

**SOP: COMPLAINT COMMITTEE TO ADDRESS SEXUAL HARASSMENT
OF WOMEN EMPLOYEES AT WORK PLACE**

Ref:- Integrated HQ of MoD (Army), ADG D& V letter No 50451/AG/DV-1(P) dt 25 Nov 2013 & DOP & T OM No 11013/2/2014Est (A.III) dt 27 Nov 2014.

Introduction

1. Harassment of women employees at the work place is a possibility under the existing social realities. The Government has formulated policies on the subject in accordance with the guidelines framed by the Hon'ble Supreme Court. As per the guidelines, concrete action is to be taken relating to sexual harassment of women employees at their work place by introducing a mechanism wherein a committee/ cell will be constituted for redressal of such grievances.

Commitment

2. Rashtriya Indian Military College (RIMC) is committed to provide a suitable work environment for every woman employee and shall ensure that every woman is treated with dignity and respect. The administration and organization at RIMC is also committed to promote a working environment that is conducive to the social & professional growth of its women employees and shall ensure equality in opportunity based on merit.

Aim & Scope

3. The aim of this SOP is to lay down organisation and guidelines for functioning of a complaint mechanism to deal with complaints of sexual harassment of women at the work place, **in RIMC, Dehradun**. This SOP shall apply to all categories of employees ie service & civilian personnel of the College including permanent employees and employees on contract etc.

Definition

4. (a) Sexual harassment includes any one of or more of the following acts or behaviour whether directly or by implication:-

- (i) Physical contact and advances.
- (ii) Demand or request for sexual favours.
- (iii) Sexually coloured remarks.
- (iv) Showing any pornography.
- (v) Any other unwelcome physical, verbal, non-verbal conduct of a sexual nature.

(b) The following circumstances, among any other circumstances if it is connected with any act or behaviour of sexual harassment, may amount to sexual harassment:-

- (i) Implied or explicit promise of preferential treatment in employment.
- (ii) Implied or explicit threat of detrimental treatment in employment.
- (iii) Implied or explicit threat about her present or future status of employment.
- (iv) Interference with her work or creating and intimidating or offensive or hostile work environment for her.

(v) Humiliating treatment likely to affect her health or safety.

In the event of any doubt or in relation to any issue not covered above, these shall be dealt with in accordance with Sexual Harassment of Women at Workplace (Prevention Prohibition and Redressal) Act 2013.

Rule

5. (a) No Govt servant shall indulge in any act of sexual harassment of any women at any workplace.
- (b) Every Govt servant who is in charge of a workplace shall take appropriate steps to prevent sexual harassment to any woman at such workplace.
- (c) All employees should maintain a work environment free from sexual harassment

Organisation and Composition

6. **Title** The internal complaint committee will be designated 'Women's Sexual Harassment Complaint Committee'.

Composition The complaint cell will be constituted as follows :-

- (a) Officer in Charge : A lady officer to be nominated by the Commandant.
- (b) Members.
 - (i) 01 x Male Offr (preferably of faculty)
 - (ii) 01 X Lady Employees (preferably of MOS)
 - (iii) 01X (NGOs)
- (c) The composition of committee will be published in RIMC Part I Order and all the branches will ensure prominent display wherever women employees work. Change of members will also be published in Part I Order.

General

7. The Complaints Committee will meet at least once in a month at a place decided by the Lady Officer in charge.

Command & Control.

8. (a) The committee will operate under the Adm Offr, RIMC, and in his absence, under the Asst Adm & Trg Offr.
- (b) Results of preliminary investigation will be put up to Commandant for a decision on proceedings with investigations as applicable under the relevant service rules.
- (c) Lady Officer in Charge and members will be changed only with the permission of Commandant, RIMC. If OIC or any member is not available at the time of complaint then substitute members will be detailed and published in Part I Order imdtly by Adm Offr.

Procedures:

9. (a) Redressal Process

- (i) Any personnel who feels and is being sexually harassed directly or indirectly will submit a complaint to any member of the committee, in writing within 10 days of occurrence of the incident.
- (ii) The committee will maintain a register to endorse the complaint received by it and keep the contents and complete process of inquiry confidential.
- (iii) The Complaints committee will assemble within 48 hours on receipt of any complaint. A preliminary report on such investigation will be made within 48 hours of commencement of investigations.
- (iv) The Committee will hold a meeting with the complainant within 2 days of the receipt of the complaint, but not later than one week in any case.
- (v) A Lady Officer for lady employees and a Male officer for male employees involved shall meet and record the statement. The complainant can also submit any corroborative material to substantiate her complaints.
- (vi) The person against whom the complaint has been made will be called for deposition and be given an opportunity to give an explanation.
- (vii) If the Complaint committee finds that prima facie case exists then it will proceed with further enquiry as per laid down procedures.
- (viii) In the event, if the complaint does not fall under the purview for Sexual harassment, the same would be dropped after recording the reasons thereof.

(b) Inquiry Process

- (i) The committee after deciding to proceed with the inquiry, will communicate the same to the complainant and the person against whom the complaint has been made.
- (ii) The committee shall prepare and hand over the statement of allegation to the person against whom the complaint is made and give him an opportunity to submit a written explanation if he/she so desires, within 7 days of the receipt of the same.
- (iii) The complainant shall be provided with a copy of the written explanation submitted by the person against whom the complaint has been made.
- (iv) If the complainant or the person against whom the complaint has been made desires any witness(es) to be called, they shall communicate in writing to the committee the names of the witness(es).
- (v) The complete process shall be conducted in camera.

(vi) If the complainant or the person against whom the complaint has been made desires to tender any document by way of evidence, will produce original copies, after affixing their signatures, certifying them to be original copies.

(vii) The committee shall complete the inquiry within reasonable time frame but not beyond three months.

(viii) The Committee will forward its findings and recommendations to the Competent Authority, based on which the Competent Authority may initiate disciplinary proceedings straight away.

(ix) In addition, the Complaints committee may recommend to the Competent Authority:-

(aa) To transfer the aggrieved person or the charged person to any other Station/Formation.

(ab) To grant leave to the aggrieved woman for a duration as considered essential.

(ac) To grant such other relief to the aggrieved woman as may be prescribed.

10. The Committee may recommend action against the person who has made a complaint, if the committee arrives at a conclusion that the allegation is malicious and the aggrieved person has produced any forged or misleading document, knowing it to be false. The committee may also recommend action against the witness if it comes to the conclusion that such witness has given false evidence or produced any forged/misleading documents.

Conclusion

11. Women's Sexual Harassment Complaint Committee will ensure that appropriate working conditions are provided to all women employees of the college at the work place and to ensure that no hostile attitude / intentions are manifested towards them. This Committee will ensure that all complaints are thoroughly and expeditiously investigated and justice is carried out.

110/1/SOP/Harassment/Est

Rashtriya Indian Military College
Dehradun Cantt-248003

05

Jun 2017



(Vivek Sharma)
Col
Commandant

RASHTRIYA INDIAN MILITARY COLLEGE

ROUTINE ORDER

BY

COL VIVEK SHARMA, COMMANDANT

DEHRADUN

TUESDAY

06 Jun 2017

(Last CRO No 168 dated 05 Jun 2017)

169. Constitution of Women's Sexual Harassment Complain Committee. Women's Sexual Harassment Complaint Committee of RIMC Dehradun is constituted as under:-

- (a) Officer in Charge - Sqn Ldr Vandana Dixit
(Lady Officer)
- (b) Members No 1 - Mr PK Sharma, VP
(Male Officer)
- Members No 2 - Ms Taiyaba Khatoon, Master
(Lady Employees)
- Members No 3 - Member from NGOs will be nominated as and
(NGOs) when required based on that instant case.



(LK Muni)
Lt Col
Adm Offr
For Commandant

Distr

Normal

Mr R Thamil Selven - for digest of service please.