Internal Complaint Committee constituted under Prevention of Sexual Harassment In District & Sessions Court, Maharajganj

Sr. No.	Name	Designation	Designation in Committee
01	Smt. Sonal Singh	Addl. Civil Judge (Jr. Div.)	Chairperson
02	Sushri Vibha	Civil Judge (Jr. Div.) (FTC)	Member
03	Smt. Sapana Singh	Head Assistant	Member
04	Smt. Reena Rani	Junior Assistant	Member
05	Shristi Seva Sansthan	N.G.O.	Member

For any query/ Complaints under Prevention of Sexual Harassment write an email to

dcmhr[at]allahabadhighcourt[dot]in

Important Links:-

- Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
- Rules under Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

Sexual Harassment Committee

Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. It helps the female staff of the office of a workplace to address their grievances regarding violence and harassment cases, if any.

The Prevention Sexual Harassment cell is committed to

- Observing the law on Sexual Harassment
- Sensitizing the community on gender issues
- Assisting the internal Complaint Committee
- Addressing complaints from victims

The law on sexual harassment

The Central government enacted a law in 2013 to provide a safe environment for women in the workplace and address the cases of sexual harassment at the workplace. The Act may be called Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and it extends to the whole of India. The District Court, Maharajganj has taken the view of the Act and used to follow all the necessary provisions in spirit.

According to Section 2(n) of the Act the term “sexual harassment” includes any one or more of the following acts:

- Physical contact and advances; or
- A demand or request for sexual favors: or
- Making Sexually colored remarks; or
- Showing pornography; or
- Any other unwelcome physical, verbal, or non-verbal conduct of a sexual nature
- Use of electronic media (phone, internet, intranet) for perpetrating any of the above
- Any other unwelcome physical, verbal, or non-verbal conduct of a sexual nature

In view of mandatory provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 following procedure is used to be followed whenever any case of harassment is reported in the District Court Maharajganj:

•There shall be an internal complaints committee which shall consist of a presiding officer and such other members as the employer appoints time to time. However, the presiding officer shall be a woman and other members must have experience in social work or legal knowledge.

•The aggrieved woman may make a complaint in writing regarding sexual harassment to the internal committee. However, if a woman is not able to a complaint, her legal heirs and any other person on her behalf can make a complaint.

•The complaint committee before initiating an inquiry may resolve the matter through conciliation at the request of the woman.

•Where settlement has been arrived through conciliation, the committee records the settlement and forwards the same to the employer. In such a case, no further inquiry is required.

•In case the conciliation process has not been worked out, the committee shall proceed with the inquiry as per the service rules applicable to him, or if the prima facie case exists forward the complaint to the police.

•For the purpose of conducting the inquiry the principles of natural justice shall be observed.

•On the completion of the inquiry if the respondent is found responsible the employer may take any or both of the following actions against him:

- Take action for sexual harassment as misconduct in accordance with the service rules applicable to him.
- To deduct from the salary of the respondent such amount as the committee considers appropriate and shall be paid to the victim.

Rules and Procedure:

- All meetings of the Committee will be called by the Chairperson and a notice of at least 5 working days must be given for the meeting while in exceptional cases, an emergency meeting may be convened as per the requirement. If the complainant desires to tender any documents by way of evidence, the Committee shall supply true copies of such documents to the defendant.
- No person who is a complainant, witness, or defendant in the complaint of sexual harassment shall be a member of the Committee.
- Any Committee member charged with sexual harassment in a written complaint must step down as a member during the enquiry into that complaint.
- If the ICC decides not to conduct an enquiry into a complaint, it shall record the reasons for the same in the minutes of the Committee meeting. The Committee shall make the same available to the complainant in writing.
- Within not more than five working days on the receipt of the first intimation of the enquiry, the complainant and the defendant shall submit, to the Convenor of the Committee in writing, a list of witnesses, together with their contact details, that she/he desires the Committee to examine.
- The Committee shall have the power to summon any official papers or documents pertaining to the complaint under enquiry.
- The Committee may consider as relevant any earlier complaints against the defendant.
- However, the past sexual history of the complainant shall not be probed into as such
- Information shall be deemed irrelevant to a complaint of sexual harassment.
- The Committee shall have the right to summon, as many times as required, the defendant, complainant and/or any witnesses for the purpose of supplementary testimony and/or clarifications.
- The defendant, the complainant, and witnesses shall be intimated at least seventy two hours in advance in writing of the date, time and venue of the enquiry proceedings. The responsibility of communicating with the witnesses lies with the complainant/defendant regarding the date, time and venue of the meeting.
- All proceedings of the Committee shall be recorded in writing. The record of the proceedings and the statement of witnesses shall be endorsed by the persons concerned in token of authenticity thereof.
- All persons heard by the Committee, as well as observers/nominees, shall take and observe an oath of secrecy about the proceedings to protect the dignity of the complainant and the defendant. Any violation of the oath of secrecy may invite penalties.

Exception: A complainant has the right to go public about the complaint of sexual harassment if she so desires. If the Complainant goes public before filing the complaint with the Committee against Sexual Harassment, the same shall not prejudice the Committee members.

- If the complainant desires to tender any documents by way of evidence, the Committee shall supply true copies of such documents to the defendant. Similarly, if the defendant desires to tender any documents in evidence, the Committee shall supply true copies of such documents to the complainant.
- In the event that the Committee thinks that supplementary testimony is required, the Convenor of the Committee shall forward to the persons concerned a summary of the proceedings and allow for a time period of seven days to submit such testimony, in person or in writing, to the Committee.

- All information received in the course of the examination and enquiry into a complaint of sexual harassment shall be held in trust by the concerned Committee against Sexual Harassment and the same shall not be made available pursuant to an application under the Right To Information Act, 2005. Such information shall constitute an exception under Section 8 (e) of the Right to Information Act, 2005, as the same is held by the Committee Against Sexual Harassment in a fiduciary relationship and the non-disclosure of the same will not be against public interest. To the contrary disclosure of such information may endanger the life or physical safety of the complainant or any of the witnesses. An exception to this Rule will be when the complainant herself applies for information under the Right to Information Act, 2005.

How to Lodge a Complaint:

All complaints must be brought by the complainant in person.

The following exceptions will be admitted:

1) In cases of forced confinement of the person. In such a case, brought by another person on behalf of the complainant, the Committee will examine whether an enquiry, intervention or some other assistance is needed.
2) In exceptional cases, third party/witness complaints may be entertained. In such cases, the Committee will ascertain whether the woman alleged to have been sexually harassed wishes to lodge a formal complaint. Once such a complaint is received the Committee shall proceed to inquire into it as per the procedure specified.
3) Where the Committee takes suo-moto notice.

- Complaints can be lodged directly with any member of the ICC, or through existing channels for lodging grievances, such as officers or staff association etc. If the complaint is made through any such channel, the person to whom the complaint is made should bring it to the notice of the Committee within two working days of its receipt by her/him.
- The complaint may be oral or in writing. If the complaint is oral, it shall be documented in writing by the ICC member receiving the complaint and the same shall be authenticated by the complainant under her dated signature or thumb impression as the case may be. The members of the Committee shall maintain confidentiality about the proceedings conducted by them.
- Suspension/ transfer of the alleged harasser from his official position can be considered during the pendency of the enquiry if his presence is likely to interfere with the enquiry.
- The victim of sexual harassment will have the option to seek transfer of the perpetrator or her own transfer where applicable.
- All complaints made to any Committee member must be received and recorded by the member, who shall then inform the Chairperson about the complaint, who in turn shall call a meeting of the Committee.
- The proceedings under these Rules and Procedures of ICC shall not, in any way, be affected by any other proceedings against the defendant taken up by the complainant under any other provision of civil or criminal law, except to the extent specifically ordered by a court of law.
- The provisions of these Rules and Procedures of ICC shall not restrict the powers of the complainant to proceed against the defendant for any other misconduct or pursue criminal or civil remedies, whether or not connected with the misconduct within the purview of these rules.

FAQs about ICC

Here are some frequently asked questions about the Internal Complaints Committee (ICC):

Who can contact the ICC?

Anyone can contact the ICC including officer, staff and lawyer.

When should I contact the ICC?

If you're a victim of sexual abuse, you should complain within three months of the incident.

How does the ICC handle complaints?

The ICC will investigate the complaint by calling the complainant, respondent and witnesses. Based on the evidence and testimonies, the ICC will make findings and share them with the employer.

What is the Jurisdiction of ICC?

The jurisdiction of an Internal Complaint Committee (ICC) is governed by the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH ACT).
The ICC Jurisdiction includes:

- Investigating complaints of sexual harassment.
- Forwarding the enquiry report to the respondent's employers.
- Providing a report of the findings to the employer.

What happens if the complaint is false or malicious?

If the ICC finds that the complaint is false or malicious, the complainant may face action such as a written apology, warning, reprimand or termination.

How long can ICC members serve?

The ICC members can serve for a maximum of three years.

न्यायालय मुख्य न्यायिक मजिस्ट्रेट, महराजगंज

सूचना

माननीय उच्च न्यायालय इलाहाबाद के पत्रांक- 8385/Admin G-II Dated 11/07/2025 के परिपालन में "The Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013" के जिला न्यायालय में कार्य स्थल पर महिलाओं के लैंगिक उत्पीड़न से सम्बन्धित शिकायतों सुनवाई एवं निस्तारण हेतु एक शिकायत-पेटिका नवीन न्यायालय भवन मे भूतल पर बड़े हॉल मे स्थापित किया गया है।

अध्यक्ष, आन्तरिक परिवाद समिति/
मुख्य न्यायिक मजिस्ट्रेट,
महराजगंज

प्रतिलिपि-

1. माननीय जनपद न्यायाधीश महोदय, महराजगंज को सूचनार्थ तथा आवश्यक कार्यवाही हेतु।
2. सिस्टम ऑफिसर, कम्प्यूटर अनुभाग, जनपद न्यायालय महराजगंज को जनपद न्यायालय की वेबसाइट पर प्रकाशित करने हेतु।
3. केन्द्रीय नाज़िर, जनपद न्यायालय महराजगंज।
4. नोटिस बोर्ड पर चस्पा करने हेतु।

20.8.2025

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