

# Meghalaya Health Systems Strengthening Project Government of Meghalaya



No. DHS/Proj-7/MHSSP/IC/2023-24 Dated: 27.06.2023

## OFFICE ORDER

The attached Prevention of Sexual Harassment (POSH) at the Workplace Policy, June 2023 is hereby notified and is in force with effect from the date of this Order. The scope of this Policy is applicable to all personnel involved with the Project, including permanent state employees, contractual workers, daily wage workers and third party consultants, engaged either on part time or full time basis. It will also be applicable to all individuals involved indirectly with the Project, including visitors, partners, vendors, suppliers, etc.

## OPPER

## **Project Director**

## Copy to:

- 1. All members of the Internal Committee under MHSSP for information and necessary action.
- 2. All members of the Project Management Unit, MHSSP for information.
- 3. All consulting firms engaged with the Project for information.
- 4. Accounts Section, MHSSP for provisioning of approved budget.

The document is digitally approved. Hence signature is not needed.

Meghalaya Health Systems Strengthening Project Dept. of Health & Family Welfare, Government of Meghalaya Red Hill Road, Upper New Colony, Shillong 793003, Meghalaya pmu.admin@meghssp.org





Government of Meghalaya



# Meghalaya Health Systems Strengthening Project, Health & Family Welfare Department, Government of Meghalaya

Policy on Prevention of Sexual Harassment at the Workplace (POSH)

June, 2023

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#### 1. Introduction

The Prevention of Sexual Harassment (POSH) at Workplace Act 2013, mandates every organisation/office having an employee strength of more than ten individuals, to define their sexual harassment policies, prevention systems and inquiry and redressal procedures for its employees. The Act is a landmark legislation in India that seeks to provide a safe and secure working environment for all employees, regardless of gender. Through this Act, the mechanisms have been put in place to prevent and redress complaints of sexual harassment. It also seeks to create awareness about the issue of sexual harassment and to provide the necessary legal remedies for victims. The POSH Act 2013 also provides for establishing Internal Committees (IC), to address complaints of sexual harassment and carry forward procedures of inquiry.

The Health & Family Welfare Department, Government of Meghalaya is implementing the Meghalaya Health Systems Strengthening Project (MHSSP) with financial and technical assistance from the World Bank, with an aim to improve the management capacity, quality, and utilization of Health Services in Meghalaya. Since its inception in 2021, the project has had various interventions in four key components. These components are divided into the following:

- 1. Improving accountability, management and strengthening governance.
- 2. Strengthening Systems to improve the quality of Health Services.
- 3. Increase coverage and utilization of Health Services.
- 4. Contingent Emergency Response.

In accordance with the World Bank's standard, MHSSP follows six of the Environmental & Social Safeguards compliances namely, Assessment and Management of Environmental and Social Risks and Impacts, Labor and Working Conditions, Resource Efficiency and Pollution Prevention, Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities and the Stakeholder Engagement and Information Disclosure. These safeguards are followed on a continuous process, at different stages in the project cycle.

The Social Safeguards component of the project mandates for a cross cutting gender inclusive and gender specific interventions, of which one being to ensure the safety of women from any sexual exploitation and abuse (SEA) and sexual harassment (SH) in the workplace.

In this regard, the Prevention of Sexual Harassment of Women at Workplace Policy (POSH) has been framed by MHSSP, in accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 that received the President's Assent on the 22<sup>nd</sup> April 2013.

## 2. Purpose and Mandate

The policy aims to provide to all its women employees and employees of all gender identities, irrespective of any sexual orientation, a workplace free of sexual harassment and any forms of sexual discrimination, notwithstanding race, caste, religion, culture, ethnicity, gender, marital status, sexual orientation, nationality, or disability. The policy holds "zero tolerance" against all forms of sexual abuse and exploitation, providing each employee with a mechanism to report any forms of experiences of misconduct without any fear of retribution and with an effective mechanism of redressal by the Employer. The Policy also does not tolerate use of sexual behavior to control and influence the course of career growth and salary of an individual.

## 3. Scope of the Policy

This policy will apply to all cadres of employees in the District and State where MHSSP is working, including permanent, contractual, consulting, daily wage, either directly or through a technical agency and contract agency of the project, working either fulltime or part time in MHSSP. The policy will also apply to all individuals who visits the MHSSP office for any purpose and will not tolerate any forms of sexual harassment perpetrated either by an employee or visitor, partner, or supplier of MHSSP.

The Policy applies to any alleged act of sexual harassment reported by any of the employees and any alleged act of sexual harassment against any employees of MHSSP or between co-workers, whether the incident occurs before, during or beyond office working hours and that impacts the overall mental, physical, and social wellbeing of the individual.

## 4. Definition of Sexual Harassment

As stated in the POSH Act 2013, Sexual Harassment can broadly be any or more of the following unwelcome acts or behaviors (whether directly or by implication) namely:

- 1. Physical contact and advances, or
- 2. A demand or request for sexual favors, or
- 3. Sexually colored remarks or remarks of a sexual nature about a person's clothing or body, or
- 4. Showing pornography, or
- 5. Any other unwelcome physical, verbal, non-verbal conduct of sexual nature.

Sexual Harassment also constitutes posting or sharing sexual pranks and jokes, sexually demeaning or offensive pictures, cartoons through electronic devices and in social platforms, repeatedly indicating

socializing after office hours or continued expression of sexual interest against a person's wishes, giving gifts or objects that are sexually suggestive, eve teasing, intrusion into one's privacy etc.

Receiving of complaints are not limited to the above and these are only indicative references. However, any other forms of sexual abuse, sexual discrimination, sexual exploitation of any kind brought forward by an individual includes "sexual harassment".

Further, the POSH Act 2013 implies the following circumstances, among other circumstances, if it occurs or is present in relation to or connected to or with any act or behavior of sexual nature, may amount to sexual harassment:

- i. Implied or explicit promise of preferential treatment in a person's employment.
- ii. Implied or explicit threat of detrimental treatment in a person's employment.
- iii. Implied or explicit threat about a person's present or future employment status.
- iv. Interference with a person's work or creating an intimidating or offensive or hostile work environment for any person.
- v. Humiliating treatment likely to affect a person's physical and mental health and overall safety.

## 5. <u>Duties and Responsibilities of the Employer (As laid down in Section</u> <u>19 of the Act)</u>

For this Policy to be effective, the Employer has the following duties:

- 1. Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace.
- **2.** Display ay any conspicuous place in the workplace, the penal consequences of sexual harassment and the order/notification constituting the Internal Committee (IC)
- **3.** Organize workshops and awareness programs at regular intervals for sensitizing the employees with the provisions of the Act and orientation programs of the Internal Committee (IC)
- **4.** Provide necessary facilities to the Internal Committee for dealing with complaints and conduct inquiry.
- 5. Assist in ensuring the attendance of the respondent and witnesses before the Internal Committee (IC)
- **6.** Make available information to the Internal Committee (IC) as may require, having regard to the complaint made.
- 7. Provide assistant to the employee if he/she/they chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force.

- 8. Cause to initiate action under the Indian Penal Code or any other law for the time being in force, against the perpetrator, or if the aggrieved person so desires, where the perpetrator is not an employee in the workplace at which the incident of sexual harassment took place.
- 9. Address sexual harassment as a misconduct and initiate action for such misconduct.
- 10. Monitor the timely submission of reports by the Internal Committee (IC).

To support the role of the Employer, it is also the duty of all to respect everyone, does not take part in any activity that promotes sexual harassment and does not support any form of sexual harassment. An employee is encouraged to support a co-worker in rejecting sexual advances and act as a consented witness for any co-worker who has decided to lodge a complaint.

## 6. Internal Committee (IC)

The Internal Committee (IC) in MHSSP has been constituted on the 15<sup>th</sup> March 2023 via notification No. DHS/Proj-5/MHSSP/ESS/2022-23(VII) (attached annexure) with a composition of the Presiding Officer and Members (internal and external) as stated in Chapter II, Section 4 of the POSH Act 2013.

#### The IC will perform following responsibilities:

- 1. Receive complaints of sexual harassment.
- 2. Initiate the investigation and submit the findings from the inquiry taken up.
- 3. Advise the Employer to undertake required actions as mandated by the POSH Act, 2013.
- 4. Submit an annual report to the Director of the Project.
- 5. Maintain confidential files and handover of files to the new committee.
- **6.** Ensure that the quarterly awareness on POSH Act 2013 and applicable laws is being conducted, as per guidelines of the Act.
- 7. Any other as per the need of the IC arises.

#### (A) **Rights of Internal Committee and IC Members**

Since IC is a fact-finding committee, it is imperative that IC members are granted support from the Employer, while carrying out their duties and roles. The following entails Rights of each IC member through the duration of their term:

- 1. Every IC member has the right to withdraw before an inquiry process.
- 2. Every IC member is privy to all proceedings of the case.
- **3.** Every IC member must be informed on time by the Presiding Officer for any meetings of the IC.

- 4. During the inquiry process, the complainant and the perpetrator should not approach any IC member beyond work hours or otherwise unless permitted to do so by the Presiding Officer. Failing which, the IC member can file a written complaint to the Employer through the IC member, for which necessary action as seemed fit will be taken up.
- 5. If the IC member is threatened or forced to contaminate the findings of the IC, either by the complainant or the respondent or their family, friends, acquaintances or even by their co-workers, posing a threat to their safety, the Employer will immediately step in for necessary action against the individual.
- **6.** Any IC member experiencing any type of stress during the entire inquiry process is entitled to seek any kind of supportive counselling, which will be made available by the Employer.

#### (B) Payment of External Member

Chapter II, Section 4 of the POSH Act 2013 mandates the Employer to pay any fee or allowance to the external member appointed from the non-governmental organization. The amount fixed by MHSSP for the external member is INR 200.00 for attending meetings and proceedings of the IC along with the reimbursement of the travel costs incurred by the member and INR 1200 (Officials) /INR 1500 (Non-Officials) per hour if the external member acts a Resource Person for training purposes of the MHSSP. This will be paid at the end of each IC meeting, proceeding, and training session. The external member will be supporting the IC in the following:

- 1. Assist in making the MHSSP POSH compliant.
- 2. Help in creating awareness of the Act amongst all employees.
- 3. Supervise the inquiry proceeding of any complaints.
- 4. Prepare the Inquiry Report along with the IC members.
- 5. Assist in preparation of the annual report.

#### (C) Withdrawal of IC members

Under Chapter II, Section 5, where the Presiding Officer or any member of the IC:

1. Contravenes the provision of section 16 (mentioned under chapter 5 of the POSH Policy, MHSSP) "Notwithstanding anything contained in the Right to Information Act 2005, the contents of the complaint, the identity and the address of the complainant, respondent and witnesses, any information related to conciliation and inquiry proceedings recommended by the Internal Committee (IC) and the action taken by the Employer under the provisions of the POSH Act 2013 shall not be published, communicated or made known to the public, press and media in any manner" or

- **2.** Has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him/her/they, or
- **3.** He/she/they have been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him/her/they, or
- **4.** Has so abused his/her/their position as to render his continuance in office prejudicial to the public interest, or
- 5. Confidentiality breach.

In such cases, the Presiding Officer or Member, as the case may be, shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh nominations.

## 7. Complaint Mechanism

A complainant shall be made in the following manner:

- A complainant can put forward his/her/their complaints in writing to the Internal Committee (IC), within three months from the date of incident and in cases of a series of incidents within a period of three months from the date of the last incident.
- 2. A complaint may also be made through a call or a message to the Presiding Officer or any member of the IC and the concerned IC member will provide reasonable assistance to the complainant to make the complaint in writing.
- **3.** In cases, where the complaint cannot be made in writing, the Presiding Officer or any member of the IC shall render all reasonable assistance to the complainant to make the complaint in writing.
- **4.** Further, the IC as the case maybe for the reasons to be recorded in writing, may extend the time limit, not exceeding three months, if it is satisfied that the circumstances were such that prevented the complainant, from filing the complaint within the specified time.
- **5.** Any initial complaints made to a person other than an IC member, upon receiving such a complaint, it is the responsibility of the complaint receiver to report the same to the IC.
- 6. Where the complainant is unable to make a complaint on account of his/her/their physical and mental incapacity, a complaint maybe made either by her family, friend or co-worker or an acquaintance who has knowledge of the harassment on his/her/their behalf, with the full and *written consent of the complainant.*
- 7. In matters of or death or otherwise, their legal heir or such other person as maybe prescribed may make a complaint under this section.

### 7.A. Rights of Complainant

- 1. The Complainant has the Right to be heard by the IC.
- **2.** The Complainant has the Right to all copies of statement submitted by the respondent to the IC including names of witnesses and evidence submitted.
- 3. The Complainant has the Right to Confidentiality.
- **4.** Request for the removal of any IC member in cases of breach of confidentiality, biasness, and discrimination.
- 5. Right for record of statements in the absence of the Respondent.
- **6.** Right to Appeal in cases where the Complainant is not happy with the proceedings and the outcome of the IC.

## 7.B. Rights of Respondent

- 1. Right to present one's case in a non-biased manner.
- 2. The Respondent has the Right to all copies of statement submitted by the complainant to the IC including names of witnesses and evidence submitted.
- 3. Right for their identity to be kept confidential.
- **4.** Right to Appeal in cases where one is not satisfied with the Findings and Recommendations of the IC.

#### 7.C. Maintaining Privacy and Confidentiality

During the inquiry and the redress process, all members of the IC are required to maintain the privacy of the complainant and all her/his information. The IC is to ensure that confidentiality is maintained throughout the process and, assure non-retaliation and maintain all necessary ethical protocols to conduct a fair inquiry.

## 8. <u>Resolution Procedures</u>

The Resolution Procedures will take place on two levels, depending on the agreement with the complainant:

#### 1. <u>Resolution Procedure through Conciliation</u>

Resolution through conciliation will be made within two weeks of receiving the complaint

- i. The IC may before initiating the inquiry process and at the request of the complainant, may take steps to settle the matter between the Complainant and the Respondent, through conciliation, provided that no monetary conciliation shall be made on the basis of conciliation. If such conciliation and all terms of the conciliation have been complied with by the Respondent, no further inquiry shall be conducted by the IC.
- **ii.** If the Complainant informs the IC that certain terms of the conciliation have not been complied with by the Respondent, the IC shall proceed to make an inquiry into the complaint or forward the complaint to the Police.
- iii. In cases where both parties are employees of MHSSP, will be given an opportunity to be heard and both parties will be given a copy of the findings of the IC, enabling both parties to make representation against the findings of the Committee.
- iv. If conciliation is not arrived even at this point, the case will be forwarded to the Local Committee (LC) situated at the District Commissioner's Office of East Khasi Hills.

#### 2. <u>Resolution procedure through formal inquiry</u>

The IC will initiate an inquiry in the cases of:

- i. No conciliation is agreed upon by the Complainant.
- ii. If conciliation has not been arrived with to any agreement.
- iii. If the Complainant informs you that the terms of the conciliation have not been met.

## 9. Manner of Inquiry

Upon initiation of Inquiry, the following steps shall be followed by the IC and any other provision made under the POSH Act 2013, as and when applicable:

- 1. Upon receiving the complainant, the IC shall ask the complainant to submit any supporting documents and names of witnesses, if not earlier submitted with the written complaint.
- **2.** The IC will hold a meeting with the Complainant within 7 days of receiving the complaint and no later.
- **3.** At this first meeting, the IC shall hear and will record all allegations made by the Complainant. The Complainant can also submit any proof of document, messages, videos, audios or any other proof to substantiate their complaint.
- **4.** The IC will send one copy of the Complaint to the Respondent within 7 days of receipt of the complaint.

- 5. Within 10 days of receiving the copy of the Complaint, the Respondent will respond to the IC with all supporting documents. A copy of the written respond by the Respondent shall be shared with the Complainant.
- 6. Thereafter, the Respondent shall be called for a disposition before the IC and an opportunity will be given for an explanation. The IC will hear the Respondent and record all statements of the Respondent.
- 7. If both the Complainant and the Respondent desire for any witness or witnesses be called, they shall submit the same to the IC along with the names and addresses of the proposed witnesses.
- 8. At this point, the IC will call the witnesses proposed by both parties.
- **9.** All proofs and evidence and counter evidence made by either the Complainant or the Respondent should be submitted in original form and copies and respective signature should be affixed, to certify these to be original copies.
- **10.** The IC shall then proceed with the inquiry within 90 days and communicate the same to both the Complainant and the Respondent.
- 11. A final copy of the inquiry report should be submitted to the Employer within a period of 10 days from the date of completion of the inquiry and the report shall be communicated to both the Complainant and the Respondent.
- **12.** A minimum of 5 members, including the Presiding Officer should be present throughout the inquiry process.
- **13.** In cases where sexual harassment has been proved, the IC will recommend to the Employer measures and action to be taken against the Respondent:
  - i. To take action for sexual harassment as a misconduct in accordance with the provisions of the service rules applicable to the respondent and in cases where there are no service rules made, action may be taken upon deliberations.
  - *ii.* To deduct, not withstanding anything in the services rules, applicable to the respondent, from the salary or wages of the respondent such sum as the Employer considers appropriate to be paid to the complainant or their heirs, in accordance with *section 15 of the POSH Act 2013 (attached)*
  - iii. In cases where the Employer is unable to make such deductions from the salary of the respondent due to their absence from work or cessation of employment, the Employer may direct the Respondent to pay such amount to the Complainant directly.
  - iv. The Employer will act on the recommendations of the IC within 60 days of it's receipt and send a report to the Local Committee (LC), East Khasi Hills District.

For the purpose of deciding the amount to be paid by the Respondent, the IC will take into consideration the following and shall have regard to:

1. The mental trauma, pain, suffering and emotional distress caused to the Complainant.

- 2. The loss in the career opportunity due to the incident of sexual harassment.
- 3. Medical expenses incurred by the complainant for physical or psychiatric treatment.
- 4. The income and financial status of the Respondent.
- 5. Feasibility of payment of such sum in installment of lumpsum

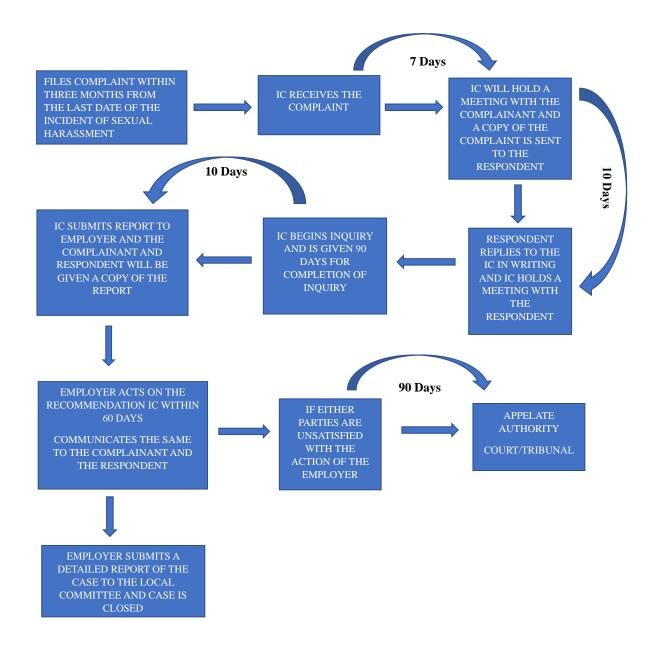
Other actions to be taken may also include:

- 1. A written apology to be tendered by the Respondent to the Complainant.
- 2. A written warning by the Employer to the Respondent.
- **3.** Employer to withhold any trainings and sessions where the Respondent will be representing MHSSP, promotions and increments.
- 4. A written notification of suspension and termination.
- 5. Any other as deemed fit by the Employer.

#### Note:

- Where sexual harassment occurred because of an act by a third party of outsider, the Employer and the IC will render all support to the Complainant in the inquiry process.
- In the event the complaint does not fall under the purview of sexual harassment, the IC will submit written reasons to the Employer to drop the complaint.
- In cases where the Complainant chooses to lodge criminal proceedings the IC will support the Complainant to file an FIR (First Information Report) and the IC will ensure that all documentation of complaints, inquiry, evidence and supporting documents are available for the same. This is especially important in cases where the complaint is of serious nature.

## PROCESS FLOW OF IC



## 10.Appeal

If either the Complainant or the Respondent is not satisfied with the action to be taken recommended by the IC or is further aggrieved with the implementation or non-implementation of the recommended action may Appeal to the Court or Tribunal within a period of 90 days of the recommendations.

## 11. Pendency of Inquiry/Interim Relief

During the pendency of the inquiry on a written request by the Complainant, the IC may recommend to the Employer:

- i. Transfer the complainant or the respondent to any other workplace.
- **ii.** Grant leave to the complainant for a period of three months in addition to her already entitled leaves.
- iii. Prevent the Respondent from assessing the Complainant's work performance.
- iv. Any other as deemed appropriate for that point of time.

The Employer, on implementing the above recommendations, shall inform the IC regarding the same.

## 12. Considerations while preparing Inquiry Report

While preparing the inquiry report, following points shall be taken into account:

- i. Whether the language or remarks used (written or spoken) by the Respondent is of a sexual and derogatory nature.
- **ii.** Whether the allegations of events made by the Complainant follows a logical narration from the evidence provided and gathered.
- iii. The credibility of Complainant, Respondents, Witnesses and Evidence must be taken in regard.
- iv. Mention any similar fact or evidence pertaining to the behavior of the Respondent.
- v. Mention if both parties have been given the opportunity to be heard by the IC.
- vi. Mention if findings of the proceeding of the inquiry have been made available to both the Complainant and the Respondent, to enable them to make representation of the findings.

## 13. Unsubstantiated Complaint

Wherein, the IC arrives at a conclusion that the allegation against the respondent has not be proved, it recommends to the Employer that no action is required to be taken in this regard.

#### 14. Punishment for False or Malicious Complaints

If the allegation made by the complainant against the respondent is found to be false or malicious or any other person making the complaint knowing it to be false, or has produced or forged any misleading witnesses, the IC may recommend to the Employer actions to be taken against the complainant or such a person. The action recommended should be similar to the one proposed by the Complainant to the Respondent.

While deciding malicious complaints, the IC however, should consider that mere ability to substantiate a complaint shall not always be malicious intent. Before deciding on malicious intent, the IC should produce a clear report indicating the reasons for it's decision.

## 15. Departmental Linkages

Departmental Linkages with One Stop Crisis Centres, Social Welfare Department, Meghalaya State Women's Commission, Women and Child Development Department, Child Welfare Committee (CWC), State Commission for Protection of Child Rights (SPCR) and Counselling Units of the Health Department available in all districts of the State will be made accessible to the Complainant for undergoing any supportive mental health needs, if so required.

## 16.<u>Budget</u>

Budget for development of IEC materials in print and video (English, Khasi, Garo) to create awareness and sensitization regarding sexual harassment and gender-based violence, payment to the external member, IC meetings, training sessions and resource persons fees are budgeted through MHSSP. Details are as follows:

Sl. No	Details	Amount (in INR) Per Year
1	IEC Materials in print and Video	332000.00
2	Payment to External Member at the rate INR 200 per meeting including the actual expenses	5000.00
3	IC Meetings at the rate INR 500 per meeting	3000.00
4	1Day Training Sessions (4 Sessions of expected participants 20 number per session)	2,00,000.00
5	Resource Persons	7000.00
	Total =	5,47,000.00

## 17. Modifications and Review of the Policy

MHSSP reserves the right to modify or review the provisions of the Policy, in order to comply with the legal requirements or changes in the POSH Act 2013 made by the Government of India or revise the provisions of the Policy in accordance with the experiences of the IC.

## 18.<u>Annexures</u>

- **1.** Notification ICC attachment
- 2. Section 15 of the POSH Act 2013
- 3. Duties of Employer, Chapter VI Section 19
- 4. Annual reporting format for IC

Annexure-1



Meghalaya Health Systems Strengthening Project Government of Meghalaya



DHS/Proj-5/MHSSP/ESS/2022-23 (VII) 15.03.2023

## **NOTIFICATION OF THE MHSSP ICC**

The following members of the Project Management Unit of the Meghalaya Health Systems Strengthening Project, is hereby nominated as members for the Internal Complaint Committee of the Project with effect from this notification date until further orders:

- 1. Presiding Officer: Dr. L M Umlong, Jt. Director, Directorate of Health Service (MI).
- 2. Member: Dr. S Saldanha, Training Consultant, MHSSP
- 3. Member: Smt. Mamta Rai, Procurement Manager, MHSSP
- 4. Member: Shri. Kmenbhalang Khongwir, Team Leader, MHSSP
- 5. Member: Shri. Pynsukborlang Sun, DQAA, MHSSP
- 6. **Member from NGO:** Smt. Joy Grace Syiem, North East Network, Meghalaya- Legal & Gender Consultant.
- 7. Member: Smt. Joy Pathaw, Social Development Expert, Project Management Agency, MHSSP

## Roles and Responsibilities of the ICC Members:

- 1. Receive the complaints of sexual harassment
- 2. Initiate the investigation and submit the findings from the inquiry taken up.
- 3. Direct the employer to undertake required actions as mandated by the POSH Act 2013.
- 4. Submit an annual report to the Director of the Project.
- 5. Maintained Confidential files for three years & handover to the new Committee.
- 6. Ensure that the Quarterly awareness on Posh Act is being conducted in the Organization as per the guideline.

7. Any other as per the need of ICC arises.

## Copy for information to:

- 1. The Principal Secretary, Government of Meghalaya, Health & Family Welfare Department.
- 2. The Commissioner & Secretary, Government of Meghalaya, Health & Family Welfare Department.
- 3. The Director of Health Services (MI) Cum Additional Project Director (MHSSP) Meghalaya, Shillong.
- 4. The Director of Health Services (MCH & FW) Cum Additional Project Director (MHSSP) Meghalaya, Shillong.
- 5. The Director of Health Services (Research) Cum Additional Project Director (MHSSP) Meghalaya, Shillong.
- 6. The District Medical & Health Officer all Districts, Meghalaya.
- 7. Chief Engineer, Health Engineering Wings, Director of Health Services, Shillong, for information.
- 8. Superintendent Engineer, Health Engineering Wings Director of Health Services, Shillong, for information.

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# Meghalaya Health Systems **Strengthening Project**



- **Government of Meghalaya**
- 9. Executive Engineer, Health Engineering Wings Director of Health Services, Shillong, for information.
- 10. North East Network, Shillong.
- 11. State Program Manager, National Health Mission Shillong, Meghalaya.
- 12. Project Management Unit, Meghalaya Health Systems Strengthening Project.
- 13. State Program Manager, Megha Health Insurance Scheme Shillong, Meghalaya.
- 14. Project Management Agency and all Technical Assistants , Meghalaya Health Systems Strengthening Project.
- 15. Junior Engineers and District Quality Assurance Associates, Meghalaya Health Systems Strengthening Project.

PPP .

**Project Director** Meghalaya Health Systems Strengthening Project

The document is digitally approved. Hence signature is not needed.

**Meghalaya Health Systems Strengthening Project** Dept. of Health & Family Welfare, Government of Meghalaya Red Hill Road, Upper New Colony, Shillong 793003, Meghalaya pmu.admin@meghssp.org



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Annexure-2

15. For the purpose of determining the sums to be paid to the aggrieved woman under Determination clause (*ii*) of sub-section (3) of section 13, the Internal Committee or the Local Committee, as of compensation the case may be, shall have regard to --

(a) the mental trauma, pain, suffering and emotional distress caused to the aggrieved woman;

(b) the loss in the career opportunity due to the incident of sexual harassment;

(c) medical expenses incurred by the victim for physical or psychiatric treatment;

(d) the income and financial status of the respondent;

( $\epsilon$ ) feasibility of such payment in lump sum or in instalments.

or the recommendations.

#### Annexure-3

#### CHAPTER VI

#### DUTIES OF EMPLOYER

19. Every employer shall --

#### Duties of employer.

(a) provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;

(b) display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting, the Internal Committee under subsection (1) of section 4;

#### 10

#### THE GAZETTE OF INDIA EXTRAORDINARY [Part 1]-

(c) organise workshops and awareness programmes at regular intervals for sensitising the employees with the provisions of the Act and orientation programmes for the members of the Internal Committee in the manner as may be prescribed;

(d) provide necessary facilities to the Internal Committee or the Local Committee, as the case may be, for dealing with the complaint and conducting an inquiry;

(e) assist in securing the attendance of respondent and witnesses before the Internal Committee or the Local Committee, as the case may be;

(/) make available such information to the Internal Committee or the Local Committee, as the case may be, as it may require having regard to the complaint made under sub-section (1) of section 9;

(g) provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time being 45 of 1860. in force;

(*h*) cause to initiate action, under the Indian Penal Code or any other law for the 45 of 1860. time being in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of 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.

Sl. No	Details		Remarks
1	Reporting Quarter/Year		
2	Number of complaints of sexual harassment received in the quarter/year		
3	Number of complaints completed during the quarter/year		
4	Number of cases pending for more than 90 days in the year		
5	Number of workshops or awareness program against Sexual Harassment carried out in the quarter/year		
6	Nature of action taken by the employer for pending cases		

## MHSSP IC REPORTING FORMAT

# Signature of the Presiding Officer, IC MHSSP:

Date:

Place: