any Agency or any of its officers or employees."

STATEMENT OF OBJECTS AND REASONS

The Wafaqi Mohtasib and the Federal Tax Ombudsman have powers to undertake investigation on a complaint by any aggrieved person or on a reference by designated authorities any investigation into any allegation relating to their respective areas of jurisdiction. In addition they have powers to undertake such investigations on his own motion. However, the Woman Ombudsman has not been given such powers resulting in the curtailment of his powers to perform functions under the Act. The amendment is intended to vest the Woman Ombudsman with powers, like the Wafaqi Mohtasib and the Federal Tax Ombudsman, to undertake any investigation on his own motion in addition to a complaint made to him by any aggrieved person or on a reference by designated authorities.

SENATOR FARHATULLAH BABAR
Member-in-charge