

Guidelines for making a complaint to Internal Committee

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The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, has a specific provision for, “any other individual” to make a complaint before the Internal Committee in certain instances, where the aggrieved woman cannot make.

To facilitate justice, the legislation allows, such others, on behalf of the aggrieved woman.

Where in case, an aggrieved woman cannot be able to make a complaint, because of the following reasons:

1. Physical issue for the complainant, allegedly in continuation to the incident
2. Mental trauma caused by the alleged incident
3. Other genuine reasons, as acceptable by the Internal Committee
4. On unfortunate death of the aggrieved woman, as a fall-out to the incident

If the aggrieved woman is having a physical issue, the complaint can be filed by the following:

- » A relative or Friend
- » Co-worker
- » Someone who knows about the sexual harassment that took place, and has the written permission from the aggrieved woman
- » An officer of the National Commission for Women or State Women’s Commission

If the aggrieved woman is having a mental issue, the complaint can be filed by the following:

- » A relative or Friend
- » A Special educator
- » A qualified psychiatrist or a psychologist
- » The guardian/authority who gives the aggrieved woman treatment or care

- » Any person who knows about the sexual harassment that took place, along with a relative or friend or a special educator or a qualified psychiatrist or psychologist or the guardian/authority who gives the aggrieved woman treatment or care

In rare cases, there can be instance where a complaint needs to be given, beyond the above circumstances. Such other specific instance is “unfortunate death of the aggrieved woman”. A complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir, before the Internal Committee.

In any of the above circumstances, the Internal Committee is empowered to decide on extension of time limit in accepting the complaint, where it is filed after the prescribed time limit.

Refer Section 9 (2) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules 6(i), 6(ii), 6(iii) and 6(iv) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013.

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