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### GRIEVANCE REDRESSAL POLICY DOCUMENT(GRPD)

The TKR College of Engineering and Technology firmly believes that it is crucial for a person's overall growth to be aware of their fundamental requirements and to protect their civil liberties. In accordance with the guidelines issued by UGC and AICTE, the institute has created its ZERO TOLERANCE POLICY to combat the threat of ragging, harassment, and any other concerns. In the event of complaints of sexual harassment regarding classroom teaching, classroom management, completion of the syllabus, teaching methodology, infrastructure maintenance, improvement, etc. are made, the institute's Grievance Redressal Mechanism handles them. A "ZERO TOLERANCE POLICY" against ragging and sexual harassment is vigorously enforced by the university.

Anyone with a genuine grievance may approach the Grievance Redressal Committee members in person. In case the person is unwilling to appear in self, grievances may be sent in writing. Grievances may also be sent through e-mail to the officer in charge of the Students' Grievance Redressal Committee or the Principal.

### Objective:-

The objective of the Grievance Redressal Committee is to develop a responsive and accountable attitude among all the stakeholders to maintain a harmonious educational atmosphere in the institute.

A Grievance Redressal Committee has been constituted for the redressal of the problems reported by the Students of the College with the following objectives:

- Upholding the College's honor by providing a peaceful environment there and encouraging friendly student-student and student-teacher relationships, among other things.
- Encouraging the students to voice their complaints and issues openly and honestly without worrying about being victimized.
- A suggestion/complaint register has been set up in front of the administrative building, where students can anonymously register their complaints and suggestions for enhancing the college's administration and academics.
- Encouraging College students to treat one another with decency and respect, and to use the greatest restraint and patience if a conflict arises. Advising All the Students to refrain from inciting Students against other Students, teachers, and College administration
- Advising all staff to be affectionate to the Students and not behave in a vindictive manner towards any of them for any reason.
- Any form of ragging is strictly forbidden both inside and outside the institution. Any ragging or disciplinary rule violation needs to be brought to the principal's attention immediately.

Modes of Complaints:

The institute has provided the easiest way possible to file any grievance of the student. TKRCET has provided online mode as well as Offline mode to the student.

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TKR College of Engineering & Technology

(AUTONOMOUS)



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achieving gender equality, eliminating gender bias or discrimination, sexual harassment, matters against molestation, and other acts of gender-based violence.

2. Anti-Ragging Committee:

Anti-Ragging Committee will be the supervisory and advisory committee in preserving a Culture of a Ragging Free Environment on the college campus. The Anti-Ragging Committee makes sure that all regulations and laws that are currently in effect that pertain to ragging are followed. ensures that the Supreme Court of India's order, University Grants Commission (UGC) notifications, DAVV rules, and regulations, as well as the performance of the Anti-Ragging Squad, are followed. To maintain a constant watch on the students, this committee combines the power of the institution with the student committee (Chatra Suraksha Samiti).

### The main objectives of this cell are as follows:

- To aware the students of the dehumanizing effect of ragging inherent in its perversity.
- To keep a continuous watch and vigil over ragging to prevent its occurrence and recurrence.
- To promptly and stringently deal with the incidents of ragging brought to our notice.
- To generate an atmosphere of discipline by sending a clear message that no act of ragging shall be tolerated and any act of ragging shall not go unnoticed and unpunished.
- To supervise the Anti-Ragging squad, Chatra-Suraksha Samiti, and assist Student Grievance Redressal Committee.

3. Anti-Ragging Squad:

The functions of the Anti-Ragging Squad will be to keep a vigil and stop the incidences of Ragging, if any, happening/reported in the places of Student aggregation, Classrooms, Canteens, Buses, Grounds, Hostels, etc. The main objective is to maintain a ragging-free campus. To create awareness about ragging, to ensure a student-friendly environment at all times, and to assist Anti Ragging Committee.

#### 4. Chatra Suraksha Samiti:

As a preventive committee, Chatra Suraksha Samiti has a cell that is solely focused on empowering female students because there are almost 50% of them in the institution. The Chhatra Suraksha Committee, which includes local female police officials and other individuals, is established with this in mind. The committee teaches the female student's self-defense techniques and develops their strength and independence. The committee educates female students about GOOD TOUCH BAD TOUCH and many privileges by holding workshops and distributing information.

5. Internal Complaint Committee

The committee is designed to handle complaints about mentoring of any kind, excluding ragging and sexual harassment. The committee's mission statement is to address any issues that may arise on campus connected to the mess, the hostel, any smoking- or alcohol-related issues, etc. All of the institution's needs and issues are handled by this committee.

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### 6. Student Grievances Redressal Committee

The Committee makes an effort to address simple concerns and complaints from students of various types, such as incorrectly filled out internal or viva questions, attendance-related problems, etc. It guarantees students that any complaints will be handled sensitively and confidentially once they are made. There is a "She-Box" set up at the institution for gender awareness. The institute encourages its students to use the suggestion boxes positioned at various locations to voice good ideas and complaints. They can also talk to the other students in the cell or any other teacher they feel like approaching. All complaints submitted through "She-Box" are handled in the strictest of confidence, and the sensitive nature of the situation is acknowledged and dealt with.

#### 7. Hostel Welfare Committee

The Committee's major objectives are to uphold law and order on the hostel grounds and coordinate the daily needs of the hostel, mess, and cafeteria. This committee handles concerns about the hostel's food quality, facilities like hot water, air conditioning, internet accessibility, hygiene, and good, round-the-clock security, including a dog squad, night security, and camera surveillance.

### 8. Conduct Surveillance Committee

The committee's original goals were to provide total campus security and uphold the Code of Conduct. As its name implies, they serve as the institution's disciplinary body for staff, administration, and students. Through their elected representatives, the members themselves assist the teaching and administrative staff, monitor, and control behavior. They observe student behavior on campus and report it to the Internal Complaint and Discipline Society so that the necessary measures can be taken. This committee is in charge of handling complaints involving theft, drug abuse, use of profane or abusive language, drinking on campus, and drug abuse.

### 9. Staff &Student Welfare Committee

The Staff & Student Welfare Committee's goal is to actively listen to, communicate with, and identify the needs of students and staff based on the organization, faith, reason, service, and community. The Committee supports and enhances the growth, welfare, and best interests of staff through effective leadership, ensuring that the student/staff are closely engaged with the variety of institutional concerns contributing to the success of the organization. In line with the institute's vision, mission, and proposed strategic plan, the Student Welfare Committee is in charge of creating, assessing, and evaluating programs as well as determining the course for student affairs.

10. Disciplinary Society

The primary objectives of the Disciplinary Society lie behind the edge mark it creates among the students which are to maintain discipline and to regulate the conduct of students, conducting events all indoors and outdoors and maintaining the records of the same. The class representatives directly work with the management by assisting their batch coordinators in managing the affairs of their batch. Disciplinary Society is a common body for the students of the law. Other than these Committees/ Societies there are various other ways to raise a grievance, these are as under:

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#### 1. She Box

Encouraging the Students to express their grievances/problems freely and frankly, without any fear of being victimized is the major objective of *She-Box*. *She Box* is installed in which the female students, who want to remain anonymous, put in writing their grievances which are gender-sensitive, or their suggestions for improvement of the Academics / Administration in the College.

2. Complaint & Suggestion Box

Encouraging the Students to express their grievances/problems freely and frankly, without any fear of being victimized is the major objective of the complaint box. A complaint & Suggestion Box is installed in which the students, who want to remain anonymous, put in writing their grievances and their suggestions for improvement of the Academics / Administration in the College.

#### 3. RTI Officer

Institutional Public Information Officer is the RTI Officer. The objective of this institution is to dispense information requested either by the staff or by the students. Any query related to academics, examination, internal, crash course, Transfer Certificate, etc. is dispensed by the Officer in due time. The details of the RTI Officer are provided on the website of the Institution as well on the notice boards available in various blocks of the Institution's campus.

4. Mentor-Mentee Program

The program offers a Faculty member as a mentor for students, who under the supervision of the assigned mentor aim at acing academics, alongside boosting skills and confidence. Each student has been allotted a mentor and the mentor has chalked-out responsibilities to take care of all the mentees and to always support them as and when required. In case a student has any grievance, whether relating to academics or in case of need of any personal counseling, he/she can directly contact the mentor. The mentor guides the student and tries to solve the problem at the grass root level. If it cannot be done, then the complaint is forwarded to the concerned committee.

5. Peer Scholar Program

The peer Scholar Program is where a senior student is assigned as a peer to junior students to better-off academic performance and also to provide emotional support in their time of need. In case of any grievance the students can seek the help of their respective scholar and the scholar must solve the reported grievance at the personal level or report it to the concerned committee.

#### 6. Camera CCTV:

The Institution has a key responsibility to ensure the ongoing safety of both its students and teachers while on school premises. The institution has installed CCTV surveillance systems everywhere on campus which are excellent deterrents against incidents occurring during working hours, whether that is bullying, unauthorized access, or criminal activity such as vandalism. Through CCTV the whole campus is covered in the camera. CCTV systems alone ensure the Institution provides recorded evidence of active vandalism, fights, thefts, or any kind of misconduct, which also helps in scrutinizing students' grievance redressal.

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### 7. Helpline Numbers:

Helpline numbers are provided to the students who want to complain regarding anything whether it's related to ragging, any kind of harassment, hostel welfare, etc. The complaints later are allocated to the concerned committee. The helpline numbers are active for 24 x7 and just one dial away.

- Dr. K. Padmaja Devi (+91-9059104630) for Anti Sexual Harassment
- Dr. A. Suresh Rao (+91-9866490867) for Anti Ragging
- Dr. K. Raju (+91-9989202109) for Student Grievance Redressal
- Dr. K. Rajinikanth (+91-8498085223) for Internal Complaint

#### 8. Female Psychiatrist:

Institute provides every possible remedy available to the students; Institute has appointed an excellently trained female psychiatrist Mrs. Sudha Rani, especially for the counseling of female students who seeks any help regarding mental illness, Gender –Sensitive issues and she gives counseling for the female students who are facing problem in their life/college life/career related anxiousness, etc. Mrs. Sudha is noted to have an empathic and helping approach.

### 9. Mental and Physical Wellness Committee:

The Mental Health & Wellness Committee is committed to promoting mental health awareness and holistic health from an equitable lens to serve the diverse needs of our student population by providing information, activities, and services to increase emotional, psychological, physical, spiritual, and social well-being. The main objective of this committee is to raise awareness and reduce the stigma around mental health through culturally-relevant events, activities, social media campaigns, workshops, and conferences to support personal development, and retention, and create a sense of belonging.

#### 10. Counseling Cell:

The Guidance and Counseling cell aims to provide comprehensive guidance programs and services that will equip students with the necessary knowledge, attitude, and skills to become mature and socially responsible individuals. It aims to promote a just and humane society. The cell nurtures students through different activities and allows students to cross hurdles in the academic year thereby marching smoothly towards success. Apart from this, it helps the students to overcome class, social, and cultural barriers to complete their college education. The Guidance and Counseling Committee is looked after by a teaching faculty. Apart from the main in charge, the other faculty members take up specific roles in the activities conducted. The committee identifies students who require services on priority along with their areas of deficiency and suggests the improvement required. The students once identified, are given academic as well as personal counseling.

#### Procedure:-

- The setting of the Grievance Redressal Committee for students will be widely published.
- The students may feel free to put up a grievance in the format attached and drop it in boxes placed at conspicuous locations.
- The students may register their grievances online at

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- The GRC will act upon those cases which have been forwarded along with the necessary documents.
- The GRC will take up only those matters which have not been solved by the different departments.
- Grievances related to fees etc will be taken up only if the relevant financialdocuments like demand drafts etc are attached.

The Committee is requested to Contribute effectively to dispose of the grievances at theearliest.

A registry to register the complaint is established and kept in the Principal's office under the supervision of Dr. K. Raju Dean of Student Welfare. On receipt of the Compliant, the staff in charge of the registry will submit the same to the Member Secretary of the "Grievance Redressal Committee". The Committee will meet, with Information to the complainant on their day of Convenience. An aggrieved Student or Parent may appear in person to present his/her case.

In the case, the complainant is not satisfied with the decision of the Committee, they may send their appeals to the "OMBUDSMAN" appointed by the Affiliating University. The OMBUDSMAN will fix a date for hearing the Complainant which shall be communicated to the Institute and the aggrieved person.

The Institution shall comply with the order of the ombudsman. Any order of the OMBUDSMAN not complied with by the Institution will be reported to AICTE for appropriate action.

In case of any false/frivolous Complaint, the ombudsman may order appropriateaction against the Complaint.

Online

#### **Exclusions:-**

The Grievance Redressal Committee shall not entertain the following issues:

- Decisions of the Executive Council, Academic Council, Board of Studies, and other
   Administrative or Academic Committees constituted by the University.
- Decisions concerning the award of scholarships, fee concessions, medals, etc.
- Decisions made by the University concerning disciplinary matters and misconduct.
- Decisions of the University about admissions in any courses offered by the Institute.
- Decisions by the competent authority on assessment and examination results.

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#### Establishment of a Grievance Redressal Committee.

To comply with the AICTE Regulation for addressing, a student or Parent's grievance in a Technical Institution, the "Grievance Redressal Committee" TKRCET has been constituted with the following Staff in different positions to enquire about the nature and extent of the grievance. The committee can suggest the final action to be initiated at the institutional level for the redressal of the same.

#### **GRIEVANCE REDRESSAL COMMITTEE:**

The Student or Person, who is willing to launch any complaints, shall send their representation for redressal of their grievance to the following Grievances RedressalCommittee.

All aggrieved parents and stockholders may also thenceforth approach the Grievance Redressal Committee.

Any member of TKRCET (staff/student) can represent their issue through electronic or paper media to any designated member in the department, cell, or committee or through the Grievance Redressal Register available at the Administrative Office Reception counter. The institute has the following committees to deal with specific matters to maintain good order, discipline, and a harmonious environment on campus. The timel redressal of the grievance through appropriate committees is shown in Table.1

Table.1 Grievance Redressal Committee

| S. No | Type of complaint  |                       |
|-------|--------------------|-----------------------|
|       |                    | Time frame for Action |
|       |                    | Taken.                |
| 1     | Ragging            | Within Two Days       |
| 2     | Sexual Harassment  | Within Two Days.      |
| 3     | Student Grievances | Within One week       |

TKR College of Engineering & Technology
(AUTONOMOUS)



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The designated bodies are:

### **GRIEVANCE REDRESSAL COMMITTEE:**

The main role of the committee is to address the complaints from Students and Staff. Table. 2 shows that, Grievance Redressal Committee members.

Table.2 Grievance Redressal Committee

| S. No | Name                                     | Designation                        | Position  |
|-------|--|------------------------------------|-----------|
| 1     | Dr. D. V. Ravi Shankar                   | Professor                          | President |
| 2     | Dr. A. Suresh Rao                        | Professor                          | Chairman  |
| 3     | Dr. K. Raju                              | Professor                          | Convenor  |
| 4     | Dr. A. Jaya Lakshmi, university nominee. | Professor                          | Member    |
| 5     | Mrs. K. Padmaja Devi                     | Representative of Faculty Members  | Member    |
| 6     | Mrs. K. Sukanya                          | Involved in Youth Activities       | Member    |
| 7     | Mr.A. Srinivas Rao                       | Representation of Parents          | Member    |
| 8     | SI. Meerpet                              | Civil and Police<br>Administration | Member    |
| 9     | Mr. G. L. N. Reddy                       | Non-Teaching Staff                 | PIO       |
| 10    | Mr. Y. Somi Reddy                        | Non-Teaching Staff                 | APIO      |
| 11    | Mr. G. Srinivas Reddy                    | Chief Librarian                    | Member    |

Anti-Ragging Committee: The role of the committee is to monitor, prevent and deter Ragging incidents in the Institution. Table. 3 shows that Anti-Ragging Committee contact details, phone numbers and E mail IDs.

Table. 3 Anti-Ragging Committee

|          | Table. 3 Anti-Ragging Committee |                              |                              |                  |   |
|----------|---------------------------------|------------------------------|------------------------------|------------------|---|
| S.N<br>o | Name                            | Role                         | Designation                  | Mobile<br>Number | EmailID   |
| 1        | Dr. D. V. Ravi<br>Shankar       | President                    | Principal                    | 9666573666       | principal@tkrcet.com  |
| 2.       | Dr. A. Suresh Rao               | Chamman                      | Vice<br>Principal            | 9866490867       | deanoffice@tkrcet.com antiraggingcommittee@tkrcet.com           |
| 3        | Dr. K. Raju                     | Convenor                     | Professor                    | 9989202109       | kadururaju@tkrcet.com<br>grievanceredressalcommittee@tkrcet.com |
| 4        | Mr. Mahender<br>Reddy           | Police<br>Representati<br>ve | Sub-<br>Inspector            | 9490617342       | policestationmeerpet@gmail.com                                  |
| 5        | Mr.Bhupal Reddy                 | Local Media                  | Reporter                     | 9491080832       | bhupaleenadu@gmail.com  |
| 6        | Mr. A. V. Apparao               | NGO                          | Senior<br>Advocate<br>Member | 9849017467       | apparao@gmail.com   |

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(AUTONOMOUS)



### TKR COLLEGE OF ENGINEERING AND TECHNOLOGY



(AUTONOMOUS)
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| 7  | Dr. K. Rajinikanth       | Faculty<br>Members             | Professor              | 8498085223 | rajinikanth@tkrcet.com internalcomplaintcommittee@tkrcet.com |
|----|--------------------------|--------------------------------|------------------------|------------|--|
|    |                          |                                | *                      |            | mternarcompiamicommittee@tkrcet.com                          |
| 8  | Mr. Chandrashekar        | Faculty<br>Members             | Assistant<br>Professor | 8143785269 | chandrashekar@tkrcet.com                                     |
| 9  | Mr. Vikas                | Faculty<br>Members             | Assistant<br>Professor | 9704117789 | vikas@tkrcet.com   |
| 10 | Dr. MD<br>Qutubuddin     | Faculty<br>Members             | Assistant<br>Professor | 9885842147 | mdqutubuddin30@tkrcet.com                                    |
| 11 | Mrs. Jaya Lakshmi        | Faculty<br>Members             | Associate<br>Professor | 9390909007 | jayalakshmi@tkrcet.com                                       |
| 12 | Mr. G. Srinivas<br>Reddy | Faculty<br>Member              | Chief<br>Librarian     | 8498085220 | tkrcetlibrary@gmail.com                                      |
| 13 | Mr. A. Srinivas<br>Rao   | Parents<br>Representati<br>ves |                        | 8142427385 | srinivasraoa@gmail.com                                       |
| 14 | A. Rakesh                | Student<br>Representati<br>ves | Student<br>President   | 9154067856 | 20k91A0203@tkrcet.com  |
| 15 | K. Madhukar              | Senior students                | Student                | 8688601721 | konagantimadhukar07@gmail.com                                |
| 16 | K. Srilatha              | Senior<br>students             | Student                | 9100314484 | 21k95a0324@tkrcet.com  |
| 17 | U. Vamshi<br>Krishna     | Senior<br>students             | Student                | 7729851125 | 20k91a0167@tkrcet.com  |
| 18 | D. Rakesh                | Senior<br>students             | Student                | 6301866381 | 20k91a0217@tkrcet.com  |
| 19 | Mr. R. Narsaiah          | Non-<br>Teaching<br>Member     | Technician<br>Gr-I     | 9348220585 | narsaiah@tkrcet.com  |
| 20 | Mrs. Geetha              | Non-<br>Teaching<br>Member     | Jr.Assistant           | 9491352764 | geethagirimarakani@gmail.com                                 |

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**3. Anti-Sexual Harassment Cell:** The role of this cell is to prevent sexual harassment on campus, and is empowered to deal with cases concerning sexual harassment of women staff and students. Table.3 shows that Prevention of sexual harassment /Women Protection Cell contact details phone numbers and Mail Ids.

Table.3 Prevention of sexual harassment /Women Protection Cell

| CINI |                       | ble.3 Prevention of sexual harassment /Women Protection Cell |            |                                  |  |  |
|------|-----------------------|--|------------|----------------------------------|--|--|
| S.N  | Name of the Institute | Members of the   | Mobile     | Mail Id                          |  |  |
| 0    |                       | Women Protection   |            |                                  |  |  |
|      |                       | Cell with  |            |                                  |  |  |
|      |                       | Designation  |            |                                  |  |  |
| 1    |                       | Chairman:  | 9666573666 | principal@tkrcet.com             |  |  |
|      |                       | Dr. D. V. Ravi   |            |                                  |  |  |
|      |                       | Shankar  |            |                                  |  |  |
|      |                       |  |            |                                  |  |  |
| 2    |                       | Convener/  | 9059104630 | padmajadevi@tkrcet.com           |  |  |
|      | TKR College           | Coordinator  |            | _                                |  |  |
|      | Of                    | Dr. K. Padmaja   |            | antisexualharassmentcommittee@tk |  |  |
|      | Engineering&Technolo  | Devi   |            | rcet.com                         |  |  |
|      | gy (Autonomous)       | Asst.Prof - ECE  |            |                                  |  |  |
|      |                       | ASSI.Proi - ECE  |            |                                  |  |  |
|      |                       |  | Memb       | ers                              |  |  |
| 3    |                       | Dr. K.   |            | sukanyakurapati@tkrcet.com       |  |  |
|      |                       | Sukanya  | 7013193769 |                                  |  |  |
|      |                       | Asst.Prof  |            |                                  |  |  |
|      |                       | Dept.ofECE   |            |                                  |  |  |
| 4    |                       | Dr. C. Uma   |            | uma@tkrcet.com                   |  |  |
|      |                       | devi   | 9848289961 |                                  |  |  |
| - 1  |                       | A D C  |            |                                  |  |  |
|      |                       | Asst.Prof.   |            |                                  |  |  |
|      |                       | Asst.Prof. Dept.ofH&S  |            |                                  |  |  |
| 5    |                       | 5  | 9849443217 | sangeethasarali@tkrcet.com       |  |  |
| 5    |                       | Dept.ofH&S<br>S.   | 9849443217 | sangeethasarali@tkrcet.com       |  |  |
| 5    |                       | Dept.ofH&S   | 9849443217 | sangeethasarali@tkrcet.com       |  |  |
| 5    |                       | Dept.ofH&S<br>S.<br>Sangeetha                                | 9849443217 | sangeethasarali@tkrcet.com       |  |  |

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(AUTONOMOUS)



### TKR COLLEGE OF ENGINEERING AND TECHNOLOGY





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#### ANTI-RAGGING SQUAD

| S.NO | NAMEOFTHEFACULTY           | DEPT.   | MOBILENO   |
|------|----------------------------|---------|------------|
| 1.   | Dr. D. V. S. R. ANIL KUMAR | H&S     | 9440365690 |
| 2.   | Dr. K. RAJINIKANTH         | H&S     | 8498085223 |
| 3.   | Dr. A. SURESH RAO          | CSE     | 9866490867 |
| 4.   | Dr. G. GOPALA KRISHNA      | MECH    | 9490322346 |
| 5.   | K. V. R. SATYA SAI         | CIVIL   | 9885622969 |
| 6.   | Dr. S, NARSHIMA            | EEE     | 8639581157 |
| 7.   | Dr. D. NAGESHWAR RAO       | ECE     | 9912713150 |
| 8.   | Dr. N. SATYANARYANA        | IT      | 7569107473 |
| 9.   | Dr. V. KRISHNA             | CSE(DS) | 9849996581 |
| 10.  | Dr. B. SUNIL SRINIVAS      | CSE(AI& | 9885856780 |
|      |                            | ML)     |            |

#### Mentoring Cells at Hostel Level (Boys)

| S. No | Name of the Member | Role     | Designation                 |
|-------|--------------------|----------|-----------------------------|
| 1     | P. JOHANSON        | Convener | Chief Warden                |
| 2.    | M. MANOJ           | Members  | Asst. Warden                |
| 3.    | D. NARESH          | Members  | Asst. Warden                |
| 4.    | S. KARNAKAR        | Member   | Mess In charge              |
| 5.    | S. VIVEK           | Member   | Student Committee<br>Member |

#### Mentoring Cells at Hostel Level (Girls):

| S. No | Name of the Member | Role     | Designation                 |
|-------|--------------------|----------|-----------------------------|
| 1     | CH. RAVALI         | Convener | Warden                      |
| 2.    | MD. GOUSIA         | Members  | Residential Warden          |
| 3.    | B. SRAVANTHI       | Members  | Asst. Warden                |
| 4.    | K. SRILATHA        | Members  | Mess In charge              |
| 5.    | V. LAHARI          | Member   | Student Committee<br>Member |

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असाधारण

EXTRAORDINARY

भाग 11 — खण्ड 1

PART II - Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं॰ 18]

नई दिल्ली, मंगलवार, अप्रैल 23, 2013/ वैशाख 3, 1935 (शक)

No. 18]

NEW DELHI, TUESDAY, APRIL 23, 2013/ VAISAKHA 3, 1935 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके। Separate paging is given to this Part in order that it may be filed as a separate compilation.

#### MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 23rd April, 2013/Vaisakha 3, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 22nd April, 2013, and is hereby published for general information:—

# THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013

(No. 14 of 2013)

[22nd April, 2013.]

An Act to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

Whereas sexual harassment results in violation of the fundamental rights of a woman to equality under articles 14 and 15 of the Constitution of India and her right to life and to live with dignity under article 21 of the Constitution and right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment;

AND WHEREAS the protection against sexual harassment and the right to work with dignity are universally recognised human rights by international conventions and instruments such as Convention on the Elimination of all Forms of Discrimination against Women, which has been ratified on the 25th June, 1993 by the Government of India;

AND WHEREAS it is expedient to make provisions for giving effect to the said Convention for protection of women against sexual harassment at workplace.

BE it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows:---

#### CHAPTER I

#### PRELIMINARY

Short title, extent and commencement

- 1. (1) This Act may be called the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
  - (2) It extends to the whole of India.
- (3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions

- 2. In this Act, unless the context otherwise requires,---
  - (a) "aggrieved woman" means-
  - (i) 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;
  - (ii) in relation to a dwelling place or house, a woman of any age who is employed in such a dwelling place or house;
  - (b) "appropriate Government" means--
  - (i) in relation to a workplace which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly—
    - (A) by the Central Government or the Union territory administration, the Central Government;
      - (B) by the State Government, the State Government;
  - (ii) in relation to any workplace not covered under sub-clause (i) and falling within its territory, the State Government;
- (c) "Chairperson" means the Chairperson of the Local Complaints Committee nominated under sub-section (1) of section 7;
  - (d) "District Officer" means an officer notified under section 5;
- (e) "domestic worker" means a woman who is employed to do the household work in any household for remuneration whether in cash or kind, either directly or through any agency on a temporary, permanent, part time or full time basis, but does not include any member of the family of the employer;
- (f) "employee" means a person employed at a workplace for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with or, without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name;

#### (g) "employer" means-

- (i) in relation to any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit of the appropriate Government or a local authority, the head of that department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit or such other officer as the appropriate Government or the local authority, as the case may be, may by an order specify in this behalf;
- (ii) in any workplace not covered under sub-clause (i), any person responsible for the management, supervision and control of the workplace.

Explanation.—For the purposes of this sub-clause "management" includes the person or board or committee responsible for formulation and administration of polices for such organisation;

- (iii) in relation to workplace covered under sub-clauses (i) and (ii), the person discharging contractual obligations with respect to his or her employees;
- (iv) in relation to a dwelling place or house, a person or a household who employs or benefits from the employment of domestic worker, irrespective of the number, time period or type of such worker employed, or the nature of the employment or activities performed by the domestic worker;
- (h) "Internal Committee" means an Internal Complaints Committee constituted under section 4;
- (i) "Local Committee" means the Local Complaints Committee constituted under section 6;
- (j) "Member" means a Member of the Internal Committee or the Local Committee, as the case may be;
  - (k) "prescribed" means prescribed by rules made under this Act;
- (1) "Presiding Officer" means the Presiding Officer of the Internal Complaints Committee nominated under sub-section (2) of section 4;
- (m) "respondent" means a person against whom the aggrieved woman has made a complaint under section 9;
- (n) "sexual harassment" includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:—
  - (i) physical contact and advances; or
  - (ii) a demand or request for sexual favours; or
  - (iii) making sexually coloured remarks; or
  - (iv) showing pornography; or
  - (ν) any other unwelcome physical, verbal or non-verbal conduct of sexual nature;
  - (o) "workplace" includes --
  - (i) any department, organisation, 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 a corporation or a co-operative society;
  - (ii) any private sector organisation or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-governmental organisation, unit or service provider carrying on commercial, professional, vocational, educational, entertainmental, industrial, health services or financial activities including production, supply, sale, distribution or service;
    - (iii) hospitals or nursing homes;
  - (iv) any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereto;
  - (v) 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;

#### (vi) a dwelling place or a house;

(p) "unorganised sector" in relation to a workplace means an enterprise owned by individuals or self-employed workers and engaged in the production or sale of goods or providing service of any kind whatsoever, and where the enterprise employs workers, the number of such workers is less than ten.

## Prevention of sexual harassment.

- 3. (1) No woman shall be subjected to sexual harassment at any workplace.
- (2) The following circumstances, among other circumstances, if it occurs or is persent in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:—
  - (i) implied or explicit promise of preferential treatment in her employment; or
  - (ii) implied or explicit threat of detrimental treatment in her employment; or
  - (iii) implied or explicit threat about her present or future employment status; or
  - (iv) interference with her work or creating an intimidating or offensive or hostile work environment for her; or
    - (v) humiliating treatment likely to affect her health or safety.

#### CHAPTER II

#### CONSTITUTION OF INTERNAL COMPLAINTS COMMITTEE

Constitution of Internal Complaints Committee.

4. (1) Every employer of a workplace shall, by an order in writing, constitute a Committee to be known as the "Internal Complaints Committee":

Provided that where the offices or administrative units of the workplace are located at different places or divisional or sub-divisional level, the Internal Committee shall be constituted at all administrative units or offices.

- (2) The Internal Committee shall consist of the following members to be nominated by the employer, namely:
  - (a) a Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees:

Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the workplace referred to in sub-section (1):

Provided further that in case the other offices or administrative units of the workplace do not have a senior level woman employee, the Presiding Officer shall be nominated from any other workplace of the same employer or other department or organisation;

- (b) not less than two Members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge;
- (c) one member from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment:

Provided that at least one-half of the total Members so nominated shall be women.

- (3) The Presiding Officer and every Member of the Internal Committee shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.
- (4) The Member appointed from amongst the non-governmental organisations or associations shall be paid such fees or allowances for holding the proceedings of the Internal Committee, by the employer as may be prescribed.

- (5) Where the Presiding Officer or any Member of the Internal Committee,
  - (a) contravenes the provisions of section 16; or
- (b) has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him; or
- (c) he has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or
- (d) has so abused his position as to render his continuance in office prejudicial to the public interest,

such Presiding Officer or Member, as the case may be, shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provisions of this section.

#### CHAPTER III

### CONSTITUTION OF LOCAL COMPLAINTS COMMITTEE

5. The appropriate Government may notify a District Magistrate or Additional District Magistrate or the Collector or Deputy Collector as a District Officer for every District to exercise powers or discharge functions under this Act.

Notification of District Officer.

6. (1) Every District Officer shall constitute in the district concerned, a committee to be known as the "Local Complaints Committee" to receive complaints of sexual harassment from establishments where the Internal Complaints Committee has not been constituted due to having less than ten workers or if the complaint is against the employer himself.

Constitution and jurisdiction of Local Complaints Committee

- (2) The District Officer shall designate one nodal officer in every block, taluka and tehsil in rural or tribal area and ward or municipality in the urban area, to receive complaints and forward the same to the concerned Local Complaints Committee within a period of seven days.
- (3) The jurisdiction of the Local Complaints Committee shall extend to the areas of the district where it is constituted.
- 7. (1) The Local Complaints Committee shall consist of the following members to be nominated by the District Officer, namely:—
  - (a) a Chairperson to be nominated from amongst the eminent women in the field of social work and committed to the cause of women;
  - (b) one Member to be nominated from amongst the women working in block, taluka or tehsil or ward or municipality in the district;
  - (c) two Members, of whom at least one shall be a woman, to be nominated from amongst such non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment, which may be prescribed:

Provided that at least one of the nominees should, preferably, have a background in law or legal knowledge:

Provided further that at least one of the nominees shall be a woman belonging to the Scheduled Castes or the Scheduled Tribes or the Other Backward Classes or minority community notified by the Central Government, from time to time;

- (d) the concerned officer dealing with the social welfare or women and child development in the district, shall be a member ex officio.
- (2) The Chairperson and every Member of the Local Committee shall hold office for such period, not exceeding three years, from the date of their appointment as may be specified by the District Officer.

Composition, tenure and other terms and conditions of Local Complaints Committee

- (3) Where the Chairperson or any Member of the Local Complaints Committee ---
  - (a) contravenes the provisions of section 16; or
- (b) has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him; or
- (c) has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or
- (d) has so abused his position as to render his continuance in office prejudicial to the public interest,

such Chairperson or Member, as the case may be, shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provisions of this section.

(4) The Chairperson and Members of the Local Committee other than the Members nominated under clauses (b) and (d) of sub-section (1) shall be entitled to such fees or allowances for holding the proceedings of the Local Committee as may be prescribed.

Grants and audit.

- 8. (1) The Central Government may, after due appropriation made by Parliament by law in this behalf, make to the State Government grants of such sums of money as the Central Government may think fit, for being utilised for the payment of fees or allowances referred to in sub-section (4) of section 7.
- (2) The State Government may set up an agency and transfer the grants made under sub-section (1) to that agency.
- (3) The agency shall pay to the District Officer, such sums as may be required for the payment of fees or allowances referred to in sub-section (4) of section 7.
- (4) The accounts of the agency referred to in sub-section (2) shall be maintained and audited in such manner as may, in consultation with the Accountant General of the State, be prescribed and the person holding the custody of the accounts of the agency shall furnish, to the State Government, before such date, as may be prescribed, its audited copy of accounts together with auditors' report thereon.

#### **CHAPTER IV**

#### COMPLAINT

Complaint of sexual harassment

9. (1) Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the Internal Committee if so constituted, or the Local Committee, in case it is not so constituted, within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident:

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:

Provided further that the Internal Committee or, as the case may be, the Local Committee may, for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period.

(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.

Conciliation

10. (1) The Internal Committee or, as the case may be, the Local Committee, may, before initiating an 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:

Provided that no monetary settlement shall be made as a basis of conciliation.

- (2) Where a settlement has been arrived at under sub-section (1), the Internal Committee or the Local Committee, as the case may be, shall record the settlement so arrived and forward the same to the employer or the District Officer to take action as specified in the recommendation.
- (3) 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.
- (4) Where a settlement is arrived at under sub-section (1), no further inquiry shall be conducted by the Internal Committee or the Local Committee, as the case may be.
- 11. (1) Subject to the provisions of section 10, the Internal Committee or the Local Committee, as the case may be, shall, where the respondent is an employee, proceed to make inquiry into the complaint in accordance with the provisions of the service rules applicable to the respondent and where no such rules exist, in such manner as may be prescribed or in case of a domestic worker, the Local Committee shall, if *prima facie* case exist, forward the complaint to the police, within a period of seven days for registering the case under section 509 of the Indian Penal Code, and any other relevant provisions of the said Code where applicable:

Inquiry into complaint

45 of 1860.

Provided that where the aggrieved woman informs the Internal Committee or the Local Committee, as the case may be, that any term or condition of the settlement arrived at under sub-section (2) of section 10 has not been complied with by the respondent, the Internal Committee or the Local Committee shall proceed to make an inquiry into the complaint or, as the case may be, forward the complaint to the police:

Provided further that where both the parties are employees, the parties shall, during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the Committee.

45 of 1860.

5 of 1908

- (2) Notwithstanding anything contained in section 509 of the Indian Penal Code, the court may, when the respondent is convicted of the offence, order payment of such sums as it may consider appropriate, to the aggrieved woman by the respondent, having regard to the provisions of section 15.
- (3) For the purpose of making an inquiry under sub-section (1), the Internal Committee or the Local Committee, as the case may be, shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely:——
  - (a) summoning and enforcing the attendance of any person and examining him on oath;
    - (b) requiring the discovery and production of documents; and
    - (c) any other matter which may be prescribed.
- (4) The inquiry under sub-section (1) shall be completed within a period of ninety days.

#### CHAPTER V

#### INQUIRY INTO COMPLAINT

12. (1) During the pendency of an inquiry, on a written request made by the aggrieved woman, the Internal Committee or the Local Committee, as the case may be, may recommend to the employer to

Action during pendency of inquiry

(a) transfer the aggrieved woman or the respondent to any other workplace; or

- (b) grant leave to the aggrieved woman up to a period of three months; or
- (c) grant such other relief to the aggrieved woman as may be prescribed.
- (2) The leave granted to the aggrieved woman under this section shall be in addition to the leave she would be otherwise entitled.
- (3) On the recommendation of the Internal Committee or the Local Committee, as the case may be, under sub-section (1), the employer shall implement the recommendations made under sub-section (1) and send the report of such implementation to the Internal Committee or the Local Committee, as the case may be.

Inquiry report.

- 13. (1) On the completion of an inquiry under this Act, the Internal Committee or the Local Committee, as the case may be, shall provide a report of its findings to the employer, or as the case may be, the District Officer within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.
- (2) Where the Internal Committee or the Local Committee, as the case may be, arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the employer and the District Officer that no action is required to be taken in the matter.
- (3) Where the Internal Committee or the Local Committee, as the case may be, 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—
  - (i) to take action for sexual harassment as a misconduct in accordance with the provisions of the service rules applicable to the respondent or where no such service rules have been made, in such manner as may be prescribed;
  - (ii) to deduct, notwithstanding anything in the service rules applicable to the respondent, from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the aggrieved woman or to her legal heirs, as it may determine, in accordance with the provisions of section 15:

Provided that in case the employer is unable to make such deduction from the salary of the respondent due to his being absent from duty or cessation of employment it may direct to the respondent to pay such sum to the aggrieved woman:

Provided further that in case the respondent fails to pay the sum referred to in clause (ii), the Internal Committee or, as the case may be, the Local Committee may forward the order for recovery of the sum as an arrear of land revenue to the concerned District Officer.

- (4) The employer or the District Officer shall act upon the recommendation within sixty days of its receipt by him.
- Punishment for false or malicious complaint and false evidence
- 14. (1) Where the Internal Committee or the Local Committee, as the case may be, 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 employer or the District Officer, as the case may be, to take action against the woman or the person who has made the complaint under sub-section (1) or sub-section (2) of section 9, as the case may be, 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:

Provided that a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant under this section:

Provided further that the malicious intent on part of the complainant shall be established after an inquiry in accordance with the procedure prescribed, before any action is recommended.

- (2) Where the Internal Committee or the Local Committee, as the case may be, arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the employer of the witness or the District Officer, as the case may be, to take action in accordance with the provisions of the service rules applicable to the said witness or where no such service rules exist, in such manner as may be prescribed.
- 15. For the purpose of determining the sums to be paid to the aggrieved woman under clause (ii) of sub-section (3) of section 13, the Internal Committee or the Local Committee, as the case may be, shall have regard to

Determination of compensation.

- (a) the mental trauma, pain, suffering and emotional distress caused to the aggrieved woman;
  - (b) the loss in the career opportunity due to the incident of sexual harassment;
  - (c) medical expenses incurred by the victim for physical or psychiatric treatment;
  - (d) the income and financial status of the respondent;
  - (e) feasibility of such payment in lump sum or in instalments.

22 of 2005

16. Notwithstanding anything contained in the Right to Information Act, 2005, the contents of the complaint made under section 9, the identity and addresses of the aggrieved woman, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee or the Local Committee, as the case may be, and the action taken by the employer or the District Officer under the provisions of this Act shall not be published, communicated or made known to the public, press and media in any manner:

Prohibition of publication or making known contents of complaint and inquiry proceedings.

Provided that information may be disseminated regarding the justice secured to any victim of sexual harassment under this Act without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved woman and witnesses.

17. Where any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action to be taken under the provisions of this Act, contravenes the provisions of section 16, he shall be liable for penalty in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist, in such manner as may be prescribed.

Penalty for publication or making known contents of complaint and inquiry proceedings

Appeal

- 18. (1) Any person aggrieved from the recommendations made under sub-section (2) of section 13 or under clause (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 court or tribunal in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist then, without prejudice to provisions contained in any other law for the time being in force, the person aggrieved may prefer an appeal in such manner as may be prescribed.
- (2) The appeal under sub-section (1) shall be preferred within a period of ninety days of the recommendations.

#### CHAPTER VI

#### DUTIES OF EMPLOYER

19. Every employer shall --

Duties of employer.

- (a) provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;
- (h) display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting, the Internal Committee under subsection (1) of section 4;

- (c) organise workshops and awareness programmes at regular intervals for sensitising the employees with the provisions of the Act and orientation programmes for the members of the Internal Committee in the manner as may be prescribed;
- (d) provide necessary facilities to the Internal Committee or the Local Committee, as the case may be, for dealing with the complaint and conducting an inquiry;
- (e) assist in securing the attendance of respondent and witnesses before the Internal Committee or the Local Committee, as the case may be;
- (f) make available such information to the Internal Committee or the Local Committee, as the case may be, as it may require having regard to the complaint made under sub-section (1) of section 9;
- (g) provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time being 45 of 1860 in force;
- (h) cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place;
- (i) treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;
  - (j) monitor the timely submission of reports by the Internal Committee.

#### **CHAPTER VII**

#### DUTIES AND POWERS OF DISTRICT OFFICER

Duties and powers of District Officer. 20. The District Officer shall, --

- (a) monitor the timely submission of reports furnished by the Local Committee;
- (b) take such measures as may be necessary for engaging non-governmental organisations for creation of awareness on sexual harassment and the rights of the women.

#### CHAPTER VIII

#### MISCELLANEOUS

Committee to submit annual report

- 21. (1) The Internal Committee or the Local Committee, as the case may be, shall in each calendar year prepare, in such form and at such time as may be prescribed, an annual report and submit the same to the employer and the District Officer.
- (2) The District Officer shall forward a brief report on the annual reports received under sub-section (1) to the State Government.

Employer to include information in annual report 22. The employer shall include in its report the number of cases filed, if any, and their disposal under this Act in the annual report of his organisation or where no such report is required to be prepared, intimate such number of cases, if any, to the District Officer.

Appropriate Government to monitor implementation and maintain data 23. The appropriate Government shall monitor the implementation of this Act and maintain data on the number of cases filed and disposed of in respect of all cases of sexual harassment at workplace.

Appropriate Government to take measures to publicise the Act

- 24. The appropriate Government may, subject to the availability of financial and other resources.—
  - (a) develop relevant information, education, communication and training materials, and organise awareness programmes, to advance the understanding of the public of the provisions of this Act providing for protection against sexual harassment of woman at workplace,

- (b) formulate orientation and training programmes for the members of the Local Complaints Committee.
- 25. (1) The appropriate Government, on being satisfied that it is necessary in the public interest or in the interest of women employees at a workplace to do so, by order in writing,--

Power to call for information and inspection of records

Penalty for non-

compliance

with provisions of

Act

- (a) call upon any employer or District Officer to furnish in writing such information relating to sexual harassment as it may require;
- (b) authorise any officer to make inspection of the records and workplace in relation to sexual harassment, who shall submit a report of such inspection to it within such period as may be specified in the order.
- (2) Every employer and District Officer shall produce on demand before the officer making the inspection all information, records and other documents in his custody having a bearing on the subject matter of such inspection.
  - 26. (1) Where the employer fails to ---
    - (a) constitute an Internal Committee under sub-section (1) of section 4;
    - (b) take action under sections 13, 14 and 22; and
  - (c) contravenes or attempts to contravene or abets contravention of other provisions of this Act or any rules made thereunder,

he shall be punishable with fine which may extend to fifty thousand rupees.

- (2) If any employer, after having been previously convicted of an offence punishable under this Act subsequently commits and is convicted of the same offence, he shall be liable
  - (i) twice the punishment, which might have been imposed on a first conviction, subject to the punishment being maximum provided for the same offence:

Provided that in case a higher punishment is prescribed under any other law for the time being in force, for the offence for which the accused is being prosecuted, the court shall take due cognizance of the same while awarding the punishment;

- (ii) cancellation, of his licence or withdrawal, or non-renewal, or approval, or cancellation of the registration, as the case may be, by the Government or local authority required for carrying on his business or activity.
- 27. (1) No court shall take cognizance of any offence punishable under this Act or any rules made thereunder, save on a complaint made by the aggrieved woman or any person authorised by the Internal Committee or Local Committee in this behalf.

Cognizance of offence courts

- (2) No court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.
  - (3) Every offence under this Act shall be non-cognizable.
- 28. The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force.

Act not in derogation of

Power of

appropriate Government

to make rules

- 29. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-
  - (a) the fees or allowances to be paid to the Members under sub-section (4) of section 4:
    - (b) nomination of members under clause (c) of sub-section (1) of section 7;
  - (c) the fees or allowances to be paid to the Chairperson, and Members under sub-section (4) of section 7;

any other law

- (d) the person who may make complaint under sub-section (2) of section 9;
- (e) the manner of inquiry under sub-section (1) of section 11;
- (f) the powers for making an inquiry under clause (c) of sub-section (2) of section 11;
  - (g) the relief to be recommended under clause (c) of sub-section (1) of section 12;
- (h) the manner of action to be taken under clause (i) of sub-section (3) of section 13;
  - (i) the manner of action to be taken under sub-sections (1) and (2) of section 14;
  - (i) the manner of action to be taken under section 17;
  - (k) the manner of appeal under sub-section (1) of section 18;
- (I) the manner of organising workshops, awareness programmes for sensitising the employees and orientation programmes for the members of the Internal Committee under clause (c) of section 19; and
- (m) the form and time for preparation of annual report by Internal Committee and the Local Committee under sub-section (1) of section 21.
- (3) Every rule made by the Central Government under this Act shall be laid as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.
- (4) Any rule made under sub-section (4) of section 8 by the State Government shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House, before that House.

Power to remove difficulties

30. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as may appear to it to be necessary for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of a period of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

P.K. MALHOTRA, Secy. to the Govt. of India.

#### CORRIGENDA

THE PREVENTION OF MONEY-LAUNDERING (AMENDMENT) ACT, 2012 (2 of 2013)

At page 18, in line 2, for "Arts", read "Art".

At page 21, in line 14, for "Protection", read "(Protection)".

#### **CORRIGENDUM**

# THE UNLAWFUL ACTIVITIES (PREVENTION) AMENDMENT ACT, 2012 (3 of 2013)

At page 6, in line 22, for "clause", read "clause".

#### **CORRIGENDUM**

## THE BANKING LAWS (AMENDMENT) ACT, 2012 (4 of 2013)

At page 8, in line 29, for 'sections 30",' read 'section 30,",'.

#### CORRIGENDUM

## THE APPROPRIATION ACT, 2013 (9 of 2013)

At page 1, in the marginal heading to section 2, for "4715,54,00,000", read"49715,54,00,000".