



Constitution of Internal Complaints committees under Sexual Harassment of women at work place under (Prevention, Prohibition and Redressal Act, 2013).

HIGHLIGHTS:

- The Bill defines sexual harassment at the work place and creates a mechanism for redressal of complaints. It also provides safeguards against false or malicious charges. Every employer is required to constitute an Internal Complaints Committee at each office or branch with 10 or more employees.
- The Complaints Committees have the powers of civil courts for gathering evidence.
- The Complaints Committees are required to provide for conciliation before initiating an inquiry, if requested by the complainant.
- Penalties have been prescribed for employers. Non-compliance with the provisions of the Act shall be punishable with a fine of up to Rs 50,000.

Central Internal Complaints committee

1. Smt.Satyam Srivastava, Sr Consultant(FT) - Presiding Officer
2. Shri.Davendra Kothari, Sr Consultant(Retail)
3. Smt Prachi Sharma, Jr Consultant(FT)
4. Smt. Shilpa Jianani, Manager (Admin & Pers)
5. Smt.Nidhi Arora- She is a social entrepreneur heading Dhriiti , an NGO ,working with women and youth on employment and entrepreneurship.
6. A Legal representative from Kanth & Associates

Sl No 5 (Member of NGO) shall be common for all campuses

- Brief Member detail of ICC comprised at Different campuses is as under

Campus	ICC Members
CHENNAI	Smt. S.Parimala ,Executive Director-Presiding Officer Smt. Vaishali, Dy Manager(C&PR) Smt. Sai Rani , Sr Faculty(FT) Smt.Shabrin Farhana,Sr Faculty(Fashion)
CHHINDWARA	Smt.Shashwati Bhowmick, Sr Faculty - Presiding Officer Smt. Tarun Kanti Kujur Smt.D.Jyothipriya, Faculty(Retail) Shri.Manoj Kumar Sharma(AM ,C&PR)
ROHTAK	Dr. Ruchi Kholiya, Sr.Faculty (FD)-Presiding Officer Mr.Deepak Sahni, Dy.Manager (ITSC) Ms.Litika Negi, Faculty (PDC) Dr.Anshu,(Faculty, Business Management)
KOLKATA	Smt. Mahuya Basu, Consultant-Presiding Officer Smt.Basumitra Ghosh, Sr.Faculty (LGAD) Smt. Paramita Dhar, Sr.Faculty(RM) Shri. Abhjit Ray, Sr.Faculty (FD)
JODHPUR	Dr. Priti Hingorani, Faculty (RM)-Presiding Officer Shri Sulabh Srivastava-Asst.Manager (Admin & Pers) Smt. Shweta Khare,Asst.Manager(C & PR)
FURSATGANJ	Smt.Priyanka Upadhyay,Dy Manager(Admin & Pers) Ms.Alka Moralia,AM,(ACCTS & Finance) Smt. Sangeeta Singh,(Faculty- PDC) Mr Avinash Bajpai(Sr Faculty,Retail)

Guidelines under Sexual Harassment of women at work place under (Prevention, Prohibition and Redressal Act, 2013).

Code of conduct for work place

Sexual harassment is a serious criminal offence, which can destroy human dignity and freedom. In an effort to promote the well being of all human employees at the work place the following code of conduct has been prescribed:-

1. It shall be the duty of the employer to prevent or deter the commission of any act of sexual harassment at the work place.
2. Sexual harassment will include such unwelcome sexually determined behavior by any person either individually or in association with other persons or by any person in authority whether directly or by implication such as:
 - i. Eve-teasing
 - ii. Unsavory remark
 - iii. Jokes causing or likely to cause awkwardness or embarrassment
 - iv. Innuendos and taunts
 - v. Gender based insults or sexist remark
 - vi. Unwelcome sexual overtone in any manner such as over telephone (obnoxious telephone calls) and the like
 - vii. Touching or brushing against any part of the body and the like
 - viii. Displaying pornographic or other offensive or derogatory pictures, cartoons, pamphlets or sayings.
 - ix. Forcible physical touch or molestation.
 - x. Physical confinement against one's will and any other act likely to violate one's privacy.

and includes any act or conduct by a person in authority and belonging to one sex which denies or would deny equal opportunity in pursuit of career development or otherwise making the environment at the work place. Hostile or intimidating to a person belonging to the other sex, only on the ground of sex.

The mechanism for redressal of complaints and further Procedure to be followed for conducting enquiry by the Complaints Committee is as follows:

(1) Any aggrieved woman may make, in writing, a complaint of sexual harassment at Work place to the Internal Committee if so constituted, or the Local Committee, in case it is not so constituted.

(Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Committee or the Chairperson or any Member of the Local Committee, as the case may be, shall render all reasonable assistance to the woman for making the complaint in writing.)

(2) Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed may make a complaint under this section.

(3) If the complainant feels that she cannot disclose her identity for any particular reason the complainant shall address the complaint to the head of the organization and hand over the same in person or in a sealed cover. Upon receipt of such complaint the head of the organization shall retain the original complaint with himself and send to the complaints committee as gist of the complaint containing all material and relevant details other than the name of the complainant and other details which might disclose the identity of the complainant.

(4) The Internal Committee or, as the case may be, may before Initiating inquiry under section 11 and at the request of the aggrieved woman take steps to settle the matter between her and the respondent through conciliation.

(5) Where a settlement has been arrived at under sub-section (1), the Internal Committee, as the case may be, shall record the settlement so arrived and forward the same to the employer and a copy to the Local committee regarding action taken as specified in the recommendation.

(6) The Internal Committee or the Local Committee, as the case may be, shall provide the copies of the settlement as recorded under sub-section (2) to the aggrieved woman and the respondent.

***Punishment for false or malicious complaint and False Evidence**

Where the Internal Committee of the Campus arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the Competent authority , to take action against the woman or the person who has made the complaint under ,sub-section (2) of section 9, in accordance with the provisions of the service rules applicable to her or him or where no such service rules exist, **in such manner as may be prescribed.**

Disciplinary Action:

Where the conduct of an employee amounts to misconduct in employment as defined in the relevant service rules the employer should initiate appropriate disciplinary action in accordance with the relevant rules.

Third Party Harassment:

Where sexual harassment occurs as a result of an act or omission by any third party or outsider the employer and the persons incharge shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

Submission of Report's by Internal Complaint Committee:

(1) The Internal Committee shall in each calendar year prepare, in Prescribed form and prescribed time as may be prescribed, an annual report and submit the same to the employer and the District Officer.

(2) The Institute shall include in its report the number of cases filed, if any, and their disposal under this Act in the annual report of the Institute or where no such report is required to be prepared, intimate such number of cases, if any, to the District Officer.