



ಹಿಂದೂಸ್ತಾನ್ ಏರೋನಾಟಿಕ್ಸ್ ಲಿಮಿಟೆಡ್
हिन्दुस्तान एरोनाटिक्स लिमिटेड
HINDUSTAN AERONAUTICS LIMITED

ಪ್ರಧಾನ ಕಛೇರಿ

मुख्यालय

Corporate Office

HAL/P&A/19(2)/2013

20th June 2013

Sub: The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

**Ref: (i) HAL/P&A/19(12)/97 dated 31.12.1997
(ii) HAL/P&A/19(12)-H/Vol III/2004/93 dated 25.2.2005.
(iii) HAL/P&A/24(9)-10/09/380 dated 7.9.2009
(iv) HAL/P&A/19(2)/2010 dated 15.7.2010
(v) HAL/P&A/19(12)/97 dated 31.12.1997**

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The Government has promulgated the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013, an Act that seeks to protect women from sexual harassment at the workplace. The Act has come into force from 22nd April 2013.

2. Sexual Harassment at workplace is violation of Women's right to equality, life and liberty guaranteed in Articles 14, 15 & 21 of the Constitution. Women must be treated with due respect, decency & dignity at the workplace.

3. 'Sexual Harassment' as defined under the Act includes any one or more of the following unwelcome acts or behaviours (whether directly or by implication) namely:-

- Physical contact and advances; or
- A demand or request for sexual favours; or
- Making sexually coloured remarks; or
- Showing pornography; or
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

4. Internal Complaints Committee

A Complaints Committee has to be constituted by each Division / R & D Centre / Office, as per Section 4 of the Act, headed by a senior lady Officer (Presiding Officer). Not less than half of the Committee members should be women.

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5. Complaint of sexual harassment

The complaint can be made within a period of three months from the date of the incident or in case of series of incidents, within a period of three months from the date of last incident. Prompt action should be taken by the Committee and Employer when complaints are received. The Committee is required to complete the inquiry within 90 days of the receipt of the complaint. On completion of the inquiry, the Report will be submitted to the employer. The employer is mandated to take action on the Report within 60 days.

6. Duties of the Employer

Section 19 (Chapter VI) of the Act states the duties of the Employer. Every Employer shall:-

- a) Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at workplace;
- b) Display at any conspicuous place in workplace, the penal consequences of sexual harassments; and the order constituting the Internal Committee;
- c) 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 Internal Committee;
- d) Provide necessary facilities to the Internal Committee for dealing with complaints or conducting enquiry;
- e) Assist in securing the attendance of respondents and witnesses before the Internal Committee;
- f) Make available such information to the Internal Committee as it may require having regard to the complaints received;
- g) Provide assistance to woman if she so chooses to file a complaint in relation to offences under the Indian Penal Code or any other law for the time being in force;
- h) Cause to initiate action under the Indian Penal Code or any other Law, against the perpetrator, or if the aggrieved women so desires, where the perpetrator is not an employee, in the workplace where sexual harassment took place;
- i) Treat sexual harassment as a misconduct under the Service Rules and initiate action for such misconduct;

j) Monitor the timely submission of reports by the Internal Committee.

7. Annual Reports (Section 21 & 22 of the Act)

The Internal Committee shall in each Calendar Year prepare & submit an Annual Report as on 31st December, to the respective Division / R & D Centre / Office and also to the District Officer as under Section 5 of the Act. Copies of such Reports shall also be forwarded to Corporate Office for including the details in the Annual Report of the Company.

8. Penalty for non compliance with the provisions of the Act

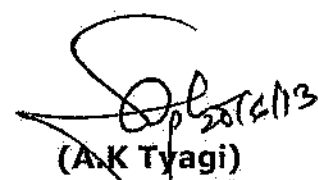
Section 26 (Chapter VIII) of the Act stipulates the penalty for non-compliance with the provisions of the Act, as indicated below:

If the employer fails to comply with the provisions of the Act, he shall be punishable with a fine which may extend to **Fifty Thousand Rupees**. Repeated violations may lead to higher penalties and cancellation of registration of the Company.

9. A copy of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 is enclosed. The details indicated at paras 3 to 8 above are only summary of certain provisions from the Act. Divisions / Offices are advised to go through the entire Act for appreciation of all the provisions and their implementation.

10. The relevant provisions in the Circulars/Guidelines referred above, to the extent they are not contradictory/inconsistent with the provisions in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, will continue to be in force.

11. Divisions / Offices may take immediate action to constitute the Internal Committee and implement the provisions of the Act. Provisions of the Act may be brought to the notice of all the employees also.


(A.K Tyagi)
General Manager (HR)

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