

CONSTITUTION OF INTERNAL COMPLAINT COMMITTEE , AIIMS, BHUBANESWAR

An Internal Complaint Committee was constituted via. Letter no.: AIIMS/BBSR/ADMIN/ICCHS/636/5997.dated 12-01-2018 with the following members:

1. Dr.Baijayantimala Mishra, Professor, Dept. of Microbiology, AIIMS,BBSR - Committee Chairperson
2. Dr.Suchitra Kumari, Associate Prof. Dept. of Biochemistry, AIIMS,BBSR- Member Secretary
3. Dr.Sonu H Subba, Professor ,Dept. of CMFM, AIIMS,BBSR- Member
4. Mrs.Namratha Chadha, Social activist ,Lawyer- External Member
5. Dr.Manisha Kar, Associate Prof. Dept. of Physiology, AIIMS,BBSR, Member
6. Dr.Pravash R Mishra, Addl. Prof. Dept. of Anatomy, AIIMS,BBSR, Member
7. Mr.Bhima Surendra Babu, Ju.Nursing Officer, Member

Frequently asked questions on Sexual harassment of Women at Workplace (Prevention, prohibition & redressal) Act 2013

1. What are the objectives of the Prevention, Prohibition and Redressal Act?

This Act is to provide

- Protection against sexual harassment of women at workplace
- Prevention , Redressal of complaints of sexual harassment.

2. What is sexual harassment?

The Act defines sexual harassment that includes any one or more of the following unwelcome acts or behavior (whether directly or by implication), namely

- 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
- Section 3 (2) of the Act further elaborates that if any of the following circumstances occurs or is present in relation to or connected with any act or behavior of sexual harassment among other circumstances, it may amount to sexual harassment-
- Implied or explicit promise of preferential treatment in her employment
- Implied or explicit threat of detrimental treatment in her employment

- Implied or explicit threat about her present or future employment status
- Interference with her work or creating an intimidating or offensive or hostile work environment for her
- Humiliating treatment likely to affect her health or safety.

3. Who is an aggrieved woman according to the Act ?
According to the Act , aggrieved woman means

- In relation to a workplace, a woman of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent
- In relation to a dwelling place or house, a woman of any age who is employed in such a dwelling or house.

4. What is the meaning of a respondent?

- Respondent means a person against whom the aggrieved woman has made a complaint.

5. What is workplace according to the Act?

Workplace includes (Section 20)

- Any department, organization, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the appropriate Government or the local

authority or a Government company or any private sector organization or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-governmental organization, unit or service provider carrying on commercial, professional, vocational, educational, entertainment, industrial, health services .

- Hospital or nursing homes
- Any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities.
- Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

6. How will a complaint be done?

Any aggrieved women may make in writing a complaint of sexual harassment at workplace to the Internal committee/ Local Committee within 3 months from the date of incident or the date of the last incident. In case the women cannot write, the Presiding officer/ any member of Internal Committee/ Chairperson/ any member of Local Committee shall render all reasonable assistance. (Section 9(1) of the Act)

7. What will be the action of the ICC or the LCC on receipt of a complaint?

- Option A : Upon receipt of the complaint, the ICC or LCC must proceed to make an inquiry in accordance with the service rules applicable to the respondent or where no such

service rules exist, in accordance with rules framed under the Act (Section 11 (1) of the Act).

- Option B : The ICC or the LCC may forward the complaint to the Police.

8. Can someone else file the complaint under the Act?

If the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death, her legal heirs or such other person as may be prescribed may do so. (Section 9(2) of the Act).

9. What is the scope and process for Conciliation and Settlement?

Before initiating an inquiry, the ICC or LCC may and at the request of the aggrieved woman, take steps to arrive at a settlement between the parties. However, no monetary settlement can be made as the basis of such conciliation (Sec. 10(1) of the Act)

Where such a settlement has been arrived at, the ICC or the LCC, record the settlement and forward the same to the employer or the District officer to take action as specified in the recommendation (Section 10(2) of the Act).