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260. Can a woman file a sexual harassment complaint against another woman under The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013?

Yes, a woman can file a sexual harassment complaint against another woman under The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

Legal Basis:

Definition of Aggrieved Woman (Section 2(a))

- The Act defines an *"aggrieved woman"* as any woman who alleges to have been subjected to sexual harassment at the workplace, regardless of her employment status.
- There is no restriction on the gender of the *respondent* in this definition.

Definition of Sexual Harassment (Section 2(n))

- The Act provides an inclusive definition of sexual harassment, covering unwelcome physical, verbal, and non-verbal conduct of a sexual nature.
- This definition does not specify that the *respondent* must be male.

Definition of Respondent (Section 2(m))

- The term *"respondent"* simply refers to a person against whom the complaint has been made under Section 9.
- It does not limit the *respondent* to a specific gender.

Complaint Mechanism (Section 9)

Any *"aggrieved woman"* can file a complaint of sexual harassment at the workplace, and the Act does not specify that the *respondent* must be male.

Example:

A female employee, Asha, works in a corporate office. Her female supervisor, Neha, frequently makes sexually coloured remarks about her appearance and personal life. Neha also sends inappropriate messages and insists that Asha spend time with her outside of work in a way that makes Asha uncomfortable.

Feeling harassed, Asha files a complaint with the Internal Committee (IC) under Section 9 of the act. Since the Act defines sexual harassment broadly under Section 2(n) and does not limit the respondent to a specific gender (Section 2(m)), the IC is obligated to investigate the complaint and take appropriate action.

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