

**A
Bill**

*further to amend the Protection Against Harassment of Women
at Workplace Act, 2010.*

WHEREAS it is expedient further to amend the Protection Against Harassment of Women at Workplace Act, 2010 (Act No. IV of 2010), for the purposes hereinafter appearing;

It is hereby enacted by the Provincial Assembly of Khyber Pakhtunkhwa as follows:

1. Short title and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Protection Against Harassment of Women at Workplace (Amendment) Act, 2026.

(2) It shall come into force at once.

2. Amendment of section 2 of the Act No. IV of 2010.---In the Protection Against Harassment of Women at Workplace Act, 2010 (Act No. IV of 2010), hereinafter referred to as the said Act, in section 2,-

(i) in clause (a), after the word “employee”, the words “or student” shall be inserted;

(ii) in clause (e), after the word “man”, the words “or student” shall be inserted;

(iii) for clause (f), the following shall be substituted, namely:

“(f) “**employee**” means a government employee, regular or contractual, whether employed on daily, weekly, monthly or hourly basis, and includes an intern, or an apprentice, daily-wage, part-time, trainee, volunteer, gig worker, freelancer, piece-rate worker;”;

(iv) in clause (i), after the word and figure “section 3”, the words “of this Act” shall be inserted;

(v) in clause (k), after the word and figure “section 7”, the words “of this Act” shall be inserted;

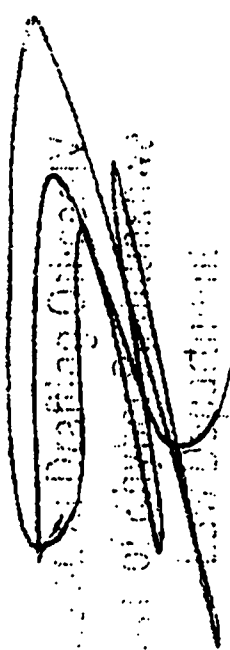
(vi) after clause (m), the following new clause shall be inserted, namely:

“(m-i) “**student**” means a person, who seeks education, formal or informal, from any educational institution, including religious institutions, private tuition centers, imparting education, in-campus, homes or online, as the case may be;”; and

(vii) for clause (n), the following shall be substituted, namely:

“(n) “**workplace**” means any physical or virtual location where labour, service, training or work-related activity is performed, whether formal or informal, including government offices, factories, brick kilns, workshops, transport vehicles, public spaces incidental to work, remote/home-based environments, online platforms, digital spaces, gig locations, educational institutions, including religious institutions, private tuition centers, employer-sponsored events, and any location connected to livelihood or training;”.

3. Amendment of section 3 of the Act No. IV of 2010.---In the said Act, in section 3,-

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- (a) in sub-section (1), for the words “Each” and “enactment”, the words “Every” and “commencement” shall respectively be substituted;
- (b) in sub-section (2), for the words “can” and “described”, the words “may” and “provided” shall respectively be substituted;
- (c) in sub-section (3), for the words “made” and “should”, the words “lodge” and “shall” shall respectively be substituted; and
- (d) in sub-section (4), for the words “enactment” and “competent authority”, the words “commencement” and “Competent Authority” shall respectively be substituted;

4. Insertion of new section 3A in the Act No. IV of 2010.---In the said Act, after section 3, the following new section shall be inserted, namely:

“3A. Preliminary scrutiny of complaint.---(1) The Competent Authority shall, within seven days of receipt of a written complaint, forward the same to the Inquiry Committee.

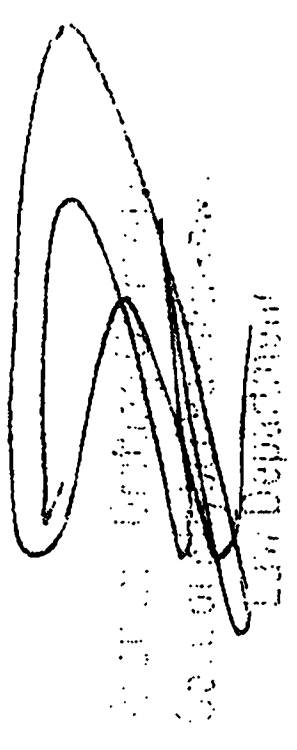
(2) The Inquiry Committee or the Ombudsperson, as the case may be shall, within ten days of receipt of the complaint, examine it on a preliminary basis and may, after affording the complainant an opportunity of being heard, reject the complaint by a speaking order if it is satisfied that the complaint,-

- (a) is frivolous or vexatious;
- (b) is mala fide; or
- (c) does not prima facie disclose any act of harassment.

(3) Anonymous complaints shall not be entertained.

(4) Where the Inquiry Committee or the Ombudsperson, as the case may be, does not reject the complaint under sub-section (2), it shall proceed to conduct a formal inquiry in accordance with the provisions of this Act.”.

5. Amendment of section 4 of the Act No. IV of 2010.---In the said Act, in section 4,-

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- (a) in sub-section (1), in clause (a), for the word “will”, the word “shall” shall be substituted;
 - (b) in sub-section (2), after the word “have”, the word “the” shall be inserted;
 - (c) in sub-section (3),-
 - (i) in clause (c), for the words “Collective Bargaining Agent”, the abbreviation “CBA” shall be substituted; and
 - (ii) in clause (d), for the word “then”, the word “the” shall be substituted;
 - (d) in sub-section (4), in clause (ii), in sub-clause (e), for the word “can”, the word “may” shall be substituted; and
 - (e) in sub-section (7), for the word “will”, the word “shall” shall be substituted;

6. Amendment of section 5 of the Act No. IV of 2010.---In the said Act, in section 5,-

- (a) in sub-section (1),-

(i) in clause (c), the word “and”, occurring at the end, shall be deleted; and

(ii) in clause (d) the full stop appearing at the end shall be replaced by a semicolon and thereafter, the following new clauses shall be added, namely:

“(e) to receive, preserve and evaluate audio, video, electronic, digital or social-media evidence; and

(f) to direct preservation of devices, data or communication logs relevant to the inquiry.”; and

(b) in sub-section (4), for the word “can”, the word “may” shall be substituted;

7. Amendment of section 6 of the Act No. IV of 2010.---In the said Act, in section 6,-

(a) in sub-section (1), for the word “established”, the word “appointed” shall be substituted; and

(b) sub-sections (4) and (5) shall be deleted.

8. Amendment of section 7 of the Act No. IV of 2010.---In the said Act, in section 7,-

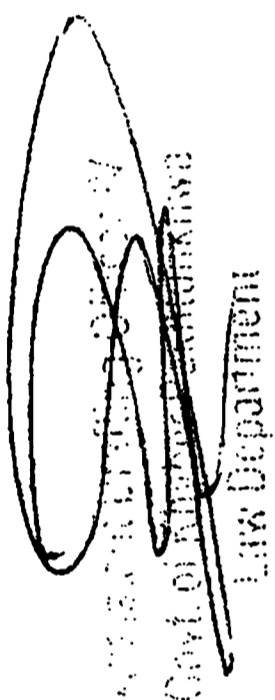
(a) in sub-section (1), after the word and comma “Act,”, the word “the” shall be inserted;

(b) in sub-section (2), for clauses (i), (ii) and (iv), the following shall respectively be substituted, namely:

“(i) Minister for Law, Parliamentary Affairs and Human Rights; Chairperson

(ii) Secretary, to Government of the Khyber Pakhtunkhwa, Zakat, Ushr, Social Welfare, Special Education and Women Empower Department; and Member

(iv) Secretary, to Government of the Khyber Pakhtunkhwa, Law, Parliamentary Affairs and Human Rights Department;” Member -cum-Secretary



Handwritten signature and official stamp of the Law Department, Government of Khyber Pakhtunkhwa.

(c) for sub-section (4), the following shall be substituted, namely:

“(4) The Ombudsperson shall hold office for a term of three years and shall be entitled to receive such pay package as may be determined by Government from time to time.”; and

(d) sub-sections 5 and (8) shall be deleted.

9. **Amendment of section 7A of the Act No. IV of 2010.**---In the said Act, in section 7A, for the word “or” appearing for the second time, the word “of” shall be substituted.

10. **Amendment of section 7B of the Act No. IV of 2010.**---In the said Act, in section 7B, for the words “take” and “prescribed”, the words “administer” and “provided” shall respectively be substituted.

11. **Amendment of section 8 of the Act No. IV of 2010.**---In the said Act, in section 8,-

(a) in sub-section (1), after the word “employee”, the words “or student” shall be inserted;

(b) after sub-section (1), as so amended, the following new sub-section shall be inserted, namely:

“(1A) Notwithstanding anything contained in sub-section (1), a person who is not employed under the Government or in any public sector organization, entity or agency, but he falls within the definition of employee under this Act shall directly make complaint to the Ombudsperson.”;

(c) in sub-section (2), for the word “can”, the word “may” shall be substituted; and

(d) in sub-section (4), for the words “investigation” and “office”, the words “inquiry” and “officer” shall respectively be substituted.”.

12. **Insertion of new sections 8A, 8B and 8C in the Act No. IV of 2010.**---In the said Act, after section 8, as so amended, the following new sections shall be inserted, namely:

“8A. **Time limitation for filing complaint.**---No complaint shall be entertained under this Act unless it is made within ninety days of the last alleged incident of harassment:

Provided that the Inquiry Committee or the Ombudsperson, as the case may be, may condone delay of a further period not exceeding ninety days if sufficient cause is shown in writing.

8B. Penalty in case of complaint made by private individual.---(1) Where a complaint is made under sub-section (1A) of section 8 of this Act and after inquiry of the Ombudsperson under the said provision the accused is found to be guilty, the Ombudsperson may impose a fine on the accused which may extend to rupees two million.

(2) If the accused fails to deposit the fine, the Ombudsperson for the purpose of this sub-section shall have the same power as are assigned to the Magistrate First Class under sections 33, 34 and 35 of the Code of Criminal Procedure, 1898 (Act No. V of 1898).

8C. False and frivolous complaints.---If the allegations leveled by the complainant are found to be false or frivolous after inquiry under this Act, the complaint shall be dismissed and the complainant shall be issued a show cause notice in the manner as may be prescribed.”.

13. Substitution of section 9 of the Act No. IV of 2010.---In the said Act, for section 9, the following shall be substituted, namely:

“9. Representation to Chief Minister.---(1) Any person aggrieved by a decision of the Ombudsperson under section 8, 8A, 8B and 8C of this Act, may, within thirty days of the communication of such decision or order, make a representation to Chief Minister of the Khyber Pakhtunkhwa.


(2) The Chief Minister may, after giving the aggrieved person and the Ombudsperson an opportunity of being heard, pass such order on the representation as he deems just and equitable and such order shall be final and binding on all concerned.”.

14. Amendment of section 10 of the Act No. IV of 2010.---In the said Act, in section 10,-

- (a) the provision before sub-section (2) shall be numbered as sub-section (1);
- (b) in sub-section (1), as so numbered, for the word “Procedures”, the word “Procedure” shall be substituted; and
- (c) after sub-section (2), the following new sub-section shall be added, namely:

“(3) The Ombudsperson shall be the Principal Accounting Officer in respect of the expenditure incurred against budget grant or grants controlled by the Ombudsperson and shall, for this purpose, exercise all the financial and administrative powers delegated to an Administrative Department of Government.”.

15. Amendment of section 11 of the Act No. IV of 2010.---In the said Act, in section 11,-

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- (a) in sub-section (1), for the words “Code of Conduct for protection against harassment at the workplace” and “competent authority”, the words “Code” and “Competent Authority” shall respectively be substituted; and
 - (b) in sub-section (2), after the words “employees”, the words “or student” shall be inserted;
 - (c) in sub-section (3),-
 - (i) after the words “employees”, the words “or student” shall be inserted; and
 - (ii) for the words “District Court”, the words “District Judge” shall be substituted.

16. Insertion of new sections 11A, 11B, 11C and 11D in the Act No. IV of 2010.---In the said Act, after section 11, as so amended, the following new sections shall be inserted, namely:

“11A. Staff and officers of the Ombudsperson.---(1) The Ombudsperson may, in consultation with Law, Parliamentary Affairs and Human Rights Department, appoint such officers, officials and staff members, as may be required, for the efficient performance of his functions under this Act.

(2) Without prejudice to generality under sub-section (1), the Ombudsperson may also appoint advisers, consultants, experts, process server, bailiffs etc. on contract basis.

(3) The terms and conditions of service of the employees, appointed under sub-sections (1) and (2), shall be such as may be prescribed by rules.

11B. Protection against retaliation.--- No employer, in public sector, shall take or threaten any adverse action, arising as a result of any case under this Act, against any complainant, witness or person assisting in inquiry, during pendency of complaint.

(2) Any adverse action, taken by the employer under sub-section (1), shall be deemed as misconduct on part of such employer, who shall be proceeded against under sub-section (4) of section 4 of this Act.

11C. Helpline.---The office of Ombudsperson shall establish and maintain a 24/7 toll-free helpline and any other medium as may be prescribed under legal assistance, counselling, complaint recording and referral services to victims of harassment.

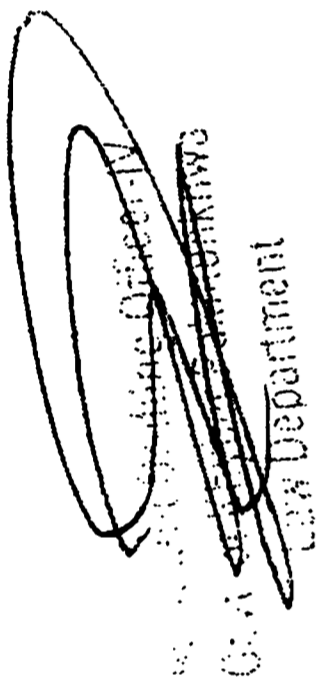
11D. Awareness and literacy programmes.---Subject to availability of resources, Government shall, through Elementary and Secondary Education Department to Government, Higher Education Department to Government, Social Welfare Department to Government, Lady Health Workers Programme, local government institutions and recognized civil society organizations, launch sustained awareness and literacy programmes on workplace rights and prevention of harassment.”.

17. Amendment of Schedule-I to the Act No. IV of 2010.---In the said Act, in Schedule-I,-

- (a) in clause (i), after the comma and word “employees”, the words “and student” shall be inserted;
- (b) in clause (C), after the word “employee”, the words “or student” shall be inserted; and
- (c) in clause (xiii), after the word “employees”, the words “and student” shall be inserted.

STATEMENT OF OBJECTS AND REASONS

The Protection Against Harassment of Women at Workplace Act, 2010 was enacted to provide a safe, secure and dignified working environment for women by protecting them against harassment at the workplace and by establishing mechanisms for redressal of complaints. While the Act has significantly contributed towards institutionalizing safeguards against harassment, practical experience and evolving workplace dynamics have necessitated certain amendments to broaden its scope, remove ambiguities and strengthen implementation mechanisms within the Province of Khyber Pakhtunkhwa.



The Hon'ble Supreme Court of Pakistan, while deciding Civil Petition No. 2298 of 2025, has issued certain directions for bringing suitable amendments in the Protection Against Harassment of Women at the Workplace Act, 2010. The proposed amendments are, inter alia, aimed at giving effect to the directions and observations of the Hon'ble Supreme Court to ensure clarity, effectiveness and lawful implementation of the Act.

The Bill seeks to expand the definition of "employee" to include interns, apprentices, trainees, volunteers, gig workers, freelancers and other non-traditional categories of workers, thereby aligning the law with contemporary labour realities. It further introduces the definition of student and extends protection to students in educational institutions, including religious institutions, private tuition centres and online learning environments, recognizing that harassment may also occur in academic and training settings.

The definition of "workplace" is proposed to be widened to include physical as well as virtual and digital spaces, remote and home-based work environments, online platforms, employer-sponsored events and other locations connected with livelihood or training. These amendments aim to address the changing nature of work arrangements, including remote work and platform based employment.

The Bill also introduces procedural clarity and efficiency in the complaint process by providing for preliminary scrutiny of complaints, prescribing a time limitation for filing complaints with provision for condonation of delay and empowering Inquiry Committees and the Ombudsperson to receive and evaluate digital and electronic evidence. It further provides safeguards against frivolous or mala fide complaints while ensuring that genuine complainants are protected against retaliation.

The Bill enhances the powers of the Ombudsperson, including the authority to impose fines in appropriate cases, clarifies the appellate mechanism through representation to the Chief Minister and provides administrative and financial autonomy to the office of the Ombudsperson. It also provides for appointment of staff and experts to facilitate effective functioning of the office. Furthermore, the Bill mandates the establishment of a 24/7 toll-free helpline and promotes awareness and literacy programmes through relevant government departments and civil society organizations to ensure wider dissemination of rights and obligations under the Act.

In order to cater for the above mentioned lacunas and inconsistencies it is necessary to bring suitable amendments in the Act *ibid*. Hence, the instant Bill.

Peshawar,
dated the: 06/03/2026.


MINISTER-IN-CHARGE

Minister For Law
Parliamentary Affairs & Human Rights
Khyber Pakhtunkhwa