

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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CWP-5015 OF 2016

Date of Decision: 02.04.2018

JAGJEET SINGH

....Petitioner.

Versus

UNION OF INDIA AND ORS.

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. B.S. Makar, Advocate
for the petitioner.

Mr. Baldev Kapoor, Advocate as Amicus Curiae.

Ms. Sarbhjeet Kaur, Advocate for
Ms. Tarunpreet Kaur, Advocate for U.T.

ANUPINDER SINGH GREWAL, J.

This petition has been filed in the nature of public interest litigation seeking directions to the respondents to put in place mechanism for effective implementation of Sections 3 and 19 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter referred to as 'the Act') to prevent and prohibit sexual harassment at workplace in Chandigarh Police Department as well as in other departments of U.T., Chandigarh. The petitioner has also sought a direction to the respondents to constitute an independent committee to supervise and monitor proper implementation of the provisions of the Act. A direction to the respondents has also been sought to fix liability for non-compliance of the provisions of the Act.

2. The petitioner is stated to be working as a Constable with the Chandigarh Police and is Post Graduate in Police Administration.

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He is also pursuing Ph.D. in Police Administration from Guru Nanak Dev University, Amritsar. He is stated to have worked in the field of police reforms and has authored several research papers, articles and reports with regard to police administration. Details of some of the works are mentioned in the petition.

3. Status report has been filed on behalf of the respondents No.4 to 6 in the form of affidavit of Deputy Superintendent of Police, Woman & Child Support Unit, Sector 17, Chandigarh, wherein it is stated that in terms of Section 4 of the Act, the Inspector General of Police, Union Territory, Chandigarh has constituted an Internal Complaints Committee by the office order dated 20.12.2013. A copy of the order has been appended as Annexure R-1. It is also stated that in terms of Section 5 of the Act, the Chandigarh Administration has notified the District Magistrate, Chandigarh to be the "District Officer" of U.T., Chandigarh. It is also stated that in compliance with Sections 19, 21 and 22 of the Act, it has been ensured that no woman employee is subjected to sexual harassment and till date no complaint has been received by the Internal Complaints Committee regarding sexual harassment at work place. Reference has been made to the Annual Report submitted by the Internal Complaints Committee in this regard in the year 2015 along with Minutes of the Meeting held on 04.06.2015, 29.07.2015, 28.09.2015 and 26.10.2015, 30.11.2015 and 28.12.2015, which have been annexed as Annexure R-2 (Colly.). It is also stated that in case, any incident of sexual harassment is brought to the notice of the deponent, the same shall be dealt with strictly and action shall be taken against the delinquent employee.

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4. In view of the afore-noted affidavit, we are satisfied that a proper mechanism for implementation of the Act has been set in place by the respondents.

5. Consequently, no further directions are called for. It shall, however, be open to the petitioner to bring any incident of breach of the Act to the notice of the respondents, who shall act in accordance with law.

6. The petition stands disposed of.

(AJAY KUMAR MITTAL)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

02.04.2018

SwarnjitS

Whether speaking/reasoned :	YES/NO
Whether reportable :	YES/NO