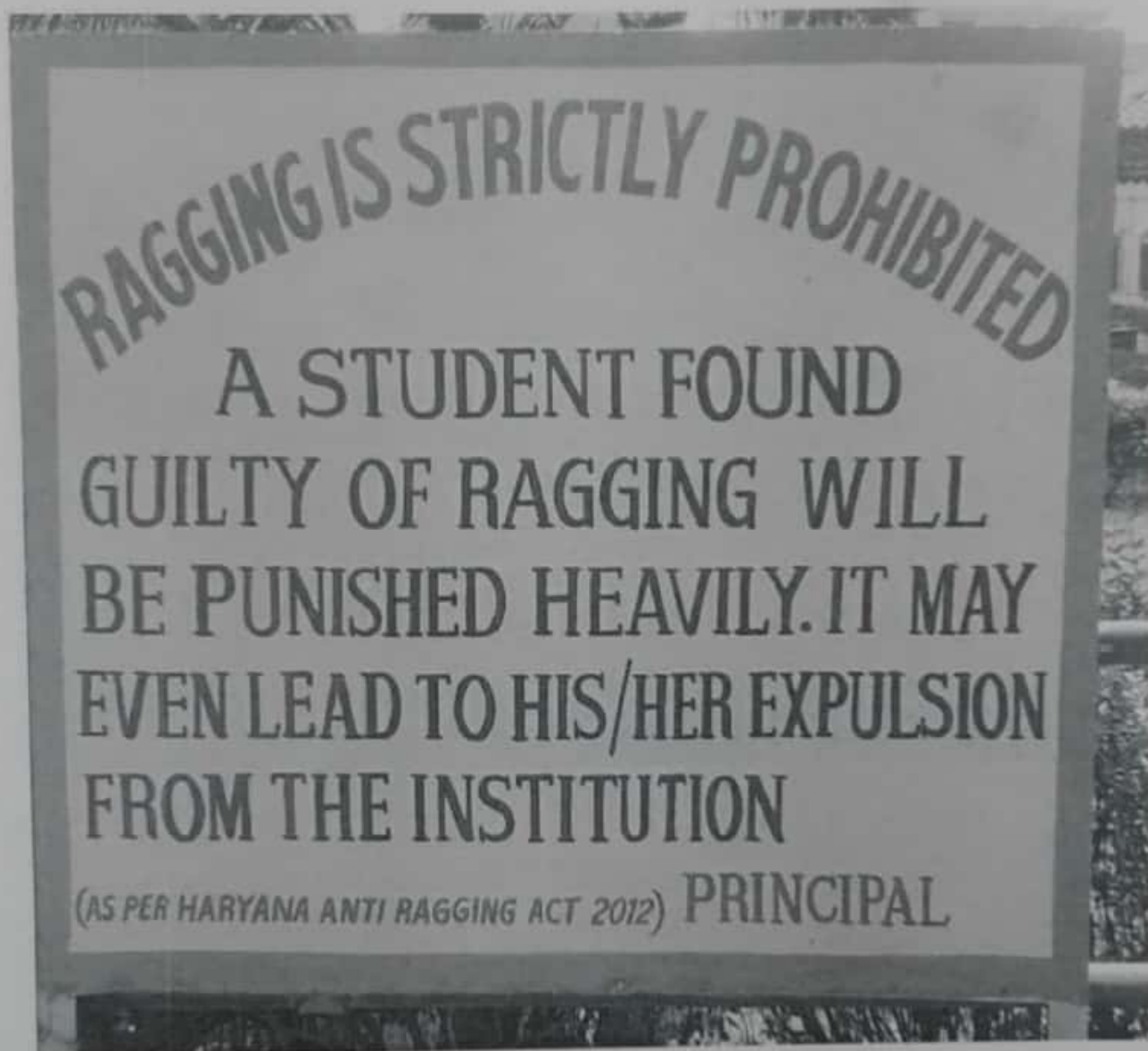


As per the Act "The Haryana Prohibition of Ragging in Educational institution Bill, 2012", the Anti-Ragging Committee has been formed by the head of the institution of the college that looks after all the complaints of Ragging in the college. Ragging is strictly prohibited in this college. If any complaint regarding ragging is received by the committee, the committee immediately comes into action. No such complaint has been received till date.

The two boards are displayed in the college campus.



RAGGING IS STRICTLY PROHIBITED

**A STUDENT FOUND
GUILTY OF RAGGING WILL
BE PUNISHED HEAVILY. IT MAY
EVEN LEAD TO HIS/HER EXPULSION
FROM THE INSTITUTION**

(AS PER HARYANA ANTI RAGGING ACT 2012) PRINCIPAL

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FROM THE INSTITUTION.**

**[AS PER HARYANA
ANTI RAGGING ACT 2012]**

PRINCIPAL



Haryana Government Gazette

EXTRAORDINARY

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CHANDIGARH, FRIDAY, AUGUST 24, 2012
(BHADRA 2, 1934 SAKA)

HARYANA VIDHAN SABHA SECRETARIAT

Notification

The 24th August, 2012

No. 22—HLA of 2012/55.—The Haryana Prohibition of Ragging in Educational Institution Bill, 2012, is hereby published for general information under proviso to Rule 128 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly :—

Bill No. 22—HLA of 2012

THE HARYANA PROHIBITION OF RAGGING IN EDUCATIONAL INSTITUTION BILL, 2012

A

BILL

to provide for prohibition of ragging in educational institutions in the State of Haryana and for matters connected therewith or incidental thereto.

BE it enacted by the Legislature of the State of Haryana in the Sixty-third Year of the Republic of India as follows :—

1. This Act may be called the Haryana Prohibition of Ragging in Educational Institution Act, 2012. Short title

2. In this Act, unless the context otherwise requires,— Definitions.

(a) "Act" means the Haryana Prohibition of Ragging in Educational Institution Act, 2012;

(b) "committee" means an anti ragging committee constituted under Section 5 of the Act;

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(2901)

278

- (c) "educational institution" means a school, college, university or an institution and its constituent unit and includes canteen, hostel or transport provided by school, college or university, whether within or outside the premises;
- (d) "Government" means Government of the State of Haryana;
- (e) "Head" means the Vice-Chancellor of the university, Principal of the College or Principal/Headmaster of the School, as the case may be, head of an institution or Director of an educational institution, by whatever name called;
- (f) "institution" means technical and professional educational institution and includes institution imparting education and research facilities set up by an Act of Parliament or State;
- (g) "ragging" means doing an act which causes or is likely to cause insult or annoyance or fear or apprehension or threat of intimidation or outrage of the modesty or injury to a student and includes the following acts, namely:—
- (i) abetment to ragging;
 - (ii) criminal conspiracy to ragging;
 - (iii) unlawful assembly and rioting while ragging;
 - (iv) public nuisance created during ragging;
 - (v) verbal abuse and aggression, indecent gestures and obscene behaviour;
 - (vi) outraging the modesty;
 - (vii) injury to body, causing hurt or grievous hurt;
 - (viii) wrongful restraint;
 - (ix) wrongful confinement;
 - (x) use of criminal force;
 - (xi) assault as well as sexual offence;
 - (xii) extortion;
 - (xiii) trespass;
 - (xiv) offence against property;
 - (xv) criminal intimidation;
 - (xvi) physical or psychological humiliation;
 - (xvii) defamation or threat to defame;
 - (xviii) any type of abuse through electronic media;
 - (xix) threat to commit any or all of the above mentioned offences;
- (h) "State" means the State of Haryana;
- (i) "student" means any person pursuing education in an educational institution.

3. (1) There shall be a complete prohibition of ragging of a student in all the educational institutions, in any form and nature. Prohibition of ragging.

(2) No educational institution shall permit or condone any incident of ragging in any form and shall take all necessary and required measures including but not limited to the provisions of the Act to achieve the objective of eliminating ragging within the educational institution or outside.

(3) No student shall practise ragging in any form, within or outside the premises of an educational institution.

(4) All educational institutions shall take action in accordance with the Act against those found guilty of ragging.

4. The Head shall,—

(i) be overall responsible to stop and prevent ragging and take all necessary preventive measures to prohibit ragging in educational institution and shall ensure that no person practise ragging in any form within or outside the premises of an educational institution and shall adopt required measures to achieve the object; Duties and responsibility of Head.

(ii) obtain an undertaking in writing from the student, in case he is eighteen or above or from his parents/guardian in case he is less than eighteen that he shall not attempt, abet or commit ragging inside or outside the educational institution at the time of admission;

(iii) give full publicity to the provisions of the Act and about the members of the committee alongwith their mobile numbers etc. by placing the same at prominent places as well as at notice board in the educational institution and also make it a part of prospectus and upload it on its website, if any;

(iv) give full publicity to the punishments to be awarded for ragging through open circulars and suitable posters in the educational institution; and

(v) notify any change in the constitution of the committee immediately and shall take necessary action as per clause (iii) above.

5. (1) There shall be constituted with immediate effect one or more committee(s) in all educational institutions by the Head, depending upon strength of students, vastness of premises of the educational institution and the number of departments etc. Constitution of committee.

(2) Each committee shall consist of three senior faculty members out of which at least one shall be a woman and senior most amongst them shall be the Chairperson. The committee shall also consist of two representatives from amongst the parents of the students including a woman to be nominated by the Head;

Provided that in case of an educational institution exclusively for boys or girls, all the members may be male or female, as the case may be.

250
Powers and
functions of
committee.

(3) The parents of the students nominated in a committee shall hold office for a maximum term of two academic sessions.

6. (1) The committee or any member thereof shall have power to inspect any class room, hostel room or any other enclosure where it apprehends that any incident of ragging is being committed or there is apprehension of the same.

(2) The committee may take appropriate steps and suggest such measures, as deemed necessary, to the Head.

(3) On receipt of an information by any member of the committee from the Head, a student, parents or any source in writing or through any electronic media that an act of ragging is being committed or there is apprehension of the same, he shall intimate the same to the Chairperson and may conduct raid, if necessary, or take other appropriate steps to stop the act of ragging.

(4) The member or the committee may conduct on the spot inquiry observing a fair and transparent procedure and the principle of natural justice and shall give an adequate opportunity to the victim student, student accused of ragging, other witnesses and may also ask them to produce other documents or witnesses, if necessary, concerning the incident of ragging.

(5) The committee shall submit the inquiry report to the Head within seventy two hours of the incident for appropriate action under the Act.

Provided that in case an offence is committed under the provisions of Indian Penal Code, 1860 (45 of 1860) and is a cognizable offence, the member shall immediately report the matter to the Head.

Action to be taken
by Head.

7. (1) On receipt of the information of ragging, the Head will direct the committee to make an inquiry and report.

(2) The Head shall examine the report and if satisfied will take appropriate action as per the gravity of offence.

(3) On receipt of the report from the committee, the Head shall immediately determine if a criminal offence is made out and if so, either on his own motion or through a member of the committee authorised by him, shall proceed to file First Information Report immediately:

Provided that the educational institution shall also continue with its own inquiry and other measures without waiting for action on the part of the police.

(4) If the Head is not satisfied with the report made by the committee, he may himself, conduct an independent enquiry and pass any appropriate orders in writing, for reasons to be recorded therein. He may also decide to lodge First Information Report, if an offence is found to have been committed under the Indian Penal Code, 1860 (45 of 1860) and is a cognizable offence.

8. (1) In a proven case of ragging, whether First Information Report Punishments.
has been lodged or not, the Head shall impose a punishment of suspension for at
least a period of two semesters or one annual academic year, as the case may be,
and may also impose any one or a combination of penalties as listed in clauses (i)
to (x) of Sub-section (2) of this section.

(2) Depending upon the nature and gravity of the offence as reported
by the committee, the Head may, in addition to any punishment mentioned under
Sub-section (1) of this section, impose any one or combination of the following
punishments upon the student(s) found guilty,—

- (i) withholding or withdrawing scholarship or fellowship and other benefits;
- (ii) forfeiting campus placement opportunities or recommendations;
- (iii) debarring from appearing in any test or examination or other evaluation process;
- (iv) withholding of results;
- (v) debarring from representing the educational institution in any regional, national or international meet, tournament, youth festival etc.;
- (vi) suspension or expulsion from the hostel;
- (vii) cancellation of admission;
- (viii) rustication from the educational institution for a period ranging upto three years;
- (ix) expulsion from the educational institution and consequent debarring from admission to any other educational institution for a period of three years;
- (x) imposition of fine upto twenty five thousand rupees.

9. In case of any contravention of the provisions of the Act or direction Offences by
or order made thereunder by an educational institution, the Head shall be punishable educational
with imprisonment for a term which may extend to six months and with fine institution.
which may extend to twenty-five thousand rupees.

10. The Government may impose a fine on an educational institution, in Imposition of
case it is not complying with the provisions, directions or orders issued by the fine.
Government, from time to time, which may extend to two lac rupees in case of a
college/school and five lac in case of a university:

Provided that no fine shall be imposed unless an opportunity of
personal hearing has been given to the educational institution.

282

Provisions not to be derogatory to certain laws.

11. The provisions of this Act shall be in addition to and not in derogation of the Indian Penal Code, 1860 (45 of 1860), the Code of Criminal Procedure, 1973 (2 of 1974) and the statutes framed under various Haryana Universities Act and other laws.

Power to remove difficulties.

12. If any difficulty arises in giving effect to the provisions of the Act, the State Government may, by an order published in the Official Gazette, make such provisions or give such directions consistent with the provisions of the Act, as appear to be necessary or expedient for removing the difficulty.

Repeal and savings.

13. (1) The Haryana Prohibition of Ragging in Educational Institution Ordinance, 2012 (Haryana Ordinance No. 3 of 2012), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under this Act.

(iii) departing from appearing in any list or examination other evaluation process;
(iv) withholding of results;
(v) departing from reporting the educational institution in any regional, national or international meet, tournament, youth festival etc.;
(vi) suspension or expulsion from the hostel;
(vii) cancellation of admission;
(viii) rustication from the educational institution for a period ranging upto three years;
(ix) expulsion from the educational institution and consequent departing from admission to any other educational institution for a period of three year;
(x) imposition of fine upto twenty-five thousand rupees.
9. In case of any contravention of the provisions of the Act or direction or order made thereunder by an educational institution, the Head shall be punishable with imprisonment for a term which may extend to six months and with the fine which may extend to twenty-five thousand rupees.
10. The Government may impose a fine on an educational institution in case it is not complying with the provisions, directions or orders issued by the Government, from time to time, which may extend to two lac rupees in case of a college/school and five lac in case of a university.
Provided that no fine shall be imposed unless an opportunity of personal hearing has been given to the educational institution.

283

STATEMENT OF OBJECTS & REASONS

Ragging is a social menace which has devastating psychological and physical effect on a student. Ragging adversely impacts the standards of Higher Education. Some State have already enacted laws for prevention of ragging in the Schools, Colleges, Universities and professional institutions. Therefore, to make the Schools, Colleges, Universities and the professional institutions free from social injustice, mental, physical and other kinds of harassment in the form of ragging, it has been decided to make a law to provide for prohibiting ragging in the said educational institutions.

Further Hon'ble Supreme Court has also passed a judgement in University of Kerala v/s Council, Principals, Colleges, Kerala & others where it has been directed that the State Government shall take adequate measures for prevention and prohibition of ragging.

Hence, this Bill.

GEETA BHUKKAL,

Education Minister, Haryana.

Chandigarh : The 24th August, 2012. SUMIT KUMAR,
Secretary.

The College has an efficient system of redressal of grievances and complaints. There is one Grievances Redressal Cell which receives all kinds of complaints from the students and provides redressal.

Complaints regarding Sexual Harassment are submitted to Internal Complaints Committee (ICC), constituted as per the guidelines of UGC Gazette Notification, dated 09th December 2013. Women Development Cell also receives verbal complaints of girl students and counsels them or directs the complaints as per their nature.

अति आवश्यक निर्देश

लड़कियों एवं महिलाओं के साथ छेड़छाड़ या कोई भी अभद्र व्यवहार दण्डनीय अपराध है। सुप्रीम कोर्ट के निर्देशानुसार अपराधियों के खिलाफ तुरंत पुलिस कार्यवाही होगी एवं महाविद्यालय से निष्कासन के साथ-साथ भारतीय दण्ड-संहिता के अनुरूप कठोर दण्डात्मक कार्यवाही की जायेगी। अतः पुरुष वर्ग को सख्त हिदायत दी जाती है कि वे लड़कियों एवं महिलाओं के प्रति संयम एवं सद्व्यवहार का परिचय दें ताकि महाविद्यालय की गरिमा बनी रहे।

प्राचार्य

राजकीय महाविद्यालय, अम्बाला छावनी।

**Institutional mechanism for transparency, timely redressed of student grievances,
Prevention of sexual harassment and ragging cases during the year (2020-21)**

Total grievances received	Number of grievances redressed	Avg. no. of days for grievance redressed
4	4	4 days

Two complaints against a male faculty were received and marked to the ICC on 11th January, 2021 by the Principal. On 13th January 2021 two more written complaints were received by ICC against the same faculty.

The college ICC along with the public representative could not reach any conclusion after two days of interrogation and submitted its report with recommendation of immediate further enquiry on demand appropriate by the chair on 14th January, 2021.

Proceedings of the enquiry have been mentioned in ICC register and cannot be displayed on the website.

As. Session 2020-21 is Online Session - So there is no grievance/Complain from Girl students of the College to women development cell.

Levani Saini
Incharge W/cell.



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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नई दिल्ली, सोमवार, दिसम्बर 9, 2013/अग्रहायण 18, 1935

No. 593]

NEW DELHI, MONDAY, DECEMBER 9, 2013/AGRAHAYANA 18, 1935

महिला एवं बाल विकास मंत्रालय

अधिसूचना

नई दिल्ली, 9 दिसम्बर, 2013

सा.का.नि. 769(अ)—केंद्रीय सरकार, महिलाओं का कार्यस्थल पर लैंगिक उत्पीड़न (निवारण, प्रतिषेध एवं प्रतितोष) अधिनियम, 2013 (2013 का 14) की धारा 29 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाती है, अर्थात्—

1. संक्षिप्त नाम और प्रारंभ.—(1) इन नियमों का संक्षिप्त महिलाओं का कार्यस्थल पर लैंगिक उत्पीड़न (निवारण, प्रतिषेध एवं प्रतितोष) नियम, 2013 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषाएं.—इन नियमों में, जब तक संदर्भ में अन्यथा अपेक्षित न हो, —

(क) "अधिनियम" से कार्यस्थल पर महिलाओं का कार्यस्थल पर लैंगिक उत्पीड़न (निवारण, प्रतिषेध एवं प्रतितोष) अधिनियम, 2013 (2013 का 14) अभिप्रेत है;

(ख) "शिकायत" से धारा 9 के अधीन की गई शिकायत अभिप्रेत है;

(ग) "शिकायत समिति" से आंतरिक समिति अथवा स्थानीय समिति अभिप्रेत है;

(घ) "घटना" से धारा 2 के खंड (द) में यथा-परिभाषित लैंगिक उत्पीड़न की घटना अभिप्रेत है;

(ङ) "धारा" से अधिनियम की कोई धारा अभिप्रेत है;

(च) "विशेष शिक्षक" से कोई ऐसा व्यक्ति अभिप्रेत है जो विशेष जरूरतों वाले लोगों के साथ ऐसे ढंग से संचार करने के लिए प्रशिक्षित है, जिससे उनके व्यक्तिगत मतभेदों एवं आवश्यकताओं का समाधान होता है;

(छ) यहां शब्द और पद जो यहां प्रयुक्त हैं और परिभाषित नहीं किए गए हैं, किंतु अधिनियम में परिभाषित किए गए हैं, उनके अर्थ वही होंगे, जो अधिनियम में दिए गए हैं।

3. आंतरिक समिति के सदस्यों के लिए फीस या भत्ते :

(1) गैर-सरकारी संगठनों में नियुक्त सदस्य, आंतरिक समिति की कार्यवाहियों के आयोजन के लिए प्रतिदिन 200 रुपये के भत्ते के हकदार होंगे, और उक्त सदस्य रेलगाड़ी से थ्री टायर वातानुकूलन या वातानुकूलित बस से तथा आटोरिक्शा या टैक्सी से अथवा यात्रा पर उसके द्वारा खर्च की गई वास्तविक राशि, जो भी, कम हो प्रतिपूर्ति के भी हकदार होंगे।

(2) नियोक्ता उप-नियम (1) में निर्दिष्ट भत्तों के संदाय के लिए उत्तरदायी होगा।

4. लैंगिक उत्पीड़न से संबंधित मुद्दों से परिचित व्यक्ति : धारा 7 की उप-धारा (1) के खण्ड (ग) के प्रयोजन के लिए लैंगिक उत्पीड़न से संबंधित मुद्दों से परिचित व्यक्ति ऐसा व्यक्ति होगा जिसे लैंगिक उत्पीड़न से संबंधित मुद्दों पर विशेषज्ञता प्राप्त हो तथा इसमें निम्नलिखित में से कोई सम्मिलित हो सकेगा -

- (क) समाज कार्य के क्षेत्र में कम से कम 5 साल के अनुभव वाला कोई सामाजिक कार्यकर्ता जो महिलाओं के सशक्तीकरण तथा विशिष्टतया कार्यस्थल पर लैंगिक उत्पीड़न की समस्या को दूर करने के लिए अनुकूल सामाजिक स्थितियों का सृजन करने का मार्ग प्रशस्त करता है;
- (ख) ऐसा व्यक्ति जिसे श्रम, रोजगार, सिविल या दांडिक विधि में अर्हता प्राप्त है।

5. स्थानीय समिति के अध्यक्ष तथा सदस्यों के लिए फीस या भत्ता :

- (1) स्थानीय समिति के अध्यक्ष उक्त समिति की कार्यवाहियों के आयोजन के लिए प्रतिदिन 250 रुपये (दो सौ पचास रुपये) के भत्ते के लिए हकदार होंगे।
- (2) धारा 7 की उप-धारा (1) के खंड (ख) और खंड (घ) के अधीन नामनिर्दिष्ट सदस्यों से निम्न स्थानीय समिति के सदस्य, उक्त समिति की कार्यवाहियों के आयोजन के लिए प्रतिदिन दो सौ रुपये के भत्ते के हकदार होंगे और रेलगाड़ी से थ्री टायर वातानुकूलन, वातानुकूलित बस से तथा आटोरिक्षा या टैक्सी से अथवा यात्रा पर उसके द्वारा खर्च की गई वास्तविक लागत जो भी कम हो, की प्रतिपूर्ति के भी हकदार होंगे।
- (3) जिला अधिकारी, उपनियम (1) और उपनियम (2) में निर्दिष्ट भत्तों के संदाय के लिए उत्तरदायी होगा।

6. लैंगिक उत्पीड़न की शिकायत : धारा 9 की उप-धारा (2) के प्रयोजन के लिए,

- (i) जहां व्यथित महिला, अपनी शारीरिक असमर्थता के कारण शिकायत करने में असमर्थ है, वहां निम्नलिखित द्वारा शिकायत फाइल की जा सकती है -
 - (क) उसका नातेदार या मित्र; अथवा;
 - (ख) उसका सहकर्मी; या
 - (ग) राष्ट्रीय महिला आयोग या राज्य महिला आयोग का कोई अधिकारी; या
 - (घ) व्यथित महिला की लिखित सम्मति से कोई ऐसा व्यक्ति जिसे घटना की जानकारी है।
- (ii) जहां व्यथित महिला, अपनी मानसिक अक्षमता के कारण शिकायत करने में असमर्थ है, वहां निम्नलिखित द्वारा शिकायत फाइल की जा सकती है -
 - (क) उसका नातेदार या मित्र; अथवा
 - (ख) कोई विशेष शिक्षक; या
 - (ग) कोई अर्हित मनोविकार विज्ञानी या मनोवैज्ञानिक; अथवा
 - (घ) संरक्षक या प्राधिकारी जिसके अधीन वह उपचार या देखरेख प्राप्त कर रही है; अथवा
 - (ङ) उसके नातेदार या दोस्त या विशेष शिक्षक या अर्हता-प्राप्त मनोविकार विज्ञानी या मनोवैज्ञानिक या संरक्षक अथवा प्राधिकारी जिसके अधीन वह उपचार या देखरेख प्राप्त कर रही है, के साथ संयुक्त रूप से कोई ऐसा व्यक्ति जिसे लैंगिक उत्पीड़न की जानकारी है।
- (iii) जहां व्यथित महिला, किसी कारण से शिकायत करने में असमर्थ है, वहां उसकी लिखित सम्मति से ऐसे व्यक्ति द्वारा शिकायत फाइल की जा सकती है, जिसे घटना की जानकारी है।
- (iv) जहां व्यथित महिला की मृत्यु हो जाती है वहां एक शिकायत, घटना के जानकार द्वारा उसके विधिक वारिस की सम्मति से लिखित रूप में फाइल की जा सकेगी।

7. शिकायत की जांच का ढंग -

- (1) शिकायत फाइल करते समय, धारा 11 के उपबंधों के अधीन शिकायतकर्ता समर्थक दस्तावेजों तथा साक्षियों के नाम एवं पता के साथ शिकायत की छह प्रतियां शिकायत समिति को प्रस्तुत करेगा।
- (2) शिकायत प्राप्त होने पर, शिकायत समिति उपनियम (1) के अधीन व्यथित महिला से प्राप्त प्रतियों में से एक प्रति सात कार्य दिवस की अवधि के भीतर प्रत्यर्थी को भेजेगी।
- (3) प्रत्यर्थी उपनियम (1) के अधीन विनिर्दिष्ट दस्तावेजों की प्राप्ति की तारीख से दस दिन से अधिक अवधि के भीतर दस्तावेजों की सूची तथा साक्षियों के नाम एवं पता के साथ शिकायत पर अपना उत्तर फाइल करेगा।
- (4) शिकायत समिति नैसर्गिक न्याय के सिद्धांतों के अनुसार, शिकायत की जांच करेगी।
- (5) शिकायत समिति को जांच की कार्यवाही समाप्त करने या शिकायत पर एक पक्षीय निर्णय देने का अधिकार होगा, यदि शिकायतकर्ता या प्रत्यर्थी पर्याप्त कारण के बिना यथार्थि अथवा पीठासीन अधिकारी द्वारा आयोजित लगातार तीन सुनवाईयों में अनुपस्थित रहता है या रहती है :

- परंतु संबंधित पक्षकार को अग्रिम में लिखित रूप में पन्द्रह दिन का नोटिस दिए बिना ऐसी समाप्ति या एक पक्षीय आदेश पारित नहीं किया जा सकेगा।
- (6) पक्षकारों को शिकायत समिति के समक्ष कार्यवाही के किसी चरण में अपने मामले का प्रतिनिधित्व करने के लिए किसी विधिक व्यावसायी को लाने की अनुमति नहीं होगी।
- (7) जांच का संचालन करते समय, शिकायत समिति के कम से कम तीन सदस्य जिसमें यथार्थिथि पीठारसीन अधिकारी अथवा अध्यक्ष, हो, उपस्थित होंगे।
8. जांच लंबित रहने के दौरान शिकायतकर्ता को अन्य अनुतोष : व्यथित महिला के लिखित रूप में अनुरोध पर, शिकायत समिति नियोक्ता से निम्नलिखित की सिफारिश कर सकती है :
- (क) व्यथित महिला के कार्य निष्पादन या उसकी गोपनीय रिपोर्ट लिखने तथा इसे किसी अन्य अधिकारी को आबंटित करने से प्रत्यर्था को अवरुध करना।
- (ख) शैक्षिक संस्था के मामले में व्यथित महिला की किसी शैक्षिक गतिविधि का पर्यवेक्षण करने से प्रत्यर्था को अवरुध करना।
9. लैंगिक उत्पीड़न के लिए कार्रवाई करने की रीति : ऐसे मामलों को छोड़कर, जहां सेवा नियम विद्यमान हैं जहां शिकायत समिति इस निष्कर्ष पर पहुंचती है कि प्रत्यर्था के विरुद्ध अभिकथन साबित हो गए हैं, यह यथार्थिथि नियोक्ता या जिलाधिकारी से कार्रवाई करने की सिफारिश कर सकती है जिसमें लिखित रूप में क्षमा याचना करना, चेतावनी जारी करना, डांटना या निंदा करना, प्रोन्नति रोकना, वेतनबढ़ोत्तरी या वेतनवृद्धि रोकना, प्रत्यर्था को सेवा समाप्ति करना या परामर्श सत्र में भाग लेने या सामुदायिक सेवा करने का आदेश देना शामिल है।
10. मिथ्या अथवा दुर्भावपूर्ण शिकायत अथवा मिथ्या साक्ष्य पर कार्रवाई : उन मामलों के सिवाय जहां सेवा नियम विद्यमान हैं, जहां शिकायत समिति इस निष्कर्ष पर पहुंचती है कि प्रत्यर्था के विरुद्ध अभिकथन दुर्भावपूर्ण है अथवा व्यथित महिला अथवा शिकायत करने वाली अन्य किसी व्यक्ति ने यह जानते हुए कि यह मिथ्या है शिकायत की है अथवा व्यथित महिला या शिकायत करने वाले किसी व्यक्ति ने कूटरधित अथवा भ्रामक दस्तावेज प्रस्तुत किए हैं तो यह यथार्थिथि नियोक्ता अथवा जिला अधिकारी को नियम 9 के उपबंधों के अनुसार कार्रवाई करने की सिफारिश कर सकेगी।
11. अपील : धारा 18 के उपबंधों के अधीन, धारा 13 की उप-धारा (2) के अधीन या धारा 13 की उप-धारा (3) के खण्ड (i) या खण्ड (ii) के अधीन अथवा धारा 14 की उपधारा (1) या उप-धारा (2) या धारा 17 के अधीन की गयी सिफारिशों या ऐसी सिफारिशों को कार्यान्वित न किए जाने से व्यथित कोई व्यक्ति औद्योगिक नियोजन (स्थायी आदेश) अधिनियम, 1946 (1946 का 20) की धारा 2 के खण्ड (क) के अधीन अधिसूचित अपीली प्राधिकारी को अपील कर सकेगा।
12. धारा 16 के उपबंधों के उल्लंघन के लिए दंड - धारा 17 के उपबंधों के अधीन, यदि कोई व्यक्ति धारा 16 के उपबंधों का उल्लंघन करता है, तो नियोक्ता ऐसे व्यक्ति से शारित के रूप में पांच हजार रुपये की राशि की वसूली करेगा।
13. कार्यशालाएं आदि आयोजित करने की रीति : धारा 19 के उपबंधों के अधीन, प्रत्येक नियोक्ता—
- (क) कार्यस्थल पर लैंगिक उत्पीड़न के प्रतिरोध, निवारण एवं प्रतितोष के लिए एक आंतरिक नीति या चार्टर या संकल्प या घोषणा तैयार करेगा तथा उसका व्यापक प्रसार करेगा, जिसका आशय लिंग संवेदी सुरक्षित स्थानों को बढ़ावा देना तथा ऐसे अंतर्निहित कारकों का निवारण करना है, जो महिलाओं के विरुद्ध प्रतिकूल कार्य परिवेश में योगदान करते हैं;
- (ख) आंतरिक समिति के सदस्यों के लिए, प्रबोधन कार्यक्रमों एवं सेमिनारों का क्रियान्वयन करेगा;
- (ग) कर्मचारी जागरुकता कार्यक्रमों का क्रियान्वयन करेगा तथा संवादों के लिए मंच का सृजन करेगा जिसमें पंचायती राज संस्थाएं, ग्राम सभा, महिला समूह, मातृ समितियां, किशोर समूह, शहरी स्थानीय निकाय तथा कोई अन्य निकाय, जिसे आवश्यक समझा जाए, अंतर्बलित हो सकते हैं;
- (घ) आंतरिक समिति के सदस्यों के लिए क्षमता निर्माण एवं कौशल निर्माण कार्यक्रमों का संचालन करेगा;
- (ङ) आंतरिक समिति के सभी सदस्यों के नामों एवं संपर्क के ब्यौरों की घोषणा करेगा;
- (च) अधिनियम के उपबंधों के बारे में कर्मचारियों को संवेदनशील बनाने के लिए, कार्यशालाओं एवं जागरुकता कार्यक्रमों के आयोजन के लिए, राज्य सरकारों द्वारा विकसित मापदंडों का उपयोग करेगा।
14. वार्षिक रिपोर्ट तैयार करना : वार्षिक रिपोर्ट जिसे धारा 21 के अंतर्गत शिकायत समिति द्वारा तैयार किया जाएगा, में निम्नलिखित ब्यौरे होंगे :
- (क) वर्ष में प्राप्त लैंगिक उत्पीड़न की शिकायतों की संख्या;
- (ख) ऐसी शिकायतों की संख्या जिनका वर्ष के दौरान निस्तारण किया गया;
- (ग) ऐसे मामलों की संख्या जो नब्बे दिन से अधिक अवधि तक लंबित हैं;

- (घ) लैंगिक उत्पीड़न के विरुद्ध क्रियान्वित कार्यशालाओं या जागरूकता कार्यक्रमों की संख्या;
 (ङ) नियोक्ता या जिला अधिकारी द्वारा की गई कार्रवाई का स्वरूप।

[फा. सं. 19-5/2013-डब्ल्यूडब्ल्यू]

डॉ. श्रीरंजन, संयुक्त सचिव

**MINISTRY OF WOMEN AND CHILD DEVELOPMENT
 NOTIFICATION**

New Delhi, the 9th December, 2013

G.S.R. 769(E).—In exercise of the powers conferred by section 29 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement. – (1) These rules may be called the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. – In these rules, unless the context otherwise requires,—

- (a) "Act" means the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013);
 (b) "complaint" means the complaint made under section 9;
 (c) "Complaints Committee" means the Internal Committee or the Local Committee, as the case may be;
 (d) "incident" means an incident of sexual harassment as defined in clause (n) of section 2;
 (e) "section" means a section of the Act;
 (f) "special educator" means a person trained in communication with people with special needs in a way that addresses their individual differences and needs;
 (g) words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Fees or allowances for Member of Internal Committee.— (1) The Member appointed from amongst non-government organisations shall be entitled to an allowance of two hundred rupees per day for holding the proceedings of the Internal Committee and also the reimbursement of travel cost incurred in travelling by train in three tier air condition or air conditioned bus and auto rickshaw or taxi, or the actual amount spent by him on travel, whichever is less.

The employer shall be responsible for the payment of allowances referred to in sub-rule (1).

4. Person familiar with issues relating to sexual harassment.— Person familiar with the issues relating to sexual harassment for the purpose of clause (c) of sub-section (1) of section 7 shall be a person who has expertise on issues relating to sexual harassment and may include any of the following:—

- (a) a social worker with at least five years' experience in the field of social work which leads to creation of societal conditions favourable towards empowerment of women and in particular in addressing workplace sexual harassment;
 (b) a person who is familiar with labour, service, civil or criminal law.

1. Fees or allowances for Chairperson and Members of Local Committee.— (1) The Chairperson of the Local Committee shall be entitled to an allowance of two hundred and fifty rupees per day for holding the proceedings of the said Committee.

(2) The Members of the Local Committee other than the Members nominated under clauses (b) and (d) of sub-section (1) of section 7 shall be entitled to an allowance of two hundred rupees per day for holding the proceedings of the said Committee and also the reimbursement of travel cost incurred in travelling by train in three tier air condition or air conditioned bus and auto rickshaw or taxi, or the actual amount spent by him on travel, whichever is less.

The District Officer shall be responsible for the payment of allowances referred to in sub-rules (1) and (2).

6. Complaint of sexual harassment. – For the purpose of sub-section (2) of Section 9,—

- (i) where the aggrieved woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by —

- (a) her relative or friend; or
 - (b) her co-worker; or
 - (c) an officer of the National Commission for Women or State Women's Commission; or
 - (d) any person who has knowledge of the incident, with the written consent of the aggrieved woman;
- (ii) where the aggrieved woman is unable to make a complaint on account of her mental incapacity, a complaint may be filed by-
- (a) her relative or friend; or
 - (b) a special educator; or
 - (c) a qualified psychiatrist or psychologist; or
 - (d) the guardian or authority under whose care she is receiving treatment or care; or
 - (e) any person who has knowledge of the incident jointly with her relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care;
- (iii) where the aggrieved woman for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with her written consent;
- (iv) where the aggrieved woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.

7. **Manner of inquiry into complaint.**- (1) Subject to the provisions of section 11, at the time of filing the complaint, the complainant shall submit to the Complaints Committee, six copies of the complaint along with supporting documents and the names and addresses of the witnesses.

(2) On receipt of the complaint, the Complaints Committee shall send one of the copies received from the aggrieved woman under sub-rule (1) to the respondent within a period of seven working days.

(3) The respondent shall file his reply to the complaint along with his list of documents, and names and addresses of witnesses, within a period not exceeding ten working days from the date of receipt of the documents specified under sub-rule (1).

(4) The Complaints Committee shall make inquiry into the complaint in accordance with the principles of natural justice.

(5) The Complaints Committee shall have the right to terminate the inquiry proceedings or to give an *ex-parte* decision on the complaint, if the complainant or respondent fails, without sufficient cause, to present herself or himself for three consecutive hearings convened by the Chairperson or Presiding Officer, as the case may be:

Provided that such termination or *ex-parte* order may not be passed without giving a notice in writing, fifteen days in advance, to the party concerned.

(6) The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the Complaints Committee.

(7) In conducting the inquiry, a minimum of three Members of the Complaints Committee including the Presiding Officer or the Chairperson, as the case may be, shall be present.

8. **Other relief to complainant during pendency of inquiry.**-The Complaints Committee at the written request of the aggrieved woman may recommend to the employer to-

- (a) restrain the respondent from reporting on the work performance of the aggrieved woman or writing her confidential report, and assign the same to another officer;
- (b) restrain the respondent in case of an educational institution from supervising any academic activity of the aggrieved woman.

9. **Manner of taking action for sexual harassment.**- Except in cases where service rules exist, where the Complaints Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the employer or the District Officer, as the case may be, to take any action including a written apology, warning, reprimand or censure, withholding of promotion, withholding of pay rise or increments, terminating the respondent from service or undergoing a counselling session or carrying out community service.

5155 27/13-2

10. Action for false or malicious complaint or false evidence.- Except in cases where service rules exist, where the Complaints Committee arrives at the 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 employer or District Officer, as the case may be, to take action in accordance with the provisions of rule 9.

11. Appeal.- Subject to the provisions of section 18, any person aggrieved from the recommendations made under sub-section (2) of section 13 or under clauses (i) or clause (ii) of sub-section (3) of section 13 or sub-section (1) or sub-section (2) of section 14 or section 17 or non-implementation of such recommendations may prefer an appeal to the appellate authority notified under clause (a) of section 2 of the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946).

12. Penalty for contravention of provisions of section 16.- Subject to the provisions of section 17, if any person contravenes the provisions of section 16, the employer shall recover a sum of five thousand rupees as penalty from such person.

13. Manner to organise workshops, etc.- Subject to the provisions of section 19, every employer shall-

- (a) formulate and widely disseminate an internal policy or charter or resolution or declaration for prohibition, prevention and redressal of sexual harassment at the workplace intended to promote gender sensitive safe spaces and remove underlying factors that contribute towards a hostile work environment against women;
- (b) carry out orientation programmes and seminars for the Members of the Internal Committee;
- (c) carry out employees awareness programmes and create forum for dialogues which may involve Panchayati Raj Institutions, Gram Sabha, women's groups, mothers' committee, adolescent groups, urban local bodies and any other body as may be considered necessary;
- (d) conduct capacity building and skill building programmes for the Members of the Internal Committee;
- (e) declare the names and contact details of all the Members of the Internal Committee;
- (f) use modules developed by the State Governments to conduct workshops and awareness programmes for sensitising the employees with the provisions of the Act.

14. Preparation of annual report.- The annual report which the Complaints Committee shall prepare under Section 21, shall have the following details:-

- (a) number of complaints of sexual harassment received in the year;
- (b) number of complaints disposed off during the year;
- (c) number of cases pending for more than ninety days;
- (d) number of workshops or awareness programme against sexual harassment carried out;
- (e) nature of action taken by the employer or District Officer.

[F. No. 19-5/2013-WW]

Dr. SHREERANJAN, Jt. Secy.