

**THE STATE TRADING CORPORATION OF INDIA LTD: NEW DELHI
(INDUSTRIAL RELATIONS GROUP)**

File no .STC/IR/S-05

25th June 2014

CIRCULAR NO :IR/09/2014

**Sub: RECONSTITUTION OF COMPLAINTS COMMITTEE TO DEAL WITH THE COMPLAINTS
OF SEXUAL HARASSMENT OF WOMEN AT WORK PLACE**

The earlier Complaints Committee was reconstituted vide circular dated 11.04.13 to deal with the complaints of sexual harassment of women at the work place. In accordance with the provision as contained under Section 4 of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 , the internal Complaint Committee is hereby reconstituted as under :

Ms.Sadhvi Sethi ,DGM	:Chairperson
Ms.Sonal Taneja ,CM	:Member
Ms.Swaraj Varun,DM	:Member
Ms. Neeru S.Juneja	:Member (Udyam- NGO)
Mr.MML Bhatia,DGM(P)	:Member -Secretary

The report of the Complaints Committee shall be deemed to be an inquiry report for taking action against the erring officials under the STC of India Limited Employees'(Conduct, Discipline & Appeal) Rules 1975 .

In order to sensitize the employees and to institutionalize the mechanism, a comprehensive policy for Prevention, Prohibition and Redressal of Sexual Harassment of women employee in STC has been adopted with the approval of competent Authority. (Copy Attached)

The above issues with approval of competent Authority.


(R.L.Kaushal)

General Manager (Pers)

ES to CMD
ES to all Directors/CVO
PS to all CGMs
All BMs
SG,Fed of STCEUs, New Delhi
SG, Fed of STCOAs, New Delhi
NOTICE BOARD

THE STATE TRADING CORPORATION OF INDIA LIMITED

POLICY FOR PREVENTION, PROHIBITION AND REDRESSAL OF SEXUAL HARASSMENT OF WOMEN IN STC

1. PREAMBLE

STC is committed to provide a safe working environment to all its women employees free from sexual harassment, intimidation and exploitation and to protect their right to equality, life, live with dignity and right to practice any profession or to carry on any occupation, trade or business as enshrined in the Constitution of India. The protection against sexual harassment and the right to work with dignity are universally recognized human rights by international conventions and instruments such as Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), which has been ratified on 25.06.93 by the Government of India.

2. OBJECTIVES OF THE POLICY

To prevent sexual harassment of women at workplace through sensitization of employees, to address complaints of sexual harassment in a time bound manner and to provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the work place free of discrimination and violence against women.

3. SEXUAL HARASSMENT

The term Sexual Harassment includes any one or more of the following unwelcome acts of behaviour (whether directly or by implication) namely:

- i. physical contacts or advances; or
- ii. a demand for request for sexual favours; or
- iii. making sexually coloured remarks; or
- iv. showing pornography; or
- v. any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

4. SCOPE OF POLICY

These Rules and procedures shall be applicable to all complaints of Sexual Harassment made by a woman of any age, whether employed in STC or not who alleges to have been subjected to any act of sexual harassment by the respondent at the workplace.

5. DUTIES OF CORPORATION AS EMPLOYER

- i. provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;
- ii. display at any conspicuous place in the workplace, the penal consequences of sexual harassment; and the order constituting, the Internal Committee.

- iii. organize workshops and awareness programmes at regular intervals for sensitizing 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;
- iv. provide necessary facilities to the Internal Committee for dealing with the complaint and conducting an inquiry;
- v. assist in securing the attendance of respondent and witnesses before the Internal Committee, as the case may be;
- vi. provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code (45 of 1860) or any other law for the time being in force;
- vii. cause to initiate action, under the Indian Penal Code (45 of 1860) 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;
- viii. treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;
- ix. monitor the timely submission of reports by the Internal Committee.

6. COMPLAINTS REDRESSAL MECHANISM

An "Internal Complaints Committee" as per provisions of the Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal), Act, 2013 has been set up in the Corporation for time bound redressal of complaints made by the victim. The Internal Complaints Committee consists of a Presiding Officer who is a woman employed at a senior level in the organization, two members from amongst employees preferably committed to the cause of woman or who have had experience in social work or has legal knowledge and one member from amongst Non-Governmental organizations or associations committed to then cause of women. One half of the total members so nominated are women.

7. COMPLAINT OF SEXUAL HARASSMENT

- i. Any aggrieved woman may make in writing, a complaint of sexual harassment at workplace to the "Internal Complaints Committee" within a period of three months from the date of the incident and in case of a series of incidents within a period of 3 months from the date of last incident. 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 may make a complaint.
- ii. The "Internal Complaints Committee" should endeavor to settle the matter between the aggrieved woman and the respondent through conciliation, provided that no monetary settlement shall be made a basis of conciliation.
- iii. On receiving complaints, the "Internal Complaints Committee" may constitute an inquiry against the respondent as per the service rules, in case the respondent is an employee of the Corporation.

- iv. Where both the parties are employees, the parties shall, during the course of inquiry be given an opportunity of being heard.
- v. The inquiry should be completed within a period of 90 days.
- vi. Inquiry report is to be submitted by the "Complaints Committee" to the Competent Authority within 10 days of completion of inquiry suggesting whether action for sexual harassment as a misconduct in accordance with the provisions of the service rules be initiated or not.
- vii. The Internal Complaints Committee will be deemed to be an Inquiring Authority and the report of the Complaints Committee shall be deemed to be an Inquiry Report for taking action against the erring officials under these rules.
- viii. In case the complaint is found to be false with malicious intent, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.
- ix. Any witness who is found to have given false evidence or produced any forced or misleading document shall also be liable for disciplinary action

8. CONFIDENTIALITY

The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential. To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout any investigatory process to the extent practicable and appropriate under the circumstances.

9. APPEAL

Any person aggrieved from the recommendations of the "Complaints Committee" may prefer an appeal to the Court or Tribunal in accordance with the provisions of service rules applicable to the said person.

10. NOTE

This policy is broadly based on The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and is meant to sensitize STC employees with regard to the contents of the Act. However, provisions of the said Act and STC Employees (CD&A) Rules, 1975 be followed for initiating any action on a complaint of sexual harassment.