

# INTERNAL COMPLAINTS COMMITTEE



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# MINISTRY OF LAW & JUSTICE

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013



सत्यमेव जयते

**Ministry of Law and Justice**  
Government of India



## WHAT THE LAW STATES

- Every district has to constitute a local complaints committee

- DM has to constitute the committee and appoint nodal officers

- DM and the committee has to ensure fair trial for reported sexual harassment cases

- Act puts onus on employers to provide harassment-free workplaces to women workers

- Workplaces must have internal complaints committee. Case details have to be shared with local complaints committee



## Internal Complaints Committee - Composition

### Internal Complaints Committee

Presiding Officer – Senior woman employee from the workplace/other admin units/office/organisations.

Two members - employees – preferably, committed to the cause of women /experience in social work/legal knowledge

One member from an NGO/other women's organisation/familiar with issues relating to sexual harassment.





# OBJECTIVES

- Protection against sexual harassment of women at workplace
- Prevention
- Redressal of sexual harassment

# SEXUAL HARASSMENT

includes any one or more of the following unwelcome acts or behavior

- Physical contact and advances
- A demand or request for sexual favours
- Making sexually coloured remarks
- Showing pornography
- Any other unwelcome physical, verbal, non verbal conduct of sexual nature



# TERMINOLOGIES

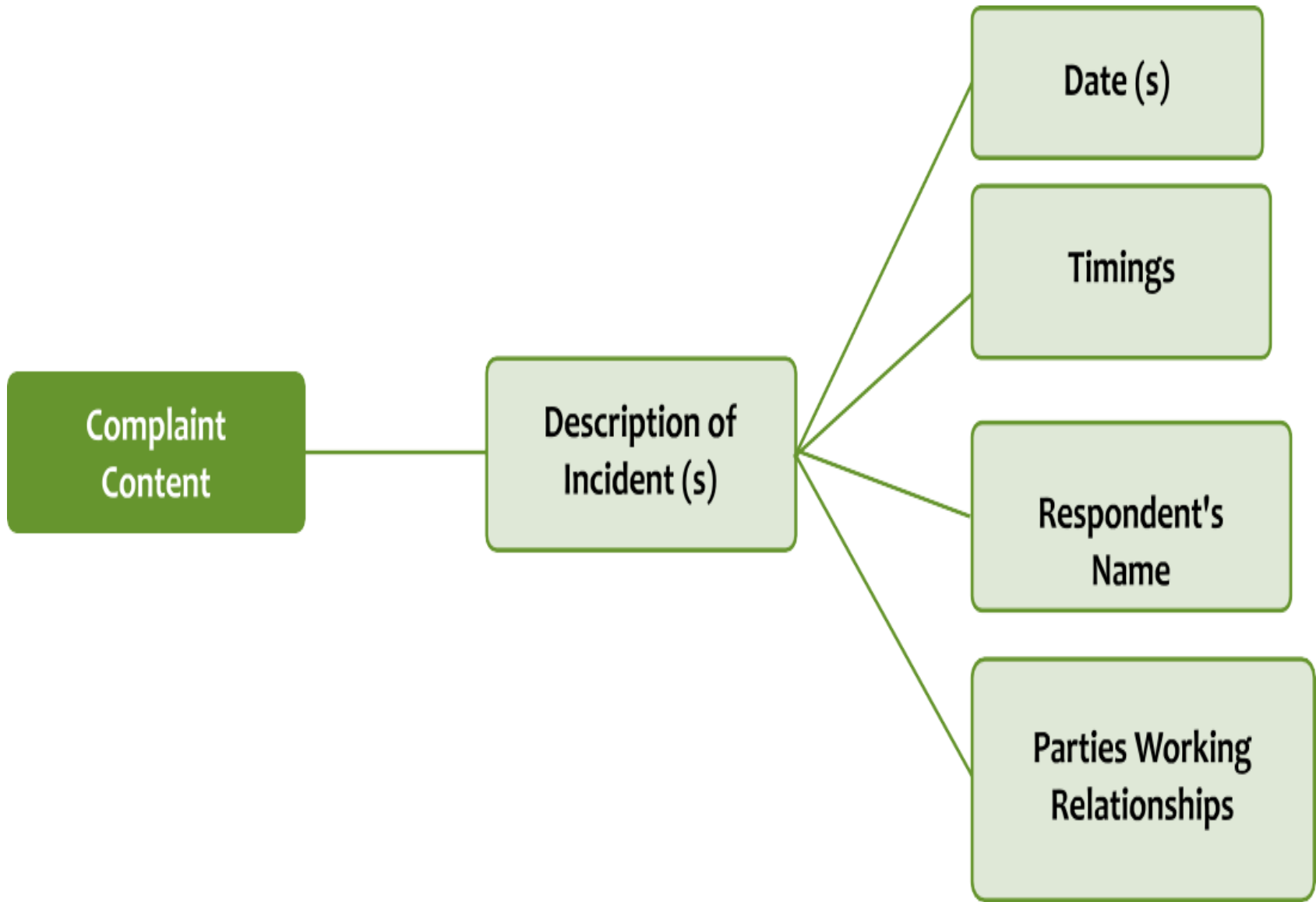
- Employee
- Employer
- Aggrieved women
- Respondent

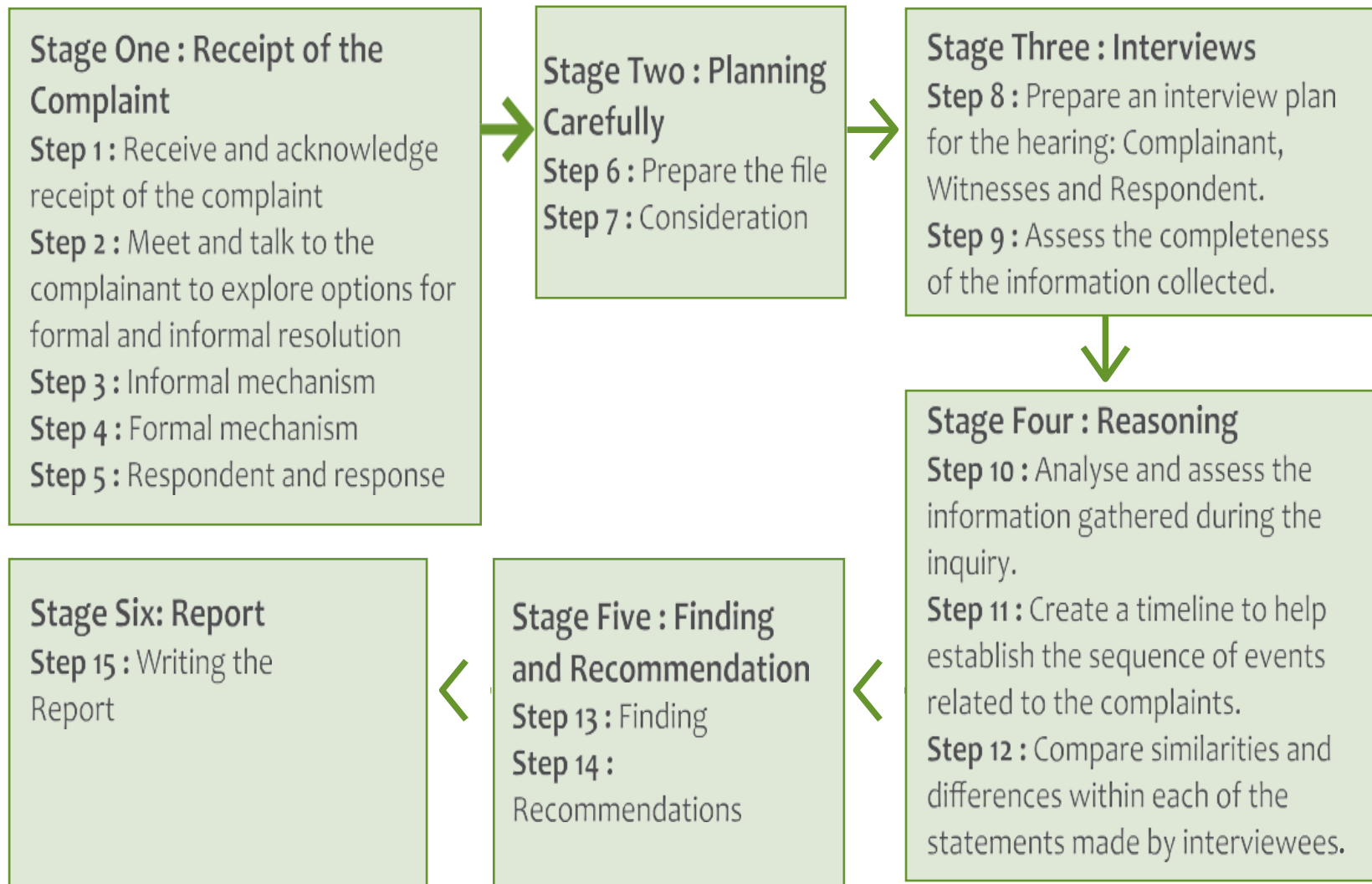


# RESPONSIBILITIES OF THE EMPLOYER

- 1) To create a workplace free of sexual harassment.
- 2) Create and communicate a detailed policy
- 3 )Ensure awareness and orientation on the issue;
- 4) Constitute Complaints Committee/s in every workplace and district
- 5) Ensure Complaints Committees are trained in both skill and capacity
- 6) Prepare an annual report and report to the respective state government







# ACTIONS AGAINST RESPONDENT

- Warning
- Written apology
- Bond of good behavior
- Adverse remark in the Confidential Report  
Stopping of increments/promotion
- Suspension
- Dismissal
- Any other relevant actions

# INTERIM RELIEFS



During the pendency of the enquiry  
written request by the aggrieved employee:

- Transfer the aggrieved woman or the respondent to any other workplace
  - Grant leave to the aggrieved woman up to a period of three months
- Interim reliefs  
Procedure

# **PENALTY FOR NON-COMPLIANCE BY THE EMPLOYER**

## **First Conviction**

- Punishable with fine which may extend to Rs.50,000/-

## **For subsequent conviction of same offence**

- Twice the punishment, which might have been imposed on first conviction and
- Cancellation of his license / affiliation

# COMPLAINTS COMMITTEE CHECK LIST

- 1) Review the written complaints and response to complaints
- 2) Review the applicable policy, the Act/Rules, Vishaka Guidelines and other relevant laws
- 3) Develop a plan
- 4) Meet with the complainant
- 5) Meet with the respondent
- 6) Meet with the witnesses
- 7) Record statements and have them dated and signed
- 8) Review and adapt the plan, as needed
- 9) Proceed with further interviews, as needed
- 10) Analyze all the facts to develop reasoning



11) Arrive at the findings

12) Give recommendations

13) Prepare the report

14) Submit the file to the organization or District Officer for implementation of the recommendations and for safe keeping.



# THANK YOU

