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Azadi Ka
Amrit Mahotsav

ई-मेल/स्पीडपोस्ट
केन्द्रीय विद्यालय संगठन(मुख्यालय)
18 सांस्थागतक्षेत्रशहीदजीत सिंह मार्ग,
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एफ. 11-55/2000-केविस (सतर्कता)/पार्ट-2/4428-35

दिनांक 06.07.2023

उपायुक्त/निदेशक
केन्द्रीय विद्यालय संगठन,
सभी क्षेत्रीय कार्यालय/जीट

विषय: Confirmation of compliance with ref to the Constitution of Internal Complaints Committee and Grievance Redressal Mechanism as per provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 in the light of direction of contained in the Hon'ble Supreme Court's order dated 12.05.2023.

महोदया/महोदय,

Please find enclosed herewith a copy of the D.O. Letter dated 27.06.2023 received from Joint Secretary, Ministry of Education on the captioned subject alongwith a copy of Hon'ble Supreme Court's order dated 12.05.2023 regarding Constitution of Internal Complaints Committee and Grievance Redressal Mechanism as per provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

The Hon'ble Supreme Court in its order dated 12.05.2023 has made specific directions at point no. 'O' to fulfil the promise that the PoSH Act holds out to working women all over the country. The contents of point 'o' i.e., the directions are as reproduced as under:-

"O. DIRECTIONS

77. To fulfil the promise that the PoSH Act holds out to working women all over the country, it is deemed appropriate to issue the following directions:

(i) The Union of India, all State Governments and Union Territories are directed to undertake a time bound exercise to verify as to whether all the concerned Ministries, Departments, Government organizations, authorities, Public Sector Undertakings, institutions, bodies, etc. have constituted ICCs/LCs/ICs, as the case may be and that the composition of the said Committees are strictly in terms of the provisions of the PoSH Act.

(ii) It shall be ensured that necessary information regarding the constitution and composition of the ICCs/LCs/ICs, details of the e-mail IDs and contact numbers of the designated person(s), the procedure prescribed for submitting an online complaint, as also the relevant rules, regulations and internal policies are made readily available on the website of the concerned Authority/Functionary/Organisation/Institution/Body, as the case may be. The information furnished shall also be updated from time to time.

(iii) A similar exercise shall be undertaken by all the Statutory bodies of professionals at the Apex level and the State level (including those regulating doctors, lawyers, architects, chartered accountants, cost accountants, engineers, bankers and other professionals), by Universities, colleges, Training

Centres and educational institutions and by government and private hospitals/ nursing homes.

(iv) Immediate and effective steps shall be taken by the authorities/managements/employers to familiarize members of the ICCs/LCs/ICs with their duties and the manner in which an inquiry ought to be conducted on receiving a complaint of sexual harassment at the workplace, from the point when the complaint is received, till the inquiry is finally concluded and the Report submitted.

(v) The authorities/management/employers shall regularly conduct orientation programmes, workshops, seminars and awareness programmes to upskill members of the ICCs/L.Cs/ICs and to educate women employees and women's groups about the provisions of the Act, the Rules and relevant regulations.

(vi) The National Legal Services Authority (NALSA) and the State Legal Services Authorities (SLSAs) shall develop modules to conduct workshops and organize awareness programmes to sensitize authorities/managements/employers, employees and adolescent groups with the provisions of the Act, which shall be included in their annual calendar.

(vii) The National Judicial Academy and the State Judicial Academies shall include in their annual calendars, orientation programmes, seminars and workshops for capacity building of members of the ICCS/LCs/ICs established in the High Courts and District Courts and for drafting Standard Operating Procedures (SOPs) to conduct an inquiry under the Act and Rules.

(viii) A copy of this judgment shall be transmitted to the Secretaries of all the Ministries, Government of India who shall ensure implementation of the directions by all the concerned Departments, Statutory Authorities, Institutions, Organisations etc. under the control of the respective Ministries. A copy of the judgment shall also be transmitted to the Chief Secretaries of all the States and Union Territories who shall ensure strict compliance of these directions by all the concerned Departments. It shall be the responsibility of the Secretaries of the Ministries, Government of India and the Chief Secretaries of every State/Union Territory to ensure implementation of the directions issued.

(ix) The Registry of the Supreme Court of India shall transmit a copy of this judgment to the Director, National Judicial Academy, Member Secretary, NALSA, Chairperson, Bar Council of India and the Registrar Generals of all the High Courts. The Registry shall also transmit a copy of this judgment to the Medical Council of India, Council of Architecture, Institute of Chartered Accountants, Institute of Company Secretaries and the Engineering Council of India for implementing the directions issued.

(x) Member-Secretary, NALSA is requested to transmit a copy of this judgment to the Member Secretaries of all the State Legal Services Authorities. Similarly, the Registrar Generals of the State High Courts shall transmit a copy of this judgment to the Directors of the State Judicial Academies and the Principal District Judges/District Judges of their respective States.

(xi) The Chairperson, Bar Council of India and the Apex Bodies mentioned in sub-para (ix) above, shall in turn, transmit a copy of this judgment to all the State Bar Councils and the State Level Councils, as the case may be.

78. The Union of India and all States/UTs are directed to file their affidavits within eight weeks for reporting compliances. List after eight weeks.

79. The appeal is allowed on the above terms while leaving the parties to bear their own costs. Pending applications, if any, shall stand disposed of."

You are requested to bring the contents of the letter to all the KV's under your jurisdiction for necessary implementation and a compliance report to this effect in respect of all KV's of your region alongwith your office may be forwarded to the undersigned for further action at this end.

संलग्न: उपरोक्तानुसार

भवदीय

(लाल बहादुर शर्मा)

(लाल बहादुर शर्मा)

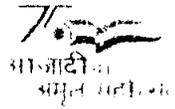
सहायक आयुक्त (सतर्कता)

प्रतिलिपि:

1. IS-11 Section, D/o SE & L, शिक्षा मंत्रालय, भारत सरकार, शास्त्री भवन, नई दिल्ली।
2. सुश्री चंदना मंडल, संयुक्त आयुक्त (प्रशिक्षण) व पीठासीन अधिकारी, 'आंतरिक शिकायत समिति' केन्द्रीय विधालय संगठन (मु.) को आवश्यक कार्यवाही हेतू प्रेषित।
3. केन्द्रीय विधालय संगठन (मु.) की 'आंतरिक शिकायत समिति' से संबंधित सभी मनोनीत सदस्य।
4. उपायुक्त (शैक्षिक), ईडीपी प्रकोष्ठ को इस अनुरोध के साथ प्रेषित की इस पत्र को केवीएस वेबसाइट पर प्रशासन के तहत उप-शीर्ष 'सतर्कता' में अपलोड किया जाए।
5. निजी सचिव, आयुक्त, केन्द्रीय विधालय संगठन (मु.)।
6. निजी सहायक, संयुक्त आयुक्त (प्रशिक्षण), केन्द्रीय विधालय संगठन (मु.)।
7. गार्ड फाईल।



Archana Sharma Awasthi
Joint Secretary
Email: js-sslhe@gov.in
Tel.: 011-23386232



D. O. No. 9-3/2023-IS-11

Dated: 27th June, 2023

Dear Madam/Sir,

Please find enclosed herewith a copy of Hon'ble Supreme Court's order dated 12.05.2023 (copy enclosed) in the matter of Civil Appeal No. 2482/2014 titled as Aureliano Fernandes Vs. State of Goa & ors. In addition, this Department's letter No. 13-2/2019-IS-11 (Pt-III) dated 03.03.2020 (copy enclosed) regarding Constitution of Internal Complaints Committee and Grievance Redressal Mechanism as per provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 may also be referred.

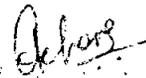
2. The Hon'ble Supreme Court in its order dated 12.05.2023 has made directions at point no. 'O' wherein Hon'ble Court has ordered to constitute Internal Complaint Committee (ICC), as per the provisions of the PoSH Act, display the details of ICC, procedure prescribed for submitting online complaints etc., on the Department's website, take steps to familiarize the members of the committee with their duties, regularly conduct orientation programmes, workshops, seminars and awareness programmes to upskill members of ICC etc.

3. In view of the above, you are requested to confirm whether it has been complied with after forming the committee and issue necessary directions to all the concerned officers for taking appropriate action in the matter.

With regards,

Yours sincerely,

Enclosure: As above.


(Archana Sharma Awasthi)

To

The Heads of Autonomous Bodies of DoSEI,
(As per attached list)