

**MOST URGENT
SUPREME COURT MATTER**



**GOVERNMENT OF GOA
DIRECTORATE OF HIGHER EDUCATION
DTE Complex, Alto Porvorim-Goa.**

Tel:2415585/2410824

Email:dir-dhe.goa@nic.in

No.3/2/2005-DHE/ 194

Dated:-13/04/2018

To,

- 1) The Registrar, Goa University
- 2) The Principal's of all Government/Aided Colleges

**Sub:- Implementation of the Sexual harassment of Women at
Workshop (Prevention, Prohibition and Redressal) Act,2013.**

Sir/Madam,

Please refer to this office letter Nos.3/2/200/DHE/Part/919 dated 27/03/2014 and 03/02/2005/DHE/Part/1593 dated 02/06/2015 on the subject cited above.

I am directed to inform you that as per the latest guidelines vide letter No.1-572/2017-18/DWCD/WritPet.(Civil)1224/2017/8940 dated 26/03/2018 (copy enclosed) issued by Directorate of Women & Child Development, Panaji, all establishments having more than 10 employees should constitute **Internal Complaint Committee**. The Committee constituted shall be in force for a period of three years and subsequently it is required to be re-constituted on expiry of 3 years.

You are therefore, requested to constitute the Internal Complaint Committee if not formed earlier or re-constitute the committee on expiry of three years or on induction of new members and submit compliance report via e-mail **on or before 18/04/2018.**

As per the provisions of section 21(1) of the Act, you are requested to submit the Annual reports of complaints received regarding Sexual harassment of women at workplace.

The Annual report shall reach this office **on or before 18/04/2018.**

Yours faithfully,

M. E. S. COLLEGE OF ARTS & COMMERCE
ZUARINAGAR - GOA.
Inward No. 443 Date: 17/4/2018
File No. 5

(Diwan N. Rane)

Under Secretary (Higher Education)

Encl:- As above.

PTO RL
17-04-18

**MOST URGENT
SUPREME COURT MATTER**



Directorate of Women & Child Development

2nd Floor, Old Education Building, 18th June Road- Panaji, Goa

www.dwcd.goa.gov.in

Phone:- (0832) 2235308 / 2426112 Fax:- (0832) 2424238 e-mail:- dir-wcd.goa@nic.in

No.1-572/2017-18/DWCD/Writ Pet. (Civil) 1224 / 2017/PGHv Date: 26/03/2018

To,

Director
Higher Education
Tanta House
2nd flt, 5th floor,
Panaji - Goa.

| |
|---------------------------|
| Dept. of Higher Education |
| Inward No. 13808 |
| Date 27.3.18 |

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

Ref:- Writ Petition (Civil) 1224 of 2017 before the Hon'ble Supreme Court

Sir,

A Writ Pet. (Civil) 1224 of 2017 is filed before the Hon'ble Supreme Court, to ensure the implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 in the States/Union Territories.

The Act ensures a safe working environment for women and provides protection to women at their workplace from any form of sexual harassment and for redressal of any complaints of harassments.

As per the provisions of Section 5 of the Act, the District Magistrate of North Goa District and South Goa District are appointed as District Officers vide dated 09/05/2014 and published in the Official Gazette Sr. II No.6 dated 9/5/2014.

As per the provisions of Section 6 & 7 of the Act, the Local Complaint Committees are constituted by the District Officer/District Magistrate of North Goa District vide Order dated 14/09/2017, and by the District Officer/District Magistrate of South Goa District vide Order dated 20/09/2017.

All the Mamlatdars in the North Goa District are appointed as "Nodal Officers" for their respective Taluka's by the District Officer/District Magistrate of North Goa District vide Order dated 15/09/2017.

All Chief Officers and Mamlatdars of respective Talukas/ Municipalities are appointed as "Nodal Officers" in their respective jurisdiction by the District Officer/District Magistrate of South Goa District vide Order 22/08/2014.

As per the provisions of Section 4 of the Act, every department/Organization/undertaking/industrial establishment, educational institutions/ private sector organization, hospitals, Sport Institutes, etc are required to constitute Internal Complaint Committee at workplace.

The Committee constituted shall be in force for a period of three years and subsequently it is required to be re-constituted.

As per the provisions of Section 21 (1) of the Act, the Internal Complaint Committees are required to submit Annual reports to the respective District Officer.

As per the provisions of Section 19 of the Act, the employer is required to create awareness programmes at regular intervals, display the gist of the provisions of the Act, etc.

Failure to constitute/re-constitute the Committee and comply with the provisions of the Act, shall attract penalty as prescribed under Section 26 of the Act.

All establishment having more than 10 employees should constitute the Internal Committees.

It is the responsibility of the department /Commission /local bodies, etc to check on the compliance on the implementation of the Act all the workplaces i.e. sub-offices, private office, establishments, industrial unit, educational and other institution registered and coming under your control.

The Department of Women & Child Development is the nodal department for overall monitoring and implementation of the Act.

You, therefore, requested to compile the information on the constitution of Internal Complaint Committee at all the workplace registered and under your control and forward to this Directorate alongwith soft copy within 15days , to enable the department to file the information before the Supreme Court in the matter.

Yours faithfully,



(DIPAK DESSAI)

Director & Ex-officio Jt. Secretary to the Government
Women & Child Department



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 18] नई दिल्ली, मंगलवार, अप्रैल 23, 2013/ वैशाख 3, 1935 (सक)
No. 18] NEW DELHI, TUESDAY, APRIL 23, 2013/ VAISAKHA 3, 1935 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 23rd April, 2013/Vaisakha 3, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 22nd April, 2013, and is hereby published for general information:—

THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013

(No. 14 OF 2013)

[22nd April, 2013.]

An Act to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

WHEREAS sexual harassment results in violation of the fundamental rights of a woman to equality under articles 14 and 15 of the Constitution of India and her right to life and to live with dignity under article 21 of the Constitution and right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment;

AND WHEREAS the protection against sexual harassment and the right to work with dignity are universally recognised human rights by international conventions and instruments such as Convention on the Elimination of all Forms of Discrimination against Women, which has been ratified on the 25th June, 1993 by the Government of India;

AND WHEREAS it is expedient to make provisions for giving effect to the said Convention for protection of women against sexual harassment at workplace.

EXTRAORDINARY
(vi) a dwelling place or a house,

(p) "unorganised sector" in relation to a workplace means an enterprise owned by individuals or self-employed workers and engaged in the production or sale of goods or providing service of any kind whatsoever, and where the enterprise employs workers, the number of such workers is less than ten.

3. (1) No woman shall be subjected to sexual harassment at any workplace.

(2) The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:—

- (i) implied or explicit promise of preferential treatment in her employment; or
- (ii) implied or explicit threat of detrimental treatment in her employment; or
- (iii) implied or explicit threat about her present or future employment status; or
- (iv) interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- (v) humiliating treatment likely to affect her health or safety.

CHAPTER II

CONSTITUTION OF INTERNAL COMPLAINTS COMMITTEE

4. (1) Every employer of a workplace shall, by an order in writing, constitute a Committee to be known as the "Internal Complaints Committee":

Provided that where the offices or administrative units of the workplace are located at different places or divisional or sub-divisional level, the Internal Committee shall be constituted at all administrative units or offices.

(2) The Internal Committee shall consist of the following members to be nominated by the employer, namely:—

(a) a Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees:

Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the workplace referred to in sub-section (1):

Provided further that in case the other offices or administrative units of the workplace do not have a senior level woman employee, the Presiding Officer shall be nominated from any other workplace of the same employer or other department or organisation;

(b) not less than two Members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge;

(c) one member from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment:

Provided that at least one-half of the total Members so nominated shall be women.

(3) The Presiding Officer and every Member of the Internal Committee shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.

(4) The Member appointed from amongst the non-governmental organisations or associations shall be paid such fees or allowances for holding the proceedings of the Internal Committee, by the employer, as may be prescribed.



Government of Goa,

DIRECTORATE OF HIGHER EDUCATION

SCERT Building, Alto- Porvorim-Goa PIN 403 521

Tel:2415585/2410824

Email:estt-dhe.goa@nic.in

No.ADMN/REDRESSAL/SH/01/2018/Vol-II/187 · Dated:17/06/2019

To,

- 1) The Registrar,
Goa University.
- 2) All The Principals,
Govt./Aided Colleges

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

Sir/Madam,

I am directed to refer to the subject cited above and to forward herewith Notice No.1-572/2017-18/DWCD/Writ.(Civil)1224/2017/Vol.III/767 dated 08/05/2019 received from Director & Ex-officio Jt. Secretary to the Government, Women & Child Department, Directorate of Women & Child Development, Panjim for strictly compliance of the instructions contained therein and for taking necessary action in the matter.

You are requested to instruct the Internal Complaint Committee constituted at your college to submit the Annual reports as per the provisions of Section 21(1) of the Act directly to the respective District Officers under intimation to this office.

| | |
|-------------------------------------|--------------|
| M. E. S. COLLEGE OF ARTS & COMMERCE | |
| ZDARINAGAR - GOA. | |
| RECEIVED NO. 131 | Date 22/6/19 |
| PAGE NO. 26 | |

Yours faithfully

(Pranab G. Bhat)

Dy. Director (Admin) IC

Encl:- as above

Copy to:-

- 1) The Director & Ex-Officio Jt. Secretary to the Government, Directorate of Women & Child Development, Panjim.
- 2) Mrs Sulksha Borkar , A.A.O., Presiding officer of Internal Complaint Committee, Directorate of Higher Education, Porvorim.

170 PL
22/6/19

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Directorate of Women & Child Development

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No.1-572/2017-18/DWCD/Writ Pet. (Civil) 1224 / 2017/ Vol. III / 767 Date:- 08.05.2019

NOTICE

To. All Head Dept

2046
10-6-19
106
Adm
O.S.

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

Ref: 1) Circular no. 1-181-2001-Sectt. Cell(part)/ 04441, dated 03.03.2014.

2) Circular no. 1-181-2001-Sectt. Cell/, dated 24.07.2014.

3) Press Note issued vide letter no. 1-181-2001-WCD/10366, dated 02.12.2014.

4) Press Note issued vide letter no. 1-572-2017-18/DWCD/Writ Pet.(civil) 1224/2017/8917, dated 23.03.2018.

Sir,

With reference to the subject cited above this is to inform you that the Sexual harassment of women at workplace results in violation of the fundamental rights of woman to equality as per Article 14 and 15 of her right to live with dignity as mentioned under Article 21 of the Constitution.

The Government India has enacted the **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**. This Act is an extension on the basis of the Guidelines laid down by the Supreme Court of India in its landmark judgment in the case of Vishakha V/s State of Maharashtra in 1997. The Act ensures a safe working environment for women and provides protection to women at their workplace from any form of sexual harassment and for redressal of any complaints of harassments. This Act is also much wider in scope bringing within its ambit larger areas including even the unorganized and the domestic workers.

A Writ Pet. (Civil) 1224 of 2017 is pending before the Hon'ble Supreme Court, to ensure the implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 in all States/Union Territories.

All efforts are being taken by this Directorate to ensure the implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 at all workplaces be it public or private or even the unorganized sector, regardless of their age and status of employment time and again.

As per the provisions of Section 5 of the Act, the District Magistrate of North Goa District and South Goa District are appointed as District Officers vide Notification dated 09/05/2014 and published in the Official Gazette Sr. II No.6 dated 9/5/2014.

As per the provisions of Section 6 & 7 of the Act, the Local Complaint Committees are constituted by the District Officer/District Magistrate of North Goa District vide Order dated 14/09/2017, and by the District Officer/District Magistrate of South Goa District vide Order dated 20/09/2017.

All the Mamlatdars in the North Goa District are appointed as "Nodal Officers" for their respective Taluka's by the District Officer/District Magistrate of North Goa District vide Order dated 15/09/2017.

All Chief Officers and Mamlatdars of respective Talukas/ Municipalities are appointed as "Nodal Officers" in their respective jurisdiction by the District Officer/District Magistrate of South Goa District vide Order 22/08/2014.

As per the provisions of Section 4 of the Act, every department/Organization/undertaking/industrial establishment, educational institutions/ private sector organization, hospitals, Sport Institutes, etc are required to constitute Internal Complaint Committee at workplace.

The composition of the Internal Complaint Committee is as under:-

- a) A "Presiding Officer" who shall be a woman employed at a senior level at workplace from amongst the employees;
- b) Not less than two Members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge;
- c) One member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.

The Committee constituted shall be in force for a period of three years and subsequently it is required to be re-constituted.

As per the Provision 6 (1) of the Act where the Internal Complaint Committee has not been constituted due to having less than 10 workers or if the complaint is against the employee, complaint can be entertained by the Local Complaint Committee.

As per the Provision 6 (2) of the Act, the nodal Officers designated by the District Officers in all block/Taluka i.e. Mamledar & Municipality shall receive the complaints from aggrieved woman and forward them to the respective Local Complaint Committee within a period of seven days.

It is mandatory, as per the provisions of Section 19 of the Act, the employer is required to provide safe working environment, display the gist of the provisions of the Act at any conspicuous place in the workplace, create awareness programmes at regular intervals, to assist women etc.

As per the provisions of Section 21 (1) of the Act, the Internal Complaint Committees are required to submit Annual reports to the respective District Officer.

All the Govt. departments/Organizations/undertakings/ industrial establishments, educational institutions/ private sector organizations, hospitals, Sport Institutes, etc are hereby directed to ensure the implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, failure shall attract penalty which may extend to Rs. 50,000/- as prescribed under Section 26 of the Act for non compliance of the Provision of the Act..

Further all stake holders are hereby directed to display this notice as well as the Order of the constituted Internal Complaint Committee at the prominent place.



(DIPAK DESAI)

Director & Ex-officio Jt. Secretary to the Government
Women & Child Department



MURGAON EDUCATION SOCIETY'S
COLLEGE OF ARTS & COMMERCE

ZUARINAGAR, GOA - 403 726.

Accredited by NAAC with B+ Grade · CGPA of 2.68 (4th Cycle)

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Website : www.mescollege.org

Annual Report on cases of Sexual Harassment

Period: 1st April 2020 to 31st March 2021

Ministry Department: M.E.S. College of Arts & Commerce, Zuarinagar-Goa

| S. No. | | Ministry / Department | Autonomous Bodies |
|--------|-----------------------------------------------------------------------------------------------|-----------------------|-------------------|
| 1. | Number of complaints of sexual harassment received in the year | NIL | - |
| 2. | Numbers of complaints disposed off during the year | NIL | - |
| 3. | Number of cases pending for more than 90 days | NIL | - |
| 4. | Number of workshops on awareness programs against sexual harassment conducted during the year | NIL | - |
| 5. | Nature of action | NIL | - |

Meds

(Dr. Savia Mendes)

Chairperson

Internal Complaint Committee

Meenakshi Bawa

(Dr. Meenakshi Bawa)

Officiating Principal