



CAPITAL DEVELOPMENT AUTHORITY
(Human Resource Development Directorate)
(Confidential Cell)

No.CDA-5(1)HRD/Conf/2023/779

Islamabad, May 11, 2023

NOTIFICATION

Subject: CONSTITUTION OF HARASSMENT COMMITTEE UNDER PROTECTION AGAINST HARASSMENT OF WOMEN AT WORKPLACE ACT-2010

It is notified for information of all concerned that the Competent Authority i.e Chairman, CDA has been pleased to constitute a Harassment Committee under "Protection against Harassment of Women at Workplace Act-2010". The composition of committee is as under:-

1	Dr. Raheela Nasir Consultant Pediatrician (BS-20), Capital Hospital, CDA	Chairperson
2	Mr. Mumtaz Ali Shar Director Law-III (BS-19), CDA	Member
3	Mr. Waheed Abbas Bhatti Dy: Director (Confidential) (BS-18), CDA	Member
4	Ms. Bushra Hashmi Assistant Director-II (HRD), CDA	Member-cum-Secretary

Computer No. CDA
By. No. 1830
Dated: 15/5/2023

02. All the complaints on the subject matter shall be referred to aforementioned Committee.

03. The Committee shall proceed in accordance with the provisions of "The Protection against Harassment of Women at Workplace Act-2010".


(MUHAMMAD FAHAD KHAN)
Human Resource Officer-IX

All Committee Members

Distribution:-

1. All DGs _____
2. All DDGs _____
3. All Directors _____
4. All Sectional Heads _____
- 5. Web Administrator { with request to upload the same on CDA's website }

Copy for information to:-

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Human Resource Officer-IX

The Gazette of Pakistan



EXTRAORDINARY
PUBLISHED BY AUTHORITY

ISLAMABAD, THURSDAY, MARCH 11, 2010

**[THE PROTECTION AGAINST HARASSMENT OF WOMEN AT THE
WORKPLACE ACT 2010]**

PART 1

Acts, Ordinance, President's Orders and Regulations

SENATE SECRETARIAT

Islamabad, the 11th March, 2010

No. F. 9 (5)/2009- Legis. The following Acts of Majlis-e-Shoora
(Parliament) received the assent of the President on 9th March, 2010, are hereby
published for general information: ___

Act No. IV of 2010

*An Act to make provisions for the protection against harassment of women at the
workplace*

WHEREAS the constitution of the Islamic Republic of Pakistan recognizes the
fundamental rights of citizens to dignity of person;

AND WHEREAS it is expedient to make this provision for the protection of
women from harassment at the workplace;

It is hereby enacted as follows:

1. Short title, extent and commencement. - (1) This Act may be called the Protection against Harassment of *women* at the Workplace Act, 2010.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions. - In this Act, unless there is anything repugnant in the subject or context, -

(a) "accused" means an employee or employer of an organization against whom complaint has been made under this Act;

(b) "CBA" means *Collective Bargaining Agent as provided in the Industrial Relations Act 2008, (IV of 2008) or any other law for the time being in force.*

(c) "Code" means the Code of Conduct as mentioned in the Schedule to this Act;

(d) "Competent Authority" means the authority as may be designated by the management for the purposes of this Act;


(e) "Complainant" means a woman or man who has made a complaint to the Ombudsman or to the Inquiry Committee on being aggrieved by an act of harassment;

(f) "Employee" means a regular or contractual employee whether employed on daily, weekly, or monthly or hourly basis, and includes an *intern or an apprentice;*

(g) "Employer" in relation to an organization, means any person or body of persons whether incorporated or not, who or which employs workers in an organization under a contract of employment or in any other manner whatsoever and includes -

(i) an heir, successor or assign, as the case may be, of such person or body as aforesaid;

(ii) any person responsible for the direction, administration,

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- management and control of the management;
- (iii) the authority, in relation of an organization or a group of organization run by or under the authority of any Ministry or department of the Federal Government or a Provincial government, appointed in this behalf or, where no authority is appointed, the head of the Ministry or department as the case may be;
 - (iv) the office bearer, in relation to an organization run by or on behalf of the local authority, appointed in this behalf, or where no officer is so appointed, the chief executive officer bearer of that authority;
 - (v) the proprietor, in relation to any other organization, of such organization and every director, manager, secretary, agent or office bearer or person concerned with the management of the affairs thereof.
 - (vi) a contractor or an organization of a contractor who or which undertakes to procure the labour or services of employees for use by another person or in another organization for any purpose whatsoever and for payment in any form and on any basis whatsoever; and
 - (vi) office bearers of a department of a Division of a Federal or a Provincial or local authority who belong to the managerial, secretarial or directional cadre or categories of supervisors or agents and those who have been notified for this purpose in the official Gazette;
- (h) "harassment" means any unwelcome sexual advance, request for sexual favors or other verbal or written communication or physical conduct of a sexual nature or sexually demeaning attitudes, causing interference with work performance or creating an intimidating, hostile or offensive work environment, or the attempt to punish the complainant for refusal to comply to such a request or is made a condition for employment;
- (i) "Inquiry Committee" means the Inquiry Committee established under

sub-section (1) of section 3;

- (j) "management" means a person or body of persons responsible for the management of the affairs of an organization and includes an employer;
- (k) "Ombudsman" means the Ombudsman appointed under section 7
- (l) "organization" means a Federal or Provincial Government Ministry, Division or department, a corporation or any autonomous or semi-autonomous body, Educational Institutes, Medical facilities established or controlled by the Federal or Provincial Government or District Government or registered civil society associations or privately managed a commercial or an industrial establishment or institution, a company as defined in the Companies Ordinance, 1984 (XLVII of 1984) and includes any other registered private sector organization or institution;
- (m) "Schedule" means Schedule annexed to this Act;
- (n) "workplace" means the place of work or the premises where an organization or employer operates and includes building, factory, open area or a larger geographical area where the activities of the organization or of employer are carried out and including any situation that is linked to official work or official activity outside the office.

3. **Inquiry Committee.** – (1) Each organization shall constitute an Inquiry Committee within thirty days of the enactment of this Act to enquire into complaints under this Act.

(2) The Committee shall consist of three members of whom at least one member shall be a woman. One member shall be from senior management and one shall be a senior representative of the employees or a senior employee where there is no CBA. One or more members can be co-opted from outside the organization if the organization is unable to designate three members from within as described above. A Chairperson shall be designated from amongst them.

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(3) In case a complaint is made against one of the members of the Inquiry Committee that member should be replaced by another for that particular case. Such member may be from within or outside the organization.

(4) In case where no competent authority is designated the organization shall within thirty days of the enactment of this Act designate a competent authority

4. Procedure for holding inquiry.— (1) The Inquiry Committee, within three days of receipt of a written complaint, shall—

- (a) communicate to the accused the charges and statement of allegations leveled against him, the formal written receipt of which will be given;
- (b) require the accused within seven days from the day the charge is communicated to him to submit a written defense and on his failure to do so without reasonable cause, the Committee shall proceed ex-parte; and
- (c) enquire into the charge and may examine such oral or documentary evidence in support of the charge or in defense of the accused as the Committee may consider necessary and each party shall be entitled to cross-examine the witnesses against him.

(2) Subject to the provisions of this Act and any rules made thereunder the Inquiry Committee shall have power to regulate its own procedure for conducting inquiry and for the fixing place and time of its sitting.

(3) The following provisions *inter alia* shall be followed by the Committee in relation to inquiry:

- (a) The statements and other evidence acquired in the inquiry process shall be considered as confidential;
- (b) An officer in an organization, if considered necessary, may be nominated to provide advice and assistance to each party;
- (c) Both parties, the complainant and the accused, shall have the right to be represented or accompanied by a Collective Bargaining Agent representative, a friend or a colleague;