

Transparency and accountability

Analysing the status of Local Committees under the SHW Act in Uttar Pradesh



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Introduction

More than 90% of workers in India are employed in the informal sector, with 50% of them being women. With minimum to no employee safety, support, or benefits, the informal nature of their work creates a vulnerable environment for the workers, especially women, who are more likely to experience harassment and discrimination at their workplaces. Global movements, such as #MeToo in 2017, heightened awareness of sexual harassment in the workplace, leading to a surge in reports and calls for accountability worldwide. However, it largely addressed this issue in the formal sector, limiting the reach and address of such issues in the informal sector. Hence, the movement's reach has been limited for India's informal workers as well.

"For women like me, what is #MeToo? Poverty and stigma silence us. There is no safe space for women like us—not our workplaces, our homes, or even the roads we walk," a domestic worker in Gurgaon associated with the Martha Farrell Foundation (MFF) noted. Most women informal workers have similar experiences — they are often excluded from protection, stymied by poverty, stigma, and a lack of safe space to report incidents.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (SHW Act) acknowledges and aims to address such incidents. It considers sexual harassment as a violation of fundamental rights under the Indian Constitution. The Act addresses the disproportionate impact of this violence against women in workplaces. However, the enforcement of the SHW Act remains inconsistent, with low levels of awareness about the protections it affords.

Despite repeated directions from the Supreme Court, including in landmark cases like [Aureliano Fernandes vs. State of Goa](#), [Initiatives for Inclusion Foundation vs. Union of India](#), and the [Indian wrestlers' protest](#) that raised concerns towards sexual harassment at the workplace in the country, the on-ground implementation of the SHW Act remains weak and fragmented. This calls for concrete, coordinated action. The state must move beyond piecemeal efforts and ensure transparency, accountability, and fully functional mechanisms to ensure women's safety and effectively enforce the SHW Act.

In 2022, the National Crime Records Bureau [reported](#) that Uttar Pradesh had the highest number of crimes against women in the country. This trend continued in 2023, with the National Commission for Women receiving nearly 55% of all complaints nationwide from the state, highlighting the urgent need for stronger safety measures for women in Uttar Pradesh. To assess the state's commitment to women's safety and the implementation of the SHW Act, MFF filed RTI applications in all 75 districts of Uttar Pradesh.

Scope of the SHW Act for informal sector workers

The SHW Act encompasses both formal and informal sectors, explicitly including workplaces in the unorganised sector under Section 2(p)¹. This provision holds significance for domestic workers and other unorganised sector employees. Despite these legal protections, informal workers, often from economically disadvantaged backgrounds, face significant barriers to reporting incidents of harassment, such as limited education, lack of social security, and fear of retaliation.

The Act mandates the creation of a Local Committee (LC) in each district to address complaints from establishments with fewer than ten employees (unorganised sector) and where the case is against the employer. These committees are tasked with ensuring safe workplaces for all women, regardless of their sector or employment status.

The LC must be constituted as follows:

1. Chairperson nominated from amongst the eminent women in the field of social work, and committed to the cause of women
2. Member nominated from amongst the women working in the block, *taluka*, *tehsil* or ward, or municipality in the district
3. Two members nominated from amongst such NGO/associations/persons committed to the cause of women or familiar with the issues relating to sexual harassment, provided that:
 - At least one must be a woman belonging to the SC/ST/OBC/Minority community notified by the Central Government
 - At least one must have a background in law or legal knowledge
4. *Ex-officio* member: The concerned officer dealing with social welfare or women and child development in the district

All members hold office for a term of up to three years.

The Act requires the District Officer to designate a Nodal Officer at the block/*tehsil*/*taluka* level to receive complaints and forward the same to the concerned LC. These Nodal Officers are meant to bridge the gap between workers in the unorganised sector and LCs by decentralising the complaint-filing system.

In addition, the District Officer should engage Non-Governmental Organisations (NGOs) for creation of awareness on sexual harassment and the rights of women and also monitor timely submission of report furnished by the Local Committee.

¹ Under the SHW Act, 'unorganised sector' in relation to a workplace means an enterprise owned by individuals of self-employed workers and engaged in the production or sale of goods or providing service of any kind whatsoever, and where the enterprise employs workers, the number of such workers is less than ten.

RTI applications in Uttar Pradesh: A step towards transparency

Since 2016, MFF has actively worked to promote safe, inclusive workplaces through advocacy, education, and capacity building in line with the SHW Act. MFF has engaged with stakeholders across formal and informal sectors, raising awareness and assisting employers in fostering safe environments.

However, raising awareness about the law among informal and formal sector employees is only part of the solution. It is equally crucial to ensure that effective mechanisms are in place to handle complaints of sexual harassment and to deliver prompt justice to survivors. Therefore, to monitor the implementation of the SHW Act, MFF has also leveraged the Right to Information (RTI) Act, 2005, as a tool for transparency and accountability.

In 2018, in collaboration with the Society for Participatory Research in Asia (PRIA), MFF conducted an extensive [study](#) by filing Right to Information (RTI) requests across 655 districts nationwide to assess the establishment and effectiveness of Local Committees. The study had shown a lack of Local Committees formed at the district level in more than 70%² of the districts in the country.

This initiative builds on MFF's previous advocacy in [Delhi, Punjab, and Haryana](#), where RTI applications have brought critical insights into the functioning and gaps in LCs.

Methodology

The RTI applications were filed across all 75 districts of Uttar Pradesh in three phases, with 25 districts randomly selected for each phase.

Following the guidelines of the RTI Act, the applications were directed to the Public Information Officers (PIOs) at the District Magistrate's office in each district. Each application included five key questions addressing various provisions of the SHW Act, accompanied by a postal order, and was sent via post.

² Only 44% of the districts had responded to the RTI query, out of which 29% had formed LCs, 15% did not form LCs.

The following details were requested through the RTI applications:

1. Names and contact details of the members of the Local Committee (LC) constituted under Section 6 of the Act.
2. Name and contact details of the Nodal Officer appointed by the District Officer under Section 6(2) of the Act to receive complaints of sexual harassment.
3. Details of funds received by the District Officer for the payment of fees or allowances under Section 8(3) of the Act for the year 2023-2024.
4. Details of the steps taken by the District Officer to spread awareness about sexual harassment and women's rights under Section 20(b) of the Act.
5. Name and contact details of the officer related to Social Welfare or Women and Child Development appointed as an ex-officio member under Section 7(1)(d) of the Act.

As per the RTI Act regulations, districts are mandated to respond to each application within a month of filing.

The data obtained through RTI responses was verified through phone calls to further validate the accuracy of the data received. During these calls, MFF asked the following questions to the LC members:

1. Status of appointment as a member of the Local Committee in their respective districts.
2. Names and contact details of the other LC members appointed in the LC.
3. Any details of the training they received on the SHW Act.
4. Frequency of the meetings conducted by the LC members to discuss their roles, responsibilities, and strategies to address any sexual harassment complaints.
5. The frequency of the training or awareness sessions conducted for awareness among the people of their districts.

Salient findings

Responses to RTI applications

A total of 75 RTI applications were filed, covering all 75 districts of Uttar Pradesh, to assess the status and composition of the Local Committees, appointment of Nodal Officers, *ex-officio* members, and the awareness and sensitisation measures they undertake and as mandated under section 6 of the SHW Act. 21 districts did not respond to the RTI query at all.

These included **Lucknow, Hardoi, Raebareli, Hapur, Varanasi, Balrampur, Prayagraj, Meerut, Agra, Hamirpur, Deoria, Gorakhpur, Shahjahanpur, Pratapgarh, Kanpur Dehat, Ayodhya, Amethi, Barabanki, Mirzapur, Bhadohi, and Azamgarh.**

Responses were received from 42 districts, indicating a response rate of 57% (Figure 1).

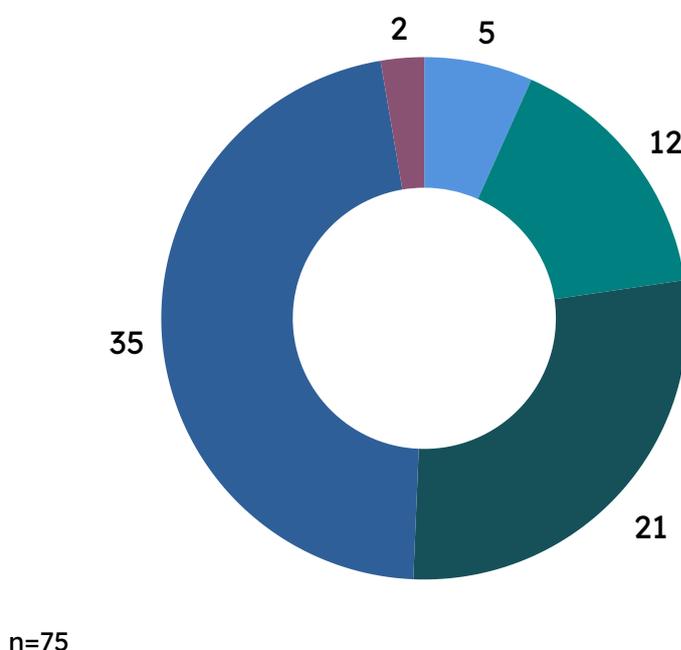


Figure 1: Responses received to the RTI applications filed

- Districts that refused to respond to the RTI application
- Districts that forwarded the query to other departments
- Districts that did not respond to the RTI application
- Districts that correctly answered some or all questions
- Districts that gave incorrect responses to the queries

Responses were received from 42 districts, indicating a response rate of 57% (Figure 1). Of the 42, five districts – **Mainpuri, Firozabad, Auraiya, Etawah,** and **Bijnor** – stated that the information is unavailable in their offices or is prohibited under the RTI Act, providing no relevant information in response to the questions asked.

Further, two districts – **Aligarh** and **Bahraich** – provided incorrect information to the questions asked.

Thus, only 35 districts (43% of the districts in Uttar Pradesh) – **Amroha, Baghpat, Ballia, Banda, Bareilly, Basti, Budaun, Bulanshahr, Chandauli, Chitrakoot, Farrukhabad, Fatehpur, Ghaziabad, Ghazipur, Gonda, Jaunpur, Jalaun, Jhansi, Kaushambi, Kannauj, Kasganj, Lakhimpur Kheri, Lalitpur, Maharajganj, Mahoba, Mathura, Mau, Moradabad, Muzaffarnagar, Pilibhit, Sant Kabir Nagar, Shravasti, Siddharth Nagar, Sitapur,** and **Sultanpur** – appropriately responded to some or all of the questions in the RTI applications filed by MFF (Figure 1).

12 districts redirected the RTI applications to other departments or officers within their district, such as the Justice Department, Police Department, or the District Probation Officer, and no further responses were received from these departments and officials. The transfer of the applications to other departments and the lack of responses from these indicate inconsistency and gaps in the implementation of the SHW Act at the district level. This also indicates a lack of clarity among departments and officials regarding their respective jurisdictions.

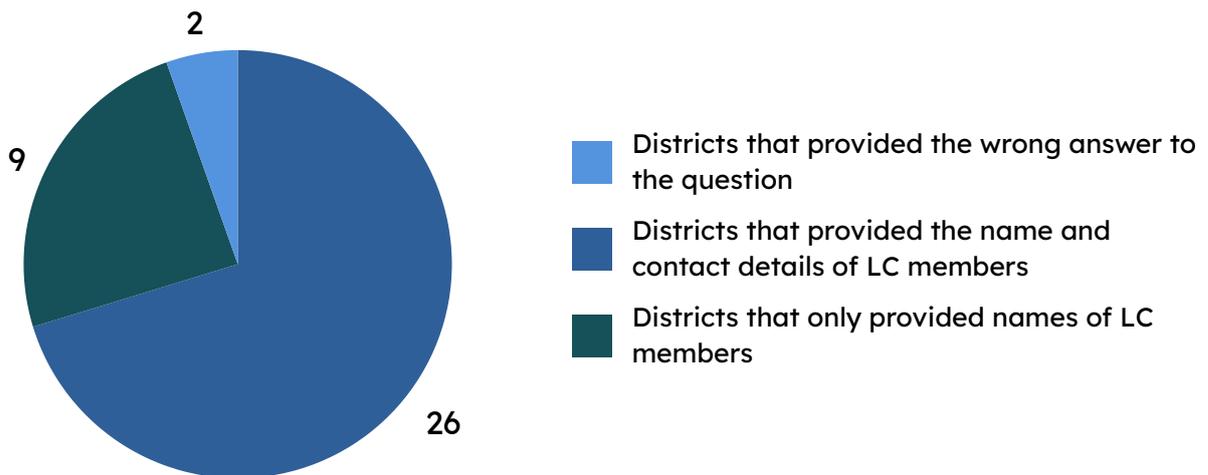
Names and contact details of LC members

The RTI applications sought comprehensive information about the composition of LCs at the district level, specifically seeking the names and contact details of all members. This information, as defined under Section 7, is a crucial first step in assessing the committees' compliance, effectiveness, and responsiveness. This data must be made publicly available and easily accessible for everyone.

Out of 42 districts that responded to the RTI application, 37 districts responded to this question.

Aligarh and **Bahraich** provided information regarding the Internal Committees, which are only formed at the institutional levels and not at the district levels. This indicates that the officials who responded from these two districts were unaware of the provisions under the SHW Act.

35 districts provided the names of their LC members. Of these 35, nine districts – **Mahoba, Pilibhit, Lakhimpur Kheri, Basti, Moradabad, Mau, Kasganj, Shravasti,** and **Maharajganj** – provided names, but no contact details of their LC members. Thus, 26 districts provided both names as well as contact details of the LC members (Figure 2).



n=37

Figure 2: Responses received to the name and contact details for LC members in the district

Only seven of the 35 districts that responded correctly to this question had constituted the LCs by the mandated composition outlined in the Act - **Baghpat, Banda, Bulandshahr, Fatehpur, Ghaziabad, Mathura, and Maharajganj** (Figure 3).

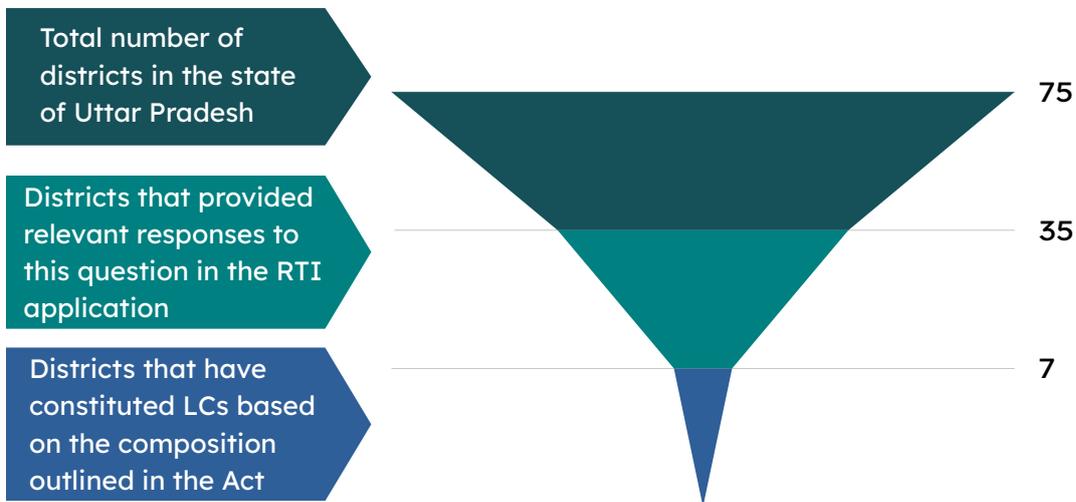


Figure 3: Correct composition of the LCs as outlined by the SHW Act

After filing the RTIs and receiving responses, MFF also contacted all the LC members from 26 districts who had provided the contact details in the RTI responses. The calls aimed to verify the accuracy of the RTI data received and helped assess the LC members' understanding of their roles and responsibilities as committee members.

Of these 26 districts, whose LC members had responded to our phone calls, some or all of the LC members from eight districts — **Budaun, Sant Kabir Nagar, Siddharth Nagar, Ghazipur, Jaunpur, Gonda, Bulandshahr, and Amroha** — did not have any information regarding other members of their LC. This could indicate that, though these districts have formed LCs, they have not conducted any meetings or taken up any cases together.

Through the phone verification, some or all LC members from only 13 districts confirmed that any LC meetings had been conducted. Some or all members from two districts, Ghaziabad and Sitapur, were aware of their appointments, had knowledge of other LC members, participated in LC meetings, conducted trainings on SHW Act and had taken measures such as sensitisation and awareness workshop sessions on sexual harassment. One of the LC members from Ghaziabad also mentioned that the LC had held sessions with domestic workers on sexual harassment and their rights under the SHW Act.

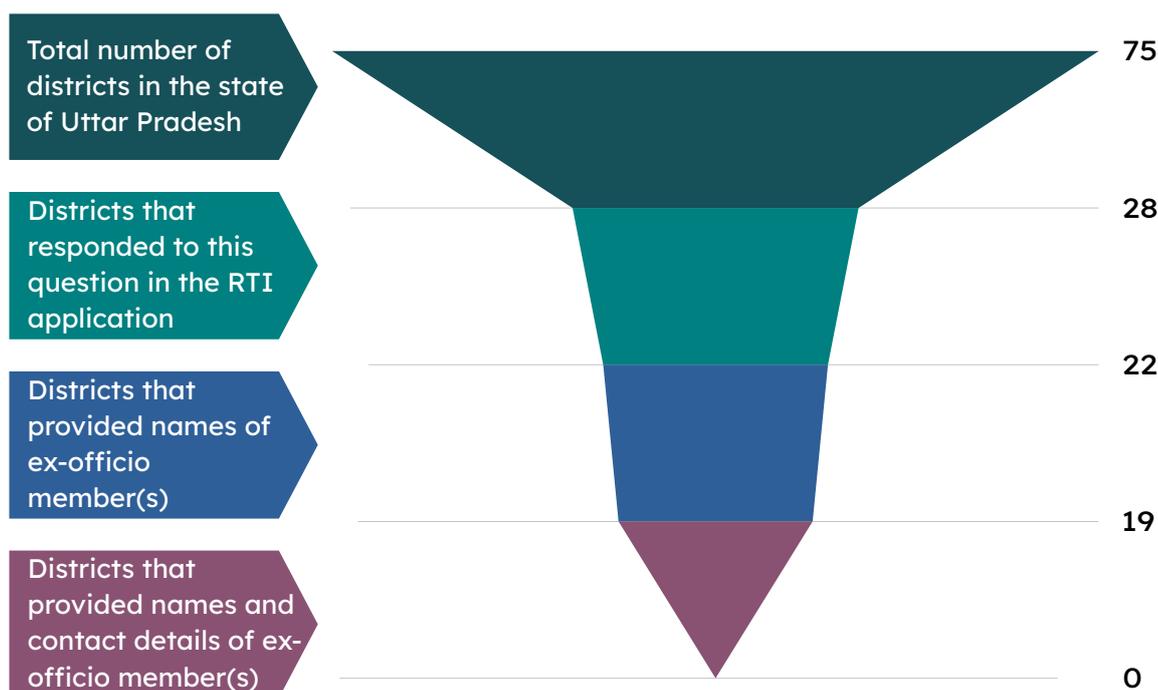


Figure 4: Information on ex-officio members of LCs in Uttar Pradesh

According to Section 7(1)(d) of the SHW Act, every LC must include an ex-officio member who holds a position in the district related to social welfare or women and child development. Our [previous work](#) with LCs in Delhi has shown that this is where the LCs often falter. Even when constituted, LCs are often not established in full compliance with the legal provisions. This shows gaps in the appointment of the mandatory ex-officio member, as required under the Act. Therefore, this question in the RTI application sought details regarding the ex-officio members of the LCs.

Out of the 75 districts in UP, 28 responded to this question in the RTI query. Of these 28, only 22 gave the name of the ex-officio member, and of these 22, 19 districts provided both names and contact details of the ex-officio member in their LC (Figure 4). These were **Sitapur, Baghpat, Bulandshahar, Muzzafarnagar, Ghazipur, Jaunpur, Shravasti, Mathura, Chitrakoot, Mahoba, Budaun, Bareilly, Pilibhit, Basti, Jalaun, Jhansi, Lalitpur, Kannauj, and Ballia**. The remaining nine districts provided names without any contact information for their LCs.

Name and contact details of the Nodal Officer

According to Section 6(2) of the Act, the District Officer must designate one Nodal Officer in every block, *taluka*, and *tehsil* in rural areas, as well as in wards or municipalities in urban areas. The Nodal Officer is responsible for receiving complaints and forwarding them to the relevant LC within seven days. A designated Nodal Officer, with their details and responsibilities widely known to both the public and LC members, ensures a systematic, timely, and organised response to complaints, fostering accountability and enhancing redressal mechanisms for cases of sexual harassment. The RTI application, hence, sought information about the Nodal Officer appointed to receive complaints of sexual harassment.

Of the 75 districts in Uttar Pradesh, only 35 provided an answer to this question. Of these 35 districts, only 19 provided both the names and contact details of the Nodal Officers — **Sitapur, Kaushambi, Chandauli, Baghpat, Ghazipur, Jaunpur, Mathura, Chitrakoot, Mahoba, Budaun, Bareilly, Pilibhit, Sant Kabir Nagar, Basti, Siddharth Nagar, Jalaun, Kannauj, Ballia, and Mau** (Figure 5). Six districts provided only names *or* contact details of the Nodal Officers, and ten districts gave no details of the Nodal Officers.

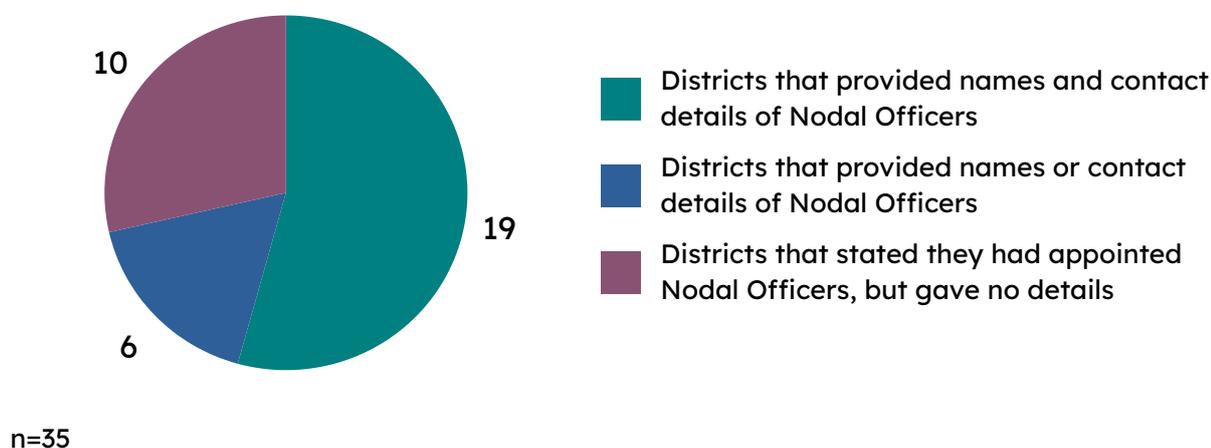


Figure 5: Appointment of Nodal Officers in the districts of Uttar Pradesh

Information on funds received by the District Officer for fees or allowances

Section 8(3) of the SHW Act states that the District Officer should receive payment or allowances for the Chairperson and certain members of the Local Committee for their participation in committee proceedings, as specified by the Act.

These resources ensure an effective conduct of the proceedings of the LCs, which is important to ensure a speedy redressal of the grievances. The RTI application sought detailed information regarding the funds and allowances³ received by the District Officer under the provisions of Section 8(3) of the Act.

Out of the 75 districts in Uttar Pradesh, 31 responded to this question, providing information on the funds received by the District Officer for fees or allowances related to committee proceedings. The responses revealed that **none** of the districts received any money for payment of fees or allowances for the conduct of the Local Committee-related proceedings (Figure 6). This indicates a major lapse in the on-ground implementation of the SHW Act at the district level.

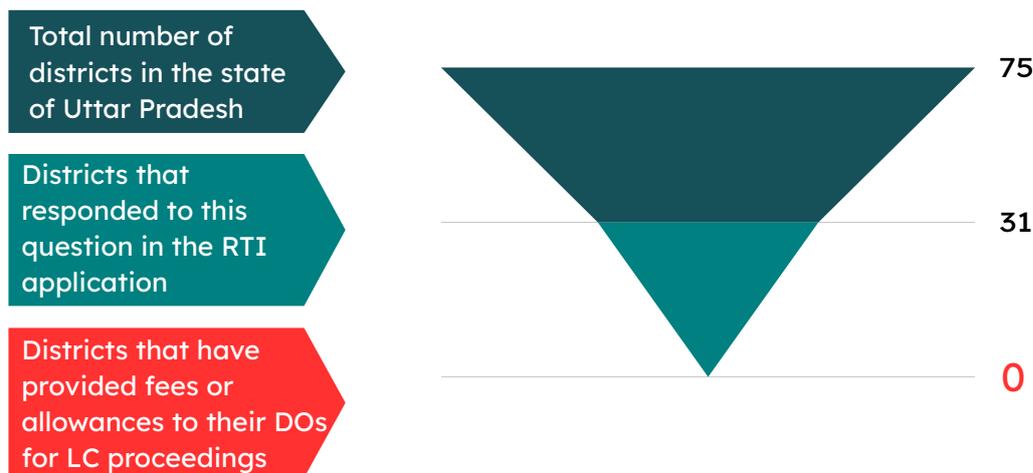


Figure 6: Information on funds received by the District Officer for the functioning of LCs in Uttar Pradesh

³ As per section 8 (2), this payment or allowance is received from an agency to be established by the State Government, which further shall pay to the District Officer.

Measures for sensitisation and awareness of sexual harassment

Section 20(b) of the SHW Act requires the District Officer to “take such measures as may be necessary for engaging non-governmental organisations for the creation of awareness on sexual harassment and the rights of women.” These measures aim to raise awareness of sexual harassment at the workplace and the process of filing a complaint, ensuring that workplaces are safe for all employees.

Out of the 75 districts in Uttar Pradesh, 32 responded to the question in the RTI application about the steps taken by the District Officer to spread awareness of sexual harassment and women’s rights, as mandated under Section 20(b) of the Act. Of these 32, only eight districts — **Shravasti, Baghpat, Maharajganj, Mathura, Badaun, Pilibhit, Ballia, and Mau** — provided details of the measures taken to meet this requirement (Figure 7).

The other 24 districts did not provide any information on measures taken to sensitise and actively engage their LC members and the people in their districts on the law.

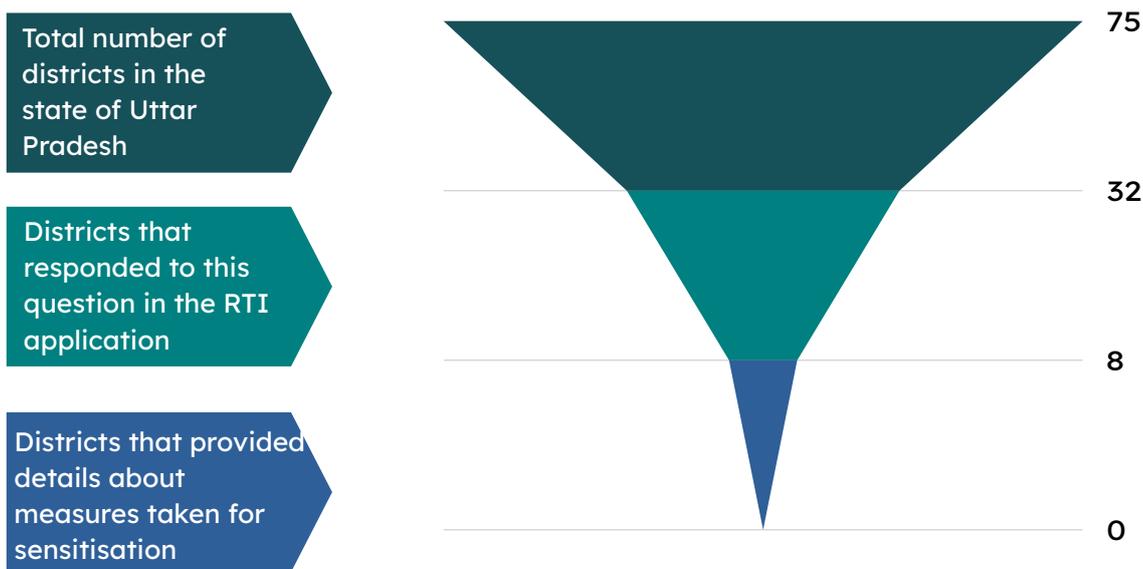


Figure 7: Information on sensitisation measures taken by districts of Uttar Pradesh

As previously noted, during phone verifications, LC members from Ghaziabad and Sitapur did note that sensitisation and awareness sessions for them were held by their districts; however, while both these districts responded to this RTI question, neither gave details of the awareness sessions held. Further, a Ghaziabad LC member also noted that sessions with the community, including domestic workers, on sexual harassment at the workplace had been conducted in the district.

In the RTI application, Ballia district noted that they had provided awareness training at their One Stop Centre. However, during phone verifications, an LC member from the district shared that no sensitisation sessions on the SHW Act had been conducted, leaving them unequipped to handle complaints or implement the SHW Act effectively.

Other responses revealed that training or awareness sessions were held only occasionally, and rarely included informal sector workers. This reflects a lack of commitment to the lived realities of women workers, especially informal workers.

Conclusion

With 81.8% of women in India employed in the informal sector, the effective implementation of the SHW Act is critical to protecting their dignity and safety at the workplace. The responsibility of stakeholders extends beyond the mere formation of LCs. It must include building awareness, preventing harassment, and ensuring accessible, effective redressal mechanisms. LCs must be equipped with the resources, skills, knowledge, and sensitivity needed to both handle complaints and educate communities on inappropriate workplace behaviour.

However, findings from RTI responses in Uttar Pradesh paint a troubling picture. Less than half of districts correctly responded to all or some of the RTI queries, while the remaining districts either failed to respond, refused to respond, transferred the RTIs, or provided incorrect information. This indicates a serious lack of transparency, accountability, and a weak commitment towards implementing the SHW Act.

Even more concerning, less than one-third of districts of Uttar Pradesh shared clear information about the LCs formed, and only 8% of the districts had constituted LCs as per the provisions of the SHW Act. Additionally, it was found that no District Officer received allowances or fees, highlighting the lack of resources provided to support LCs in their functioning and for the prevention of sexual harassment at workplace.

More than a decade since the enactment of the SHW Act, these gaps show that on-ground implementation remains inadequate. The formation of LCs without ensuring their proper composition and functionality severely undermines the law's intent. The government must put in place a robust monitoring system to oversee implementation. LC formation must go hand-in-hand with awareness and capacity-building. Departments must also publicly share LC information and updates to promote transparency and build trust.

A safe workplace is not a privilege, it is a right. Ensuring that right, especially for women in the informal economy, requires decisive action, not just policy on paper.

About MFF

Established in 2016, the Martha Farrell Foundation (MFF) carries forward Dr. Martha Farrell's legacy with a vision for a world where all formal and informal learning and working spaces are safe and gender equitable. MFF's mission is to ensure that all individuals feel secure and valued in their working and learning environments through:

- Education: Co-designing learning programs to inform, raise awareness, and empower individuals and institutions on issues of safety and gender equity.
- Research: Generating knowledge on gender equity and preventing gender-based violence in both learning and working environments.
- Advocacy: Influencing stakeholders to design and implement effective policies, institutional practices, and laws.

Since its inception, MFF has been working to ensure that formal and informal workplaces are safe and harassment-free for all. In its work with formal workplaces, MFF advances its core mission by fostering the creation of safe, diverse, inclusive, and violence-free learning and working environments for all. Collaborating closely with organisations and institutions across various sectors, MFF aims to educate, raise awareness, and empower employees and students, with a focus on mainstreaming gender and preventing gender-based violence. Ensuring meaningful compliance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 is one of the key areas of focus of the work done by the Foundation.

MFF also actively works with women informal workers to raise awareness about their right to safe workplaces and to help them collectively demand these rights from their employers and government bodies. Additionally, MFF works with government institutions, particularly legally mandated Local Committees, to ensure the establishment of responsive and effective mechanisms for preventing, prohibiting, and addressing sexual harassment under the Act.



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