



भारत संचार निगम लिमिटेड

(भारत सरकार का उपक्रम)

BHARAT SANCHAR NIGAM LIMITED

(A Govt. of India Enterprise)

## NOTICE

[Under Section 19 (b) of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act & the Rules, 2013. The Act and Rules are available at the website of the Ministry of Women and Child Development (wcd.nic.in) under Legislation/Acts.]

### PROCEDURE OF FILING A COMPLAINT AND MANNER OF INQUIRY

1. Complaint should be made by an aggrieved woman in writing (as per Rule-7(1)) to "Internal Committee" (IC) within a period of 3 months of the incident or last of the incident(s), along with details/documents/list of witnesses.
2. In case where 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 may make a complaint. (refer Sec.-9(2)).
3. The IC shall send a copy of complaint to respondent within 7 working days (as specified in Rule-7(2)) & the respondent shall submit the reply along with supporting documents within 10 working days. (as per Rule-7(3))
4. Conciliation-The IC may, before initiating an inquiry and at the request of the aggrieved woman, take steps to settle the matter between both parties through conciliation. (as per Sec.-10).
5. IC shall proceed inquiry into the complaint on the failure of the conciliation between the parties.
6. IC shall complete the inquiry (refer Rule-7) within 90 days (refer Sec.-11) & submit its recommendations within 10 days from the date of the completion of inquiry to the employer. Further, employer shall take action as per IC recommendations within 60 days of receipt of inquiry report. (refer Sec.-13)

### PENAL CONSEQUENCES

Sexual harassment is misconduct under BSNL CONDUCT, DISCIPLINE AND APPEAL RULES 2006 and in proven cases penal action will be taken as per the said Rules.

1. **Penalty for Sexual Harassment:** If, IC arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the employer to take following actions as stipulated in Sec.-13:
  - a. Action as per BSNL CONDUCT, DISCIPLINE AND APPEAL RULES 2006
  - b. Deduct from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the complainant or to her legal heirs. IC shall determine compensation with regard to Sec.-15:
2. **Penalty for publication or making known contents of complaint and inquiry proceedings (refer Sec.-16):** Any information relating to conciliation and inquiry proceeding; recommendations of the IC; and the action taken by the employer under the provisions of this Act, shall not be published, communicated or made known to the public, press and media in any manner. Where any person entrusted with the duty to handle the contents of complaint; the identity and addresses of the aggrieved women, respondent and witnesses; contravenes the provisions of Sec.-16, he shall be liable for action under Service Rules (Sec.-17) and the employer shall recover a sum of Rs.5000/- from defaulter. (refer Rule-12)
3. **Penalty for false or malicious complaint and false evidence by complainant or any other person:** Penalty for false evidence and forged or misleading documents by witness(s): Sec.-14 & Rule-10 Where the IC arrives at a conclusion, after the inquiry 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; or •any witness has given false evidence or produced any forged or misleading document, it may recommend to take action as per Service Rules.
4. **Penalty for non-compliance of provisions of Act:** Where the employer—
  - a. Fails to constitute an IC under Sec.-4(1);
  - b. Fails to act upon recommendation of IC (Sec.-13);
  - c. Fails to take action in case of false or malicious complaint and false evidence (Sec.-14);
  - d. Fails to include cases of sexual harassment in annual report (Sec.-22);
  - e. Contravenes or attempts to contravene or abets contravention of other provisions of this Act or any Rules made there under, He shall be punishable with fine, which may extend to Rs.50,000/-.
  - f. If any employer subsequently commits and is convicted of the same offence, he shall be liable for cancellation of his license or registration.

### INTERNAL COMMITTEE FOR H.P. Circle / SSAs

Constituted/Amended w.e.f. 12-3-2017 for 3 years under Section 4(2) & 19(b)

SN	Name	Designation	Contact	Email Id
1	Smt. Indira Thakur	DGM	9418122022	dgmwocahp@gmail.com
2	Smt. Bhawana Sharma	DGM	9418000925	dgmwocahp@gmail.com
3	Sh. Harumant Rai	AGM	9418016331	esttshp@bsnl.co@gmail.com
4	Smt. Veena Sood	President, Mohila V. Kas Sangathan	9817098998	

NOTE:- FOR DETAILED/COMPLETE PROVISIONS, PLEASE REFER THE ACT/RULES.

**HELP PREVENT SEXUAL HARASSMENT AT WORKPLACE!**

Name of Circle / SSA