

**Sexual Harassment of Women at Workplace
(Prevention, Prohibition and Redressal) Act, 2013**

In terms of the aforesaid Act, the management of IFB Agro Industries Ltd. hereby reconstituted the Internal Complaints Committee (ICC), which consist of the following members :

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| 1. Priyanka Banerjee De | - | Chairperson |
| 2. Rita Mandhata | - | Member |
| 3. Anima Jana | - | Member |
| 4. Kaushik Roy | - | Member |
| 5. Sangeeta Debnath | - | Secretary of the Committee |
| 6. Gopa Bhattacharya | - | Member (Independent Social Worker) |

The ICC was reconstituted w.e.f 31st January, 2023.

**Policy & Guide Line on Internal Complaints Committee
As per Act & Rules**

01. The Internal Complaints will meet as and when complaints are received from the employees with regard to any sexual harassment.
02. The Committee shall meet within 24 hours after receiving the Complaint and shall meet in the Office/ Factory premises in any place where provision is made for inquiry.
03. Sexual Harassment for the purpose of enquiry by this committee means “ such unwelcome sexually determined behavior” (where directly or by implication) as;
 - A) Physical contact and advances ; or
 - B) A demand or request for sexual favors’ ; or
 - C) Making sexually colored remarks ; or
 - D) Showing pornography ; or
 - E) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Complaint of Sexual Harassment. Under Rule – 6

- For the purpose of Sub-section (2) of Section 9 –

(i) Where the aggrieved woman is unable to make a complaint an account 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 an account 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 consent of her legal heir.

Manner of Inquiry into complaint. Under Rule – 7 –

1) Subject to the provisions of Section 11, at the time of filing complaint, the complainant shall submit to the Complaint 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 the 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 present.

Other Relief to complainant during pendency of Inquiry. Under Rule - 8 –

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.

Manner of taking action for sexual harassment. Under Rule - 9 –

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 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 counseling session or carrying out community service.

Action for false or malicious complaints or false evidence. Under Rule - 10 –

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 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.

Prohibition of publication or making contents of complaint and inquiry proceedings penalty for contravention of provisions of section 16. -

Notwithstanding anything contained in the Right to Information Act, 2005, the contents of the complaint made shall not be allowed to be published, communicated or made known to public, press and media in any manner.

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.

Manner to organize Workshops etc. Under Rule - 13 –

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 work place 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, Mother's 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 sensitizing the employees with provisions of the Act.

Preparation of Report under Rule - 14 -

The Complaints Committee shall prepare under Section 21, shall have the following details:

- (a) Number of Complaints of Sexual Harassment received** :
- (b) Number of Complaints disposed off** :
- (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** :
