

High Court of Jharkhand Gender Sensitization  
and  
Internal Complaints Committee

# Annual Report 2023





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High Court of Jharkhand  
Gender Sensitization &  
Internal Complaints Committee

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## Message from Hon'ble Chairperson

In the pursuit of social justice and equity, '*Gender Sensitization*' stands as a crucial undertaking that aims to promote understanding and mitigate the prejudices based on gender within society. At the High Court of Jharkhand, we ensure that this process involves educating and informing individuals about gender issues, fostering an environment where every gender is recognized, respected, and treated equally. In today's professional environments, the prevention of sexual harassment is not only a legal obligation but also a fundamental component of fostering a safe and inclusive workplace culture.

As we commemorate the first anniversary of the High Court of Jharkhand Gender Sensitization and Internal Complaints, and release the Annual Report for the year 2023, I extend my heartiest congratulations and deepest gratitude to each member of this esteemed Committee. Over the past year, their dedication and tireless efforts have significantly contributed to fostering an inclusive and respectful environment in High Court of Jharkhand. Our combined commitment to addressing and resolving issues concerning gender justice is commendable and has paved the way for a more gender neutral and secure workplace.

In complete harmony with the Prevention of Sexual Harassment (POSH) laws and the Gender Sensitization and Sexual Harassment of Women at High Court of

Jharkhand (Prevention, Prohibition and Redressal) Regulations, 2021, the initiatives undertaken by the Committee have not only raised awareness but also strengthened compliance and encouraged working women, including litigants to be more comfortable in their own space. The progress made in sensitizing the judiciary, court personnel, the bar and litigants towards gender issues and timely handling of complaint(s) are a testament to the Committee's unwavering commitment to justice and equality.

As we celebrate this milestone, I extend my best wishes for the continued success and impact of this work in the years to come. May this Report serve as a reminder of our shared commitment to the principles of fairness, equality, and respect, and the strides we have made together in aligning our practices with POSH guidelines from time to time.

Gender sensitization is not a one-time effort but a continuous process that needs nurturing and commitment. By implementing comprehensive strategies and Regulations, we can foster an environment where everyone, regardless of their gender, is treated with respect and dignity. As we advance, it becomes increasingly clear that understanding and addressing gender issues is not just about promoting social justice but about enriching the social fabric of our communities, making them more inclusive and equitable for everyone.

I am also grateful to the readers for their time to read this Report as well as for browsing the new webpage of the Committee linked to the official website of the High Court of Jharkhand.

**Anubha Rawat Choudhary, J.**



## Message from Hon'ble Member

I extend my sincerest gratitude and congratulate the High Court of Jharkhand Gender Sensitization and Internal Complaints Committee for unwavering dedication to fostering a culture of inclusivity and equality within our esteemed institution. I assure that we are committed to promote gender sensitization which is instrumental in creating a conducive and respectful environment for all members of the legal community, officers, employees of the High Court of Jharkhand as well as to litigants.

It is imperative that in this temple of justice, we uphold the principles of fairness and equity in all aspects of our work. The work of the Gender Sensitization Committee plays a pivotal role in ensuring that these principles are not only upheld but ingrained in the fabric of our judiciary.

The three attributes of Gender Sensitization on which our Committee intends to focus, are, Awareness, Alertness and Action. Awareness about our rights within the institution and being conscious about our duties. Alertness to ensure that we have a gender neutral environment and caution from any act of sexual harassment even at a very nascent stage. Further, prompt and strong action to nip the bud of sexual harassment and bring home the perpetrators who are proved guilty under the POSH regime.

I encourage and appreciate cooperation and commitment of each one of for this noble cause and encourage all to continue making sincere efforts to reach the larger goal of gender equality. Together, let us strive to build a judicial system that not only dispenses justice but also serves as a beacon of equality and empowerment for all.

**[Navneet Kumar, J.]**





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The background of the image features the silhouettes of four women standing in a line on a grassy field, holding hands. They are positioned against a warm, orange-hued sunset sky. The women are dressed in various styles of dresses and skirts. The overall mood is one of unity and shared experience.

# **Legal Journey and Background**

## Legal Journey and Background

Sexual harassment at workplace is considered violation of women's right to equality, liberty as well as life. It creates an insecure and hostile work environment, which discourages women's participation in work, thereby adversely affecting their social and economic empowerment and the goal of inclusive growth. Hence, it was crucial to create a mechanism for prevention & regulation of the instances of sexual harassment at workplaces as well as for redressal of the grievances arising out of, or incidental to such cases of sexual harassment was the need of the hour. Therefore, to address these issues, the High Court of Jharkhand Gender Sensitization & Internal Complaints Committee has come into existence.

High Court of Jharkhand Gender Sensitization & Internal Complaints Committee has been constituted under the provisions of '**THE GENDER SENSITIZATION & SEXUAL HARASSMENT OF WOMEN AT HIGH COURT OF JHARKHAND (PREVENTION, PROHIBITION AND REDRESSAL) REGULATIONS, 2021**' with the aim to prevent sexual harassment of women within the precincts of the High Court of Jharkhand and for redressal of any complaints that may be lodged here.

Protection of working women from gender discrimination and sexual harassment has also been duly emphasized in several legal frame-works, in consonance with which, the High Court of Jharkhand Gender Sensitization & Internal Complaints Committee has been constituted. Some of such important laws in this regard have been discussed below.

### ***The Constitution of India***

The following articles of the Constitution of India guarantees certain fundamental rights to its citizen which includes working women.

**Article 14** - Right to equality before the laws and equal protection of the laws.

**Article 15** - Prohibition of discrimination on grounds only of religion, race, caste, sex or place of birth.

**Article 19 (1) (g)** - Right to practice any profession or to carry on any occupation, trade or business to all citizens subject to Art. 19(6) which enumerates the nature of restrictions imposed by the state.

**Article 21** - Protection of personal life and liberty.

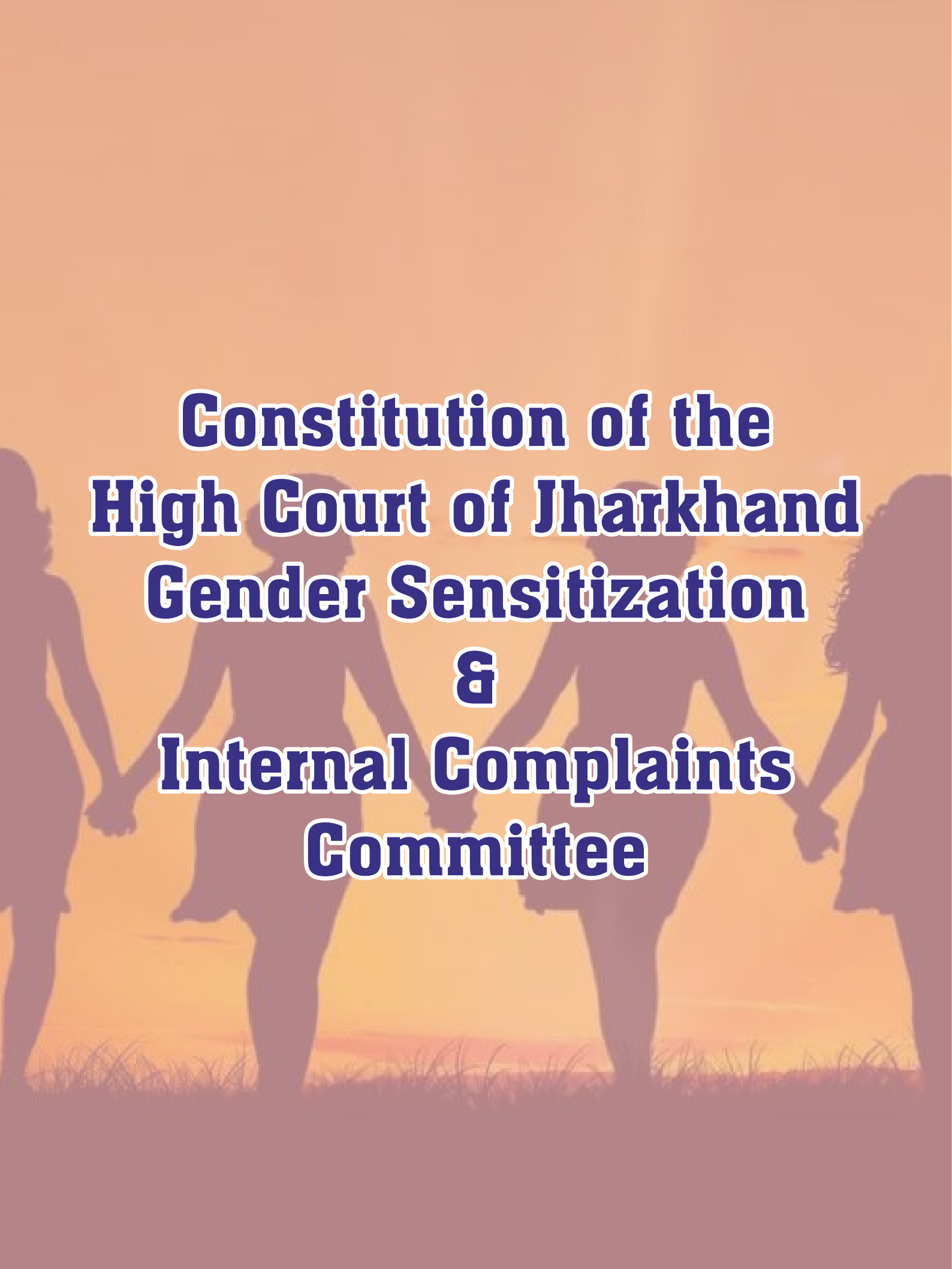
Gender discrimination and sexual harassment results in violation of the aforesaid fundamental rights including the right to practice any profession or to carry on any occupation, trade or business safe environment free from sexual harassment under Articles 19 (1) (g) of the Constitution of India.

### ***International Conventions***

Sensitization against discrimination on basis of gender and the protection against sexual harassment as well as the right to work with dignity are universally recognized human rights by International Conventions and Instruments such as '**Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)**', Vienna Declaration on the Elimination of all Forms of discrimination against Women, which had been ratified on the 25th June, 1993 by the Government of India.

### ***Protection of Human Rights Act, 1993***

Under **Section 12 (d)** read with **Section 12 (f)** of the Human Rights Act of 1993, it has been asserted that women have the right to gender equality, to work with dignity and to a working environment safe and protected from sexual harassment or abuse.

The background of the slide features a warm, orange-toned sunset or sunrise sky. In the foreground, the silhouettes of four women are shown from the waist up, standing in a line and holding hands. They are positioned behind the main text, which is centered on the slide. The overall mood is one of solidarity and support.

**Constitution of the  
High Court of Jharkhand  
Gender Sensitization  
&  
Internal Complaints  
Committee**

# Constitution of the High Court of Jharkhand Gender Sensitization & Internal Complaints Committee

In compliance of the directions of the Hon'ble Supreme Court of India in the case of Writ Petition (Civil) No. 162 of 2013<sup>1</sup>, "*The Gender Sensitization & Sexual Harassment of Women at High Court of Jharkhand (Prevention, Prohibition and Redressal) Regulations 2021*", has been approved and adopted by Hon'ble High Court of Jharkhand, Ranchi which has come into force with effect from the date of its publication in the Official Gazette i.e. **19.02.2022**. Further, in terms of the provisions contained under Chapter II (Regulation No. 4 to 7) of said Regulation, *High Court of Jharkhand Gender Sensitization & Internal Complaints Committee ("Committee")* has been constituted.

## CONSTITUTION OF THE COMMITTEE

Constitution of the Hon'ble High Court of Jharkhand Gender Sensitization and Internal Complaints was done vide Office Order of High Court of Jharkhand (**Office Order No. 33/ Accounts dated 13.01.2023**), constituting the Committee.

### Hon'ble Chairperson

1. **Hon'ble Mrs. Justice Anubha Rawat Choudhary**, Judge and Chairperson, High Court of Jharkhand Gender Sensitization & Internal Complaints Committee, Ranchi

### Hon'ble Member

2. **Hon'ble Mr. Justice Navneet Kumar**, Judge and Member, High Court of Jharkhand Gender Sensitization & Internal Complaints Committee, Ranchi

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1. Ms. Binu Tamta & Anr Vs. High Court of Delhi & Ors (Writ Petition (Civil) No. 162 of 2013)

### **Ld. Members:**

3. **Ms. Mani Mala Pal**, Member of Committee and Senior Advocate, High Court of Jharkhand, Ranchi
4. **Ms. Darsahna Poddar Mishra**, Member of Committee and Additional Advocate General -1, High Court of Jharkhand, Ranchi
5. **Shri Ram Singh**, Member of Committee and Social Worker, Mediator and Educationist.
6. **Ms. Priti Srivastava**, Member of Committee and Child Protection Specialist (CPS), UNICEF, Jharkhand
7. **Ms. Tanvee**, Member Secretary & Member of the Committee -cum- Deputy Secretary, SCMS Secretariat, High Court of Jharkhand, Ranchi



The background of the slide features a warm, orange-toned sunset or sunrise over a body of water. In the foreground, the silhouettes of four women are shown from the waist up, standing in a line and holding hands. They are positioned behind the main text, which is centered on the slide. The overall mood is one of unity and support.

**Business of  
the Committee  
&  
Status of Complaint**

## Meetings of the Committee

In compliance of the statutory requirement by the **Gender Sensitization & Sexual Harassment of Women at High Court of Jharkhand (Prevention, Prohibition And Redressal) Regulations, 2021** [Regulation 6], the meetings of the Committee were conducted.

### Date of Meetings of the Committee

Sl No.	Date of Meeting
1.	01.02.2023
2.	30.06.2023
3.	15.09.2023
4.	18.09.2023

### Date of Meetings of the Internal Sub-Committee

Sl No.	Date of Meeting
1.	27.03.2023
2.	24.04.2023
3.	08.05.2023
4.	19.06.2023

## Status of Complaint

*No. of complaints filed in the year 2023 – 01*

*No. of complaints disposed in the year 2023 – 01*

The Hon'ble High Court of Jharkhand Gender Sensitization and Internal Complaints Committee vide **Notification** No. 01/HCICC (Confidential) dated **20.03.2023**, constituted a three member Internal Sub-Committee for conducting a fact finding inquiry in the aforesaid complaint instituted as **ICC No. 01/2022**.

In light of the directions of the Committee, the Internal Sub-Committee conducted a fact finding inquiry and submitted its confidential report dated **19.06.2023** before the Committee. The Committee vide its meeting dated 30.06.2023, considered the Inquiry Report of the Internal Sub-Committee and resolved to accept the findings and recommendations therein. The Committee further resolved that in the light of **Regulation 11 (3)** of the Gender Sensitization & Sexual Harassment of Women at High Court of Jharkhand (Prevention, Prohibition And Redressal) Regulations, 2021, the Minutes of the Meeting of the Committee was placed before the Hon'ble the Chief Justice, High Court of Jharkhand. Accordingly, after placing the same, necessary directions were passed in this regard by Hon'ble the Chief Justice, High Court of Jharkhand, Ranchi.

It is pertinent to flag out in this context that the status of the complaint is also available on the webpage of the Committee. Further, name and details of the parties have been kept confidential in the best interest of justice.

The image features a warm, orange-toned sunset background. In the foreground, the silhouettes of four women are shown from the waist up, standing in a line and holding hands. They are positioned against the bright, glowing horizon. The word "Achievements" is written in a bold, blue, sans-serif font with a white outline, centered over the women's hands.

# Achievements

# **Achievements**

**(Under the aegis of Hon'ble High Court of Jharkhand)**

- 1. Establishment of permanent Secretariat of the Committee.**
- 2. Contact Information of the Committee created with separate Email id and exclusive Mobile Number.**
- 3. Webpage of the Committee linked to the website of High Court of Jharkhand has been created.**
- 4. CCTV Cameras installed (272) in the new premises of High Court of Jharkhand and deployment of more women Police personnel.**
- 5. Preparation of List of Volunteers.**
- 6. Successful and timely disposal of the complaint filed.**
- 7. Workshop organized by the Committee for creating awareness on Gender Sensitization.**
- 8. Notice for Awareness on Gender Sensitization to be created.**
- 9. Establishment of a bigger Crèche at the new premises of High Court of Jharkhand.**
- 10. Twenty washrooms in place for exclusive use of differently Abled persons within the precincts of High Court of Jharkhand.**
- 11. Installation of pad vending machine in women's washroom available free of cost.**

12. **Availability of lady doctor and female nursing staff available in High Court Dispensary.**

13. **The Committee has passed necessary directions that Gender Sensitization and Internal Complaints Committee is constituted as per the POSH Act and Rules in all the Judgeships of the State of Jharkhand.**

**1. Establishment of permanent Secretariat of the Committee.**

It was resolved vide Minutes of the Meeting dated 01.02.2023, that a permanent Secretariat of Committee shall be created along with infrastructure facilities. The same has been created and a separate space has been allotted for the same.

**2. Contact Information of the Committee**

An exclusive contact number, i.e. **+91 8757719555** has been assigned for official use of the Committee. Further, Email Id for Online Complaint / Feedback is also available, i.e. **hcjgsicc-jhc@jharkhandmail.gov.in**

*For any complaint, two separate modes are available:*

**(i) For Online Complaint:**

One can login to the webpage of the Hon'ble High Court of Jharkhand Gender Sensitization and Internal Complaints which is linked to the website of High Court of Jharkhand. Thereafter, one can:

- (a) Fill up the Google form attaching relevant information on the same and submit the form.

OR

(b) One can email the complaint providing necessary details on the official email id of the Committee.

**(ii) For Physical Complaint:**

Complaint can also be physically sent on the address of the High Court of Jharkhand Dhurwa, Ranchi (Jharkhand). The written complaint should be in a sealed envelope and can be dropped at the Office of Ld. Registrar General, High Court of Jharkhand, Ranchi or the Office of Member Secretary of the Committee.

**3. Webpage of the Committee linked to the website of High Court of Jharkhand has been created.**

An exclusive webpage of the Committee linked to the website of High Court of Jharkhand has been created to facilitate officers, staff members, advocates as well as litigants. The following heads has been created on the said webpage.

# Hon'ble High Court of Jharkhand Gender Sensitization and Internal Complaints Committee, High Court of Jharkhand, Ranchi

**ABOUT US**

**POSH LAWS**

**CONTACT US**

**CASE STATUS**

**LANDMARK JUDGMENTS**

**PHOTO GALLERY**

HOME ABOUT US POSH LAWS CONTACT US CASE STATUS LANDMARK ORDERS & JUDGEMENT PHOTO'S GALLERY COMPLAINTS FORMS

WELCOME TO HON'BLE HIGH COURT OF JHARKHAND GENDER SENSITIZATION AND INTERNAL COMPLAINTS COMMITTEE (HCJG SICC), HIGH COURT OF JHARKHAND, DHURWA, RANCHI



HON'BLE THE ACTING CHIEF JUSTICE



HON'BLE MRS. JUSTICE ANUBHA RANAIT CHOUDHARY

### The Legal Journey and Background

Sexual harassment at a workplace is considered violation of women's right to equality, life and liberty. It creates an insecure and hostile work environment, which discourages women's participation in work, thereby adversely affecting their social and economic empowerment and the goal of inclusive growth. Hence, a set-up of a mechanism for prevention & regulation of the instances of sexual harassment at workplaces and for the redressal of the grievances arising out of or incidental to such cases of sexual harassment was the need of the hour and it was in this backdrop, the High Court of Jharkhand Gender Sensitization & Internal Complaints Committee has come into existence. [more...](#)

### MEMBERS OF HCJG SICC



HON'BLE MR. JUSTICE RAVNEET KUMAR

Judge and Member, High Court of Jharkhand Gender Sensitization & Internal Complaints Committee, Ranchi



Ms. Mani Mala Pal

Member of Committee and Senior Advocate, High Court of Jharkhand, Ranchi



Ms. Darshana Poddar Mishra

Member of Committee and Additional Advocate General -1, High Court of Jharkhand, Ranchi



Ms. Priya Srivastava

Member of Committee and Child Protection Specialist (CPS), UNICEF, Jharkhand



Dr. Ram Singh

Member of the Committee, Social Worker, Mediator and Educationist



Ms. Tanvee

Member Secretary of the Committee-cum-Deputy Secretary, SCMS Secretariat, High Court of Jharkhand, Ranchi



## Ways to File a Complaint

HCJGSICC PORTAL

हिंदी



झारखंड उच्च न्यायालय, रांची  
High Court of Jharkhand, Ranchi



Complaint may be filed in any of the following three ways

Sl. No.	Descriptions	Form Format
1.	Fill up the form and submit in physical form to the office of the Ld. Registrar General, High Court of Jharkhand, or the Office of Member Secretary, High Court of Jharkhand Gender Sensitization and Internal Complaints Committee, High Court of Jharkhand, Dhurwa, Ranchi, Jharkhand, 834004. (In prescribed format only).	<a href="#">download</a>
OR		
2.	Fill up the prescribed form and forward it in soft copy to the Member Secretary, High Court of Jharkhand Gender Sensitization and Internal Complaints Committee at <a href="mailto:hcjgsicc-jhc@jharkhandmail.gov.in">hcjgsicc-jhc@jharkhandmail.gov.in</a> .	
OR		
3.	Fill up the form online and submit through the link given on this web-page of the High Court of Jharkhand Gender Sensitization and Internal Complaints Committee;	<a href="#">online form</a>

Designed & Developed by Technical Team, CPC Section, High Court of Jharkhand, Dhurwa, Ranchi

## Format of Online Complaint of Sexual Harassment

### Particulars of the Aggrieved woman / Complainant

Complainant Name *	Email *
<input type="text"/>	<input type="text"/>
Section / Department (If employee/officer of the Court )	ID No.
<input type="text"/>	<input type="text"/>
Address*	
<input type="text"/>	
Aadhar No.*	Phone/Mobile No. *
<input type="text"/>	<input type="text"/>

### Particulars of the Respondent (s) against whom the complaint is made

Name*		
<input type="text"/>		
Section / Department	ID No.	
<input type="text"/>	<input type="text"/>	
Address		
<input type="text"/>		
Aadhar No.	Phone/Mobile Number	Email
<input type="text"/>	<input type="text"/>	<input type="text"/>

### Details of the alleged sexual harassment (with date, place of the incident etc. ) \*

If the alleged sexual harassment is of recurring in nature, then the date of the last incident of alleged sexual harassment

Name of the complainant	Relationship between aggrieved woman & Complainant
<input type="text"/>	<input type="text"/>
<small>(If aggrieved woman &amp; Person making complaint are different)</small>	

Upload the Complaint or relevant Documents	Date of Complaint *
<input type="text" value="Choose file"/> <input type="text" value="No file chosen"/>	<input type="text"/>

### Disclaimer \*

The incident reported in my complaint is true to my knowledge and no material fact has been concealed

\* Mandatory fields.

## Word Format to file a Complaint

To be filed under Regulation 8 of The Gender Sensitization & Sexual Harassment of Women at High Court of Jharkhand, (Prevention, Prohibition and Redressal) Regulations, 2021

### 1. Particulars of the **Aggrieved woman / Complainant**

Name*	
Section / Department and ID No.* (If employee / officer of this Court)	
Address*	
Aadhar Number*	
Phone / Mobile number*	
E-mail ID*	

### 2. Particulars of the **Respondent** (s) against whom the complaint is made

Name*	
Section / Department* (If employee/officer of the Court)	
Address	
Aadhar Number	
Phone / Mobile number	
E-mail ID	

### 3. Details of the alleged sexual harassment\* (with date, place of the incident, etc.)

#### **4. CCTV Cameras installed in the new premises of High Court of Jharkhand and deployment of more women Police personnel.**

Nestled in an eco-friendly environment, the New High Court Building is classically designed and designated as a Green Building. For security purposes, **272 CCTV** cameras have been installed in the precincts of this Court along with four watch towers. This is a striking improvement as compared to the last humble abode of the High Court building in Doranda.

Resource efficient in itself, the new Dhurwa High Court building offers and promotes clean energy generation incorporating solar panels with a capacity to generate 2 megawatts of electricity. The exterior wall of this architectural marvel is designed to withstand fire, water and sound pollution, ensuring a safe and serene environment. Rainwater harvesting systems have also been installed to conserve water, preventing wastage and replenishing groundwater reserves.

#### **5. Preparation of List of Volunteers.**

Under the provisions of **Regulation 2(m)** read with **Regulation 7(2)(iv) and 7(2)(v)** of the High Court of Jharkhand (Prevention, Prohibition and Redressal) Regulations, 2021, Regulation, 2021, the proposal to enlist team of volunteers was discussed by the Committee. It was resolved that initially, there would be a team of around 11 volunteer comprising of the following.

##### **List of Volunteers**

1. Ms. Neeta Krishnan (Advocate - Bar side).
2. Ms. Vandana Bharti (Advocate - Bar side).
3. Mr. Sanjit Kumar (Bank of India).
4. Ms. Jaya Prasad (Delhi Public School)
5. Sri Bikash Bhakt, (Assistant Registrar, High Court of Jharkhand)
6. Ms. Rupa Kumari, (Section Officer High Court of Jharkhand);

7. Sri Kumar Abhishek, Assistant, (High Court of Jharkhand);
8. Ms. Nishi Jagrani Xaxa, (Class IV, High Court of Jharkhand)
9. Ms. Geeta (Advocate Clerk Association).
10. Ms. Saraswati Kumari (ANM from High Court Dispensary).

#### **6. Successful and timely disposal of the complaint filed.**

Only one complaint was received by the High Court of Jharkhand Gender Sensitization and Internal Complaints Committee in the year 2023. Vide **Notification** No. 01/HCICC (*Confidential*) dated **20.03.2023**, the Committee constituted a three member Internal Sub-Committee for conducting an inquiry in the aforesaid complaint. Thereafter, the Internal Sub-Committee conducted a fact finding inquiry and submitted its report dated **19.06.2023** before the Committee. The Committee vide its meeting dated **30.06.2023** resolved to accept the findings and recommendations therein and the Minutes of the Committee was placed before the Hon'ble the Chief Justice, High Court of Jharkhand. Accordingly, necessary directions were passed in this regard by Hon'ble the Chief Justice, High Court of Jharkhand, Ranchi. Hence, there was timely disposal of the complaint, i.e. within 90 days.

#### **7. Workshop organized by the Committee for creating awareness on Gender Sensitization.**

A Programme on '**Gender Sensitization with focus on Prevention, Prohibition and Redressal of Sexual Harassment of Women at the Workplace**' was organized at the White Hall of Jharkhand High Court on 17.03.2023. The programme was organized by the High Court of Jharkhand Gender Sensitization and Internal Complaints Committee. The programme was presided by Hon'ble Mr. Justice Sanjaya Kumar Mishra, Chief Justice, High Court of Jharkhand as the Chief Guest and Hon'ble Mrs. Justice Anubha Rawat Choudhary, Judge and Chairperson High Court of Jharkhand Gender Sensitization & Internal Complaints Committee in the presence of all the judges of the High Court. The said programme –cum-

workshop was attended by over one hundred and twenty guests, dignitaries and participants.

**8. Notice for Awareness on Gender Sensitization to be created.**

A notice for awareness, in both English and Hindi is to be displayed at all conspicuous places within the precincts of the High Court. The Notice contains a QR Code and provides information on the procedure to file a complaint through online mode or physical mode in case of sexual harassment of women at workplace. Further, it shall be applicable on women of any age, whether employed by this Court or not.

**10. Establishment of a bigger Crèche at the new premises of High Court of Jharkhand.**

Facility of crèche has been provided within the premises of this Court to facilitate working women / men as well as litigants. The High Court Dispensary is also very available on the ground floor and is of huge assistance to the crèche to meet any kind of emergency situation. A lift is available in the building. There are two separate rooms for younger children and for other children. There is water facility, study table, items to play, etc.

**11. Twenty washrooms in place for exclusive use of differently-abled persons within the precincts of High Court of Jharkhand.**

As many as twenty washrooms have been made available for the use of differently abled male as well as female persons at convenient places. On a humanitarian ground, the design of the Court is such that the washrooms are close to the elevators for enabling maximum convenience.

**12. Installation of pad vending machine in women's washroom available free of cost.**

The women's washroom is equipped with pad vending machine to afford

maximum comfort and convenience to the female officers, staff members, advocates as well as litigants. Although earlier, Rs. 5 was being charged for the same, however, it has now been made available free of cost.

**12. Availability of lady doctor and female nursing staff available in High Court Dispensary.**

There is availability of female doctor and nursing staff the High Court dispensary within the premise of the Court.

**13. The Committee has passed necessary directions that Gender Sensitization and Internal Complaints Committee is constituted as per the POSH Act and Rules in all the Judgeships of the State of Jharkhand.**

Letter has been issued by the High to all the Ld. Principal District and Sessions Judge including Judicial Commissioner Ranchi for constitution of Gender Sensitization and Internal Complaints Committee under the POSH Act and Rules for the respective Judgeships. Further, strict compliance of the POSH Act and Rules was directed by the High Court. The same is being complied in letter and spirit in all the Judgeships.



**Golf Carts flagged for comfortable movement of Senior Advocates, Senior Citizens, Women & Differently Abled Persons.**

The background of the image features the silhouettes of four women standing in a line, holding hands. They are positioned against a warm, orange-hued sunset sky. The women are dressed in simple, dark clothing, and their forms are clearly defined against the bright background. The overall mood is one of unity and solidarity.

# **Programme on Gender Sensitization**



# Programme on Gender Sensitization

## **The High Court of Jharkhand organized a Programme on Gender Sensitization, Workplace Sexual Harassment on March 17, 2023**

A Programme on Gender Sensitization with focus on Prevention, Prohibition and Redressal of Sexual Harassment of Women at the Workplace was organized at the Jharkhand High Court on 17.03.2023. The programme was organized by the High Court of Jharkhand Gender Sensitization and Internal Complaints Committee.

The programme was presided by the Chief Justice of Jharkhand High Court Justice Sanjaya Kumar Mishra and Justice Anubha Rawat Choudhary, Jharkhand High Court Judge and Chairperson of High Court of Jharkhand Gender Sensitization & Internal Complaints Committee, in the presence of all the judges of the High Court.

Over 120 guests and participants attended the programme including senior lawyers, Executive Members of the Advocated Association and High Court Registry Members.

The Welcome Address was delivered by Mohammad Shakir, Registrar General of the High Court.

In his Keynote Address, Chief Justice Sanjaya Kumar Mishra explained the role played by the Judge in practical life and court. Chief Justice Mishra further walked the audience through the journey of how the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 came into being, right from the time India ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEADW) on 25th June 1993.

Justice Anubha Rawat Choudhary in her Special Address explained the Procedure under the High Court of Jharkhand (Prevention, Prohibition and Redressal) Regulations, 2021, framed by Jharkhand High Court.

Additional Advocate General and the Member of the Committee Advocate Darshana Poddar Mishra and Child Protection Specialist, UNICEF Priti Srivastava were the two other speakers of the programme. The Member Secretary of the High Court of Jharkhand Gender Sensitization and Internal Complaints Committee, Ms. Tanvee, delivered the Vote of Thanks.

According to the press release issued, the program was a huge success and the High Court of Jharkhand resolved that it shall make the Court gender friendly workplace with the cooperation of all and protect the rights and dignity of individuals.

Coverage in Online Portal / Media: (English) Source: Live Law Report dated 17.03.2023  
Link: <https://www.livelaw.in/news-updates/jharkhand-high-courtprogramme-gender-sensitization-sexual-harassment-women-workplace-224068>

# Jharkhand High Court Organises Programme On Gender Sensitization, Workplace Sexual Harassment



By - Athira Prasad

Update: 2023-03-17 15:30 GMT



A Programme on Gender Sensitization with focus on Prevention, Prohibition and Redressal of Sexual Harassment of Women at the Workplace was organized at the Jharkhand High Court on Friday. The programme was organised by the High Court of Jharkhand Gender Sensitization and Internal Complaints

## Print Media and Electronic Media Coverage in Ranchi: (Hindi)

1. Dainik Jagaran – 18.03.2023
2. Prahabat Khabar - 18.03.2023
3. Hindustan - 18.03.2023

The image features a warm, orange-toned sunset background. In the foreground, the silhouettes of four women are shown from the waist up, standing in a line and holding hands. They are positioned behind the main text. The text is centered and reads "Recent Development 2024" in a bold, blue font with a white outline.

# **Recent Development 2024**

# Recent Development - 2024

Notice for Awareness and Procedure of Redressal on Gender Sensitization created with QR Code linked to the portal of Gender Sensitization.



  
**झारखण्ड उच्च न्यायालय, राँची**  
**सूचना**

कार्यस्थल (इस न्यायालय परिसर में) पर लैंगिक शोषण से आहत महिला (किसी भी उम्र की कोई महिला, कार्यरत हो या नहीं, जिनका यह मानना हो कि उनके साथ लैंगिक शोषण हुआ है) द्वारा निम्नलिखित तरीके से शिकायत दर्ज की जा सकती है-

1. झारखण्ड उच्च न्यायालय, राँची के वेबसाइट पर। (जेंडर सेंसिटाइजेशन पोर्टल) 
2. [hcjgsicc-jhc@jharkhandmail.gov.in](mailto:hcjgsicc-jhc@jharkhandmail.gov.in) पर ईमेल कर।
3. महानिबंधक के कार्यालय अथवा सदस्य सचिव, झारखण्ड उच्च न्यायालय लैंगिक संवेदीकरण एवं आंतरिक शिकायत समिति के कार्यालय में लिखित आवेदन (सीलबंद लिफाफे में) देकर।

आदेशानुसार



  
**HIGH COURT OF JHARKHAND, RANCHI**  
**NOTICE**

In case of sexual harassment at workplace (precincts of this Court), complaint may be lodged by the aggrieved women (any female, of any age whether employed or not) who claims to have been subjected to any act of sexual harassment) on -

1. The website of High Court of Jharkhand (Gender Sensitization portal) 
- or  
2. The email id: [hcjgsicc-jhc@jharkhandmail.gov.in](mailto:hcjgsicc-jhc@jharkhandmail.gov.in)
- or  
3. By a written complaint (in sealed envelope) to the Office of the Registrar General or to the Office of the Member Secretary, High Court of Jharkhand Gender Sensitization and Internal Complaints Committee.

By Order

**PROGRAM ON GENDER SENSITIZATION, HIGH COURT OF JHARKHAND, RANCHI**  
**- 10th MAY 2024**

The High Court of Jharkhand is pleased to announce the successful completion of an Orientation –cum- Workshop on Gender Sensitization with 'Focus on Procedure of Redressal of Sexual Harassment of Women at Workplace'. The Program held today, i.e. on 10th May 2024, underscores the High Court's commitment to fostering an inclusive and equitable environment within the legal system.

The Workshop was conducted by the High Court of Jharkhand Gender Sensitization and Internal Complaints Committee under the aegis of the High Court of Jharkhand with the kind blessings of Hon'ble Mr. Justice Shree Chandrashekhar, Acting Chief Justice, High Court of Jharkhand. The entire event was brainchild of Hon'ble Mrs. Justice Anubha Rawat Choudhary and Hon'ble Mr. Justice Navneet Kumar, Chairperson and Member of the High Court of Jharkhand Gender Sensitization and Internal Complaints Committee. The distinguished guests and participants included members of the bar, officers and staff of the High Court as well as volunteers of the Gender Sensitization Committee, such as members from banking sector, medical assistants, NGOs, school teachers, etc.

The workshop, facilitated by leading experts in gender studies and law, including Shri Mohammad Shakir, Registrar General, High Court, Mrs. Darshana Poddar Mishra, Member of Committee & Additional Advocate General – I, Mrs. Priti Srivastava, Member of Committee & Child Protection Specialist, UNICEF Jharkhand and Ms. Tanvee, Member Secretary, Gender Sensitization Committee -cum- Deputy Secretary, High Court of Jharkhand who deliberated upon 'Sexual Harassment at Workplace' with special focus on Prevention and Redressal.

A big size laminated Notice on the procedure of redressal of complaint on sexual harassment was unveiled with a QR code that was directly linked to the webpage of Gender Sensitization [<https://jharkhandhighcourt.nic.in/ihcj/>] linked to the official website of High Court, shall be displayed at all conspicuous places within the premises. Further, information regarding availability of crèche facility within the campus of the Court was also shared.

The deliberations provided participants with a deep understanding of gender issues, biases, and sensitivities prevalent in legal proceedings. Through interactive sessions attendees gained valuable insights into recognizing and addressing gender-based discrimination, harassment, and stereotypes. Participants hailed from diverse backgrounds, reflecting the broad spectrum of stakeholders invested in promoting gender equity within the High Court which is steadfast in its dedication to fostering a culture of respect, dignity, and equality for all individuals, irrespective of gender identity or expression. Moving forward, the High Court will continue to prioritize initiatives that promote gender sensitivity and advance the cause of justice for all members of society.

### **MEDIA COVERAGE**

#### **Coverage in Online Portal / Media: (English)**

**Source: Live Law Report dated 13.05.2024**

**Link: <https://www.livelaw.in/high-court/jharkhand-high-court/jharkhand-high-court-conducts-orientation-cum-workshop-on-gender-sensitization-257820>**

#### **Print Media and Electronic Media Coverage in Ranchi: (Hindi)**

1. *Times of India (English)* – 11.05.2024
2. *Dainik Jagaran* – 11.05.2024
3. *Dainik Bhaskar* – 11.05.2024
4. *Prahabat Khabar* - 11.05.2024
5. *Hindustan*- 11.05.2024



# Jharkhand High Court Conducts Orientation- Cum-Workshop On Gender Sensitization

**Bhavya Singh**

13 May 2024 9:25 PM

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Listen to this Article



The Jharkhand High Court  
successfully concluded an  
Orientation-cum-Workshop on



The image features a warm, orange-toned sunset background. In the foreground, the silhouettes of four women are shown from the waist up, standing in a line and holding hands. They are positioned against the bright horizon, creating a strong contrast. The word "Regulation" is centered over the women's hands in a bold, blue, sans-serif font with a white outline.

# Regulation

# The Gender Sensitization & Sexual Harassment of Women at High Court of Jharkhand (Prevention, Prohibition and Redressal) Regulations, 2021

## NOTIFICATION

02 / Accts.

Dated 18.02.22

In compliance of the directions of the Hon'ble Supreme Court of India, as contained in the order dated 17-07-2013 passed in Writ Petition (Civil) No. 162 of 2013, in the matter of Ms. Binu Tamta & Anrs vs High Court of Delhi & Ors., the High Court of Jharkhand, hereby approves and adopts "THE GENDER SENSITIZATION & SEXUAL HARASSMENT OF WOMEN AT HIGH COURT OF JHARKHAND (PREVENTION, PROHIBITION AND REDRESSAL) REGULATIONS 2021", in the following manner:-

**[THE GENDER SENSITIZATION & SEXUAL HARASSMENT OF WOMEN AT HIGH COURT OF JHARKHAND (PREVENTION, PROHIBITION AND REDRESSAL) REGULATIONS 2021]**

**WHEREAS** gender discrimination and sexual harassment results in violation of the fundamental rights of a woman to equality under Article 14 and 15 of the Constitution of India and her right to life and to live with dignity under Article 21 of the Constitution of India and right to practice any profession or to carry on any occupation, trade or business which includes a right to safe environment free from sexual harassment under Articles 19 (1) (g) of the Constitution of India;

**AND WHEREAS** sensitization against discrimination on basis of gender and the protection against sexual harassment and the right to work with dignity are universally recognized 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 25<sup>th</sup> June, 1993 by the Government of India;

**AND WHEREAS** it is expedient to make provisions for giving effect to the Constitution of India and the said Convention for protection of women against sexual harassment at High Court of Jharkhand precincts:-



Now these Regulations are being published as a comprehensive code for prevention of sexual harassment of women within the precincts of the High Court of Jharkhand and for redressal of any complaints that may be lodged in the High Court of Jharkhand.

## CHAPTER I

### PRELIMINARY

#### 1. Short title, extent and commencement-

- (1) These Regulations may be called the High Court of Jharkhand Gender Sensitization & Sexual Harassment of Women (Prevention, Prohibition and Redressal) Regulations, 2021.
- (2) They shall come into force on such date as the Chief Justice of High Court of Jharkhand may, by notification, appoint.

#### 2. Definitions-

In these Regulations, unless the context otherwise requires-

- (a) "aggrieved women" means, in relation to the High Court of Jharkhand any female, of any age whether employed or not who claims to have been subjected to any act of sexual harassment by any person in the High Court of Jharkhand precincts;
- (b) "appropriate authority" means in relation to the High Court of Jharkhand, the sitting Chief Justice of the High Court of Jharkhand;
- (c) "Chairperson" means the Chairperson of the Complaints Committee of High Court of Jharkhand;
- (d) "Chief Justice of Jharkhand" in context of the present Regulation means the sitting Chief Justice or Acting Chief Justice of High Court of Jharkhand;
- (e) "habitual respondent" is a person against whom a previous complaint of sexual harassment has been received by the Complaints Committee of High Court of Jharkhand on earlier

occasion, irrespective of whether the matter was resolved with or without an inquiry and except where the respondent has been exonerated in the previous complaint.

- (f) "HCUJGSICC" means the High Court of Jharkhand Gender Sensitization and Internal Complaint Committee means the Complaint Committee constituted under Regulation 4;
- (g) "High Court of Jharkhand precincts" means the whole premises of the High Court of Jharkhand including the court block, open grounds, parking, chamber blocks, libraries, canteens, bar-rooms, health centers and/or any other part of the premises under control of the Hon'ble Chief Justice of High Court of Jharkhand;
- (h) "Internal Sub Committee" means the Sub-Committee set up under Regulation 9.
- (i) "Member" means a member of the Complaint Committee;
- (j) "Prescribed" means prescribed by the present Regulations;
- (k) "Respondent" means a person against whom the aggrieved woman has made a complaint under the present Regulations;
- (l) "sexual harassment" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:-
  - (i) physical contact and advances;
  - (ii) a demand or request for sexual favour;
  - (iii) making sexually coloured remarks;
  - (iv) showing or exhibiting pornography and / or sexually explicit material by any means;
  - (v) sending undesirable sexually coloured oral or written messages, text messages, e-mail messages, or any such messages by electronic, manual or other means;
  - (vi) stalking or consistently following aggrieved woman in the High Court of Jharkhand precincts and outside;

- (vi) voyeurism including overt or tacit observation by the respondent by any means of the aggrieved woman in her private moments;
  - (vii) any conduct whereby the respondent takes advantage of his position and subjects the aggrieved woman to any form of sexual harassment and seeks sexual favour especially while holding out career advancements whether explicitly or implicitly, as an incentive or a natural result of submitting to the insinuations/demands of the respondent;
  - (x) any other unwelcome physical, verbal or non-verbal conduct of sexual nature;
  - (x) implied or explicit promise of preferential treatment in her legal career;
  - (xi) implied or explicit threat of detrimental treatment in her legal career;
  - (xii) implied or explicit threat about her present or future legal career;
  - (xiii) interferes with her work or creating an intimidating or offensive or hostile work environment for her; or
  - (xiv) any treatment having a sexual colour or content likely to affect her emotional and/or physical health or safety;
- (m) "Volunteer" means lawyers or other persons enlisted by the Complaint Committee without any remuneration basis for carrying out the objects and purpose of these Regulations.

### 3. Prevention of sexual harassment-



No woman shall be subjected to sexual harassment at the High Court of Jharkhand precincts.

## CHAPTER II

### COMPOSITION & CONSTITUTION OF HIGH COURT OF JHARKHAND GENDER SENSITIZATION & INTERNAL COMPLAINTS COMMITTEE

#### 4. Constitution of the High Court of Jharkhand Gender Sensitization & Internal Complaints Committee-

- (1) High Court of Jharkhand Gender Sensitization & Internal Complaints Committee shall be constituted to fulfill a very important public function of sensitizing the public to gender issues and to address any complaints made with regard to sexual harassment at the High Court of Jharkhand precinct.
- (2) The Chief Justice of High Court of Jharkhand by an order in writing, shall constitute a committee to be known as the "High Court of Jharkhand Gender Sensitization & Internal Complaints Committee" (HCJGSICC) which shall consist of not less than 7 members and not more than 13 members and shall include the following as far as practicable:-
  - (a) One or two judges of the High Court of Jharkhand in terms of the judgment in the case of *Vishaka Vs. State of Rajasthan, [(1997) 6 SCC 241 & AIR 1997 SC 3011]*, one of whom shall be chairperson of the committee, to be nominated by the Chief Justice of High Court of Jharkhand. If at relevant time, a woman judge is working in the High Court of Jharkhand, she shall be one of the members or the Chairperson of High Court of Jharkhand Gender Sensitization & Internal Complaints Committee, as the case may be;
  - (b) One or two senior members of any of the Bar Association of the High Court of Jharkhand with at least 20 years of membership of the Bar Association concerned to be nominated by the Hon'ble Chief Justice of High Court of Jharkhand, one of whom being a woman;
  - (c) One or two members to be elected by General Ballot of the members of all the Bar Associations who shall be registered

member of the Association concerned for at least 10 years out of whom at least one shall be a woman;

- (d) One woman member being a member of any of the Bar Association of High Court of Jharkhand having not less than 10 years practice elected by General Ballot of the Advocates;
- (e) At least one and at the most two outside members to be nominated by the Chief Justice of High Court of Jharkhand. Persons who are associated with the Social Welfare Department or non-government organization having experience in the field of social justice, women empowerment, and/or gender justice, out of whom at least one member shall be a woman;
- (f) One woman officer in the service of the High Court of Jharkhand to be nominated by the Hon'ble Chief Justice of High Court of Jharkhand who shall function as the Member Secretary of the HCJGSICC and she shall not be an officer of the rank below the rank of Assistant Registrar of the High Court. In case there is no such woman officer in the High Court, the Joint/Assistant Registrar (Judicial) shall be the Member Secretary of HCJGSICC; and
- (g) Any other member that the Chief Justice of High Court of Jharkhand may deem fit to nominate.

Provided that it shall be ensured that the majority of the members of HCJGSICC shall be woman members.

- (3) The outside member appointed under clause 4(2) (c) shall be paid such fees or allowances from the allocated funds for holding the proceeding of the HCJGSICC as may be prescribed.
- (4) Where the Chairperson or any member of the HCJGSICC-
  - (a) has been convicted for an offence or an enquiry into an offence under any law for the time being in force is pending against him / her;
  - (b) fails to constitute an Internal Sub-Committee to inquire into a particular complaint;

- (c) fails to take action under Regulation 11;
- (d) contravenes or attempts to contravene or abets contravention of other provision of these Regulations or any notifications/orders issued thereunder; or
- (e) in the opinion of the Chief Justice of High Court of Jharkhand has so abused his/her position as to render his/her continuance in office prejudicial to the exercise of functions of the HCJGSICC; such Chairperson or member, as the case may be, shall stand removed forthwith from the HCJGSICC by a written order of the Chief Justice of High Court of Jharkhand and the vacancy so created shall be filled by fresh nomination/election in accordance with the provisions of these Regulations.

**5. Term of High Court of Jharkhand Gender Sensitization & Internal Complaints Committee members-**

The term of each member of the HCJGSICC shall be for 2 years, subject to the member being elected / nominated for a maximum period of two terms, and a member who has been removed under Regulation 4(e) shall not be eligible for re-nomination or re-election.

**6. Meetings of The High Court of Jharkhand Gender Sensitization & Internal Complaints Committee-**

- (1) The HCJGSICC shall meet at least once in four months in a calendar year.
- (2) Members shall be intimated of meetings and agenda in writing and/or by electronic communication by the Member Secretary.
- (3) Minutes of all meetings shall be recorded, confirmed and accepted. The Member Secretary shall circulate the minutes of a meeting and the resolutions so passed to all members of the HCJGSICC within 7 days of the holding of the meeting or the passing of the resolution.



- (4) The ordinary meeting shall be called by the Chairperson with minimum seven days notice to all members.
- (5) Any member of HCJGSICC may at any time request the Chairperson to call an emergency meeting with a notice of forty-eight hours. However, this will not prevent the Chairperson from convening an emergency meeting without forty eight hours notice.
- (6) The quorum for all meetings shall be one-third of the HCJGSICC. In the event, the quorum is not completed for any meeting, an adjourned meeting shall be held within the next ten days, for which no quorum shall be required.
- (7) All motions shall be carried-out by a simple majority of those present and voting, except where it is specifically provided for.

Whenever a complaint is received or a report of the Internal Sub-Committee is submitted, the Member-Secretary shall within a period of seven days request the Chairperson to call either an ordinary or an emergency meeting to take action on the same, and the Chairperson shall call a meeting for this purpose, not later than fifteen days from the date of the complaint or the report.

If a member does not attend 3 consecutive meetings, he/she shall be liable to removal forthwith by the Chief Justice of High Court of Jharkhand, and the vacancy so created shall be filled in accordance with Regulation.

#### **7. Functions of The High Court of Jharkhand Gender Sensitization & Internal Complaints Committee-**

- (1) HCJGSICC shall be responsible for framing a policy from time to time and its implementation with regard to gender sensitization and prevention and redressal of sexual harassment in the High Court of Jharkhand.



- (2) Gender Sensitization and Orientation

HCJGSICC shall take the following steps with regard to gender sensitization and orientation:

- (i) HCJGSICC will ensure the prominent publicity of the policy on gender sensitization and prevention and redressal of sexual harassment at all places in the High Court of Jharkhand precincts such as the court building, old and new chamber blocks, library, health centre, canteens, places allotted to Bar Association and open places within the premises of High Court, which are accessible to the public at large.
- (ii) HCJGSICC will organize programmes for the gender sensitization of the High Court of Jharkhand community through workshops, seminars, posters, films, shows, debates, display etc.
- (iii) HCJGSICC shall submit an Annual Report by December 31, every year to the Chief Justice of High Court of Jharkhand which shall be made public, outlining the activities undertaken by it and charting out a blueprint for the activities/steps to be taken up in the following year along with necessary budget allowances required by it. The HCJGSICC shall include in its Annual Report, the number of cases filed, if any and their disposal under these Regulations in the Annual Report.
- (iv) HCJGSICC may enlist the help of NGO's, associations, volunteers, lawyers, lawyer's bodies or the concerned legal services authorities to carry out these programmes.
- (v) HCJGSICC will enlist and activate an adequately representative team of volunteers and shall ensure the widespread publicity of the contact details (both official and personal) of all its members and volunteers. The services of such volunteers shall be available at all times to any aggrieved woman or any person in need of consultation or guidance. Volunteers will also assist in the gender sensitization, crisis mediation and crises management duties of HCJGSICC, but shall not participate in the task of formal redressal of complainants under these regulations and procedures.

(vi) HCJGSICC will organize and train members and volunteers to equip them to handle sexual harassment cases including legal and medical aspects of aid.

(3) Crisis Management and Mediation-

HCJGSICC shall ensure that there is quick and responsive crises management, counseling and mediation available to all aggrieved women expeditiously which shall include the following activities:

- (i) HCJGSICC will assist in the mediation of crisis arising out of incidents of sexual harassment within High Court of Jharkhand precincts.
- (ii) No mediation shall conclude without approval of the HCJGSICC, and the mediated settlement shall be effected and be enforceable only upon it being duly approved by HCJGSICC which shall satisfy itself that the said mediation settlement is voluntary, fair, unbiased and free from any extraneous consideration or influence.

HCJGSICC will coordinate with the controlling officer of police personnel deputed in the High Court of Jharkhand to devise ways and means by which a system of prevention of crisis and crises management that is both gender-sensitive as well as prompt and effective, is put in place. It will maintain regular contact through the Member Secretary with the controlling officer of police personnel deputed in the High Court of Jharkhand to ensure that in crises arising out of incidents of sexual harassment, HCJGSICC members and/or the volunteer identified by it, shall be intimated of such incidents without delay.

(4) Complaint Redressal -

The HCJGSICC shall ensure that every complaint of an aggrieved woman is adequately dealt-with in accordance with the established procedure and with complete sensitivity. The HCJGSICC shall have the power to inquire into and pass orders against the respondent/deviant/delinquent in a complaint made in relation to any form of sexual harassment in the entire precincts of the High Court.

### CHAPTER III

#### COMPLAINT & INQUIRY INTO COMPLAINT

##### 8. Complaint of Sexual Harassment-

- (1) Any aggrieved woman may make a complaint in writing of sexual harassment at the High Court of Jharkhand precincts to the HCJGSICC through the Member Secretary in accordance with the form and procedure so notified by it.

Provided that, where the aggrieved woman is unable to make such a complaint in writing due to any reason, the member of the HCJGSICC or volunteer, as the case may be, shall render all reasonable assistance to the woman for making the complaint in writing.

- (2) Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or for any other reason, her legal heir or such other person directly concerned with her interests may make a complaint under this Regulation.

##### 9. Inquiry into complaint-

- (1) On receiving a complaint and upon being satisfied with regard to the genuineness of the complain, the HCJGSICC shall constitute an Internal Sub-Committee to conduct a fact finding inquiry, which shall comprise of three members of the HCJGSICC itself, or such other persons as to be so nominated by the HCJGSICC in its meeting, with majority members being women, and at least one person being an outside member.

- (2) The Internal Sub-Committee shall conduct an enquiry and shall hear and duly record the statements of the aggrieved woman, the respondent, and any other person, the said parties wish to examine, subject to the provisions of Regulation 13(2), and thereafter it shall prepare a report and enclose therein the complete proceedings of the inquiry.

- (3) The fact finding inquiry into a complaint shall be conducted and completed within ninety days of the constitution of the Internal Sub-Committee.

Provided that, the validity of an inquiry shall not be called into question upon the inquiry not being completed within the stipulated period due to reasons beyond the control of the Internal Sub-Committee.

#### **10. Inquiry Report-**

- (1) On the completion of an inquiry under these Regulations, the Internal Sub-Committee shall provide the inquiry report of its findings along with the complete record of the inquiry proceedings including the pleadings and all the materials on record, to the HCJGSICC within a period of ten days from the date of completion of the inquiry and such report shall also be made available to the concerned parties.
- (2) Where the Internal Sub-Committee arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the HCJGSICC that no action is required to be taken in the matter.
- (3) Where the Internal Sub-Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the HCJGSICC to take appropriate action for gender discrimination and/or sexual harassment.
- (4) Upon consideration of the materials on record and the inquiry report of the Internal Sub-Committee, if more than two-thirds of the members of the HCJGSICC differ from the conclusion of the Internal Sub-Committee, the HCJGSICC shall after hearing the aggrieved woman and respondent in person, shall record its reason to differ and shall take consequent action accordingly.
- (5) The HCJGSICC shall pass orders either accepting or rejecting the inquiry report of the Internal Sub-Committee and thereafter pass consequent orders that may be appropriate and necessary for

putting an end to the sexual harassment and take all steps to secure justice to the victim of sexual harassment within forty five working days of submission of the inquiry report of the Complaints Committee, excluding the period of holidays and/or vacation in the High Court of Jharkhand.

Provided that the validity of the orders of the HCJGSICC shall not be called into question upon the same not being passed within the stipulated time.

**11. Orders on inquiry report-**

(1) Subject to Regulation 9(1) above, the HCJGSICC shall have the power to pass the following orders to secure justice to the victim of sexual harassment:

- (a) admonition;
- (b) admonition with publication of such admonition in the Court precincts including the cause list and High Court of Jharkhand website;
- (c) prohibition from harassing the victim in any manner including, but not limited to, prohibition from communicating with her in any manner such as phones, messages, electronic means, physical or other means for a specified period; and
- (d) subject to Regulation 11(2), pass all orders, directions, and / or direct taking steps necessary for putting an end to the sexual harassment of the aggrieved woman.

(2) HCJGSICC will also have the power to recommend to the Chief Justice of High Court of Jharkhand to pass orders against the respondent including, but not limited to the following:

- (a) debarment of entry into the High Court of Jharkhand precincts for a specified period extending upto a maximum period of one year; and
- (b) in appropriate cases, to recommend filing of a criminal complaint and/or a disciplinary complaint before the

concerned disciplinary authority governing the respondent (including the concerned Bar Council) for taking appropriate action and the Chief Justice of High Court of Jharkhand may pass orders thereon subject to Regulation 12:

- (3) The HCJGSICC shall pass orders on the inquiry report and/or shall make recommendations to the Chief Justice of High Court of Jharkhand within forty five working days of the submission of the inquiry report, excluding the period of vacation in the High Court of Jharkhand and communicate the same to the parties forthwith;
- (4) The HCJGSICC and the Internal Sub-Committee shall have the jurisdiction to look into a complaint to inquire into a complaint and take any action thereon notwithstanding that any criminal complaint or any other complaint under any other law (including a disciplinary proceeding under the Advocates Act, 1961) may have been filed with respect to the same complaint/factors;
- (5) The orders of the Chief Justice of High Court of Jharkhand and the HCJGSICC shall be final and binding on the parties.

#### **12. Representation-**

- (1) Any person aggrieved by the order passed (or not passed) by the HCJGSICC under Regulation 11(1) or recommendation made by the HCJGSICC to the Chief Justice of High Court of Jharkhand under Regulation 11(2) or non-implementation of such orders or action, may make a representation to the Chief Justice of High Court of Jharkhand who shall have the power to set aside or modify the orders passed or the recommendation made as the Chief Justice may deem fit, and also have the power to issue such orders or directions that may be necessary to secure complete justice to the victim of sexual harassment. The representation under Regulation 12(1) shall be preferred within a period of ninety days of communication of the order or recommendation.

#### **13. Restraint Order-**

- (1) On the receipt of a complaint and during the pendency of an inquiry, on a written request made by the aggrieved woman, the HCJGSICC, if it considers fit and proper may recommend specific interim measures to be taken in a signed decision to the Chief Justice of High Court of Jharkhand who on receipt thereof may pass such interim orders that may be required for the personal safety and for safeguarding the dignity of the aggrieved woman and the respondent shall be bound by the same.
- (2) Upon disobedience, defiance or violation of the order passed under clause (1) above by the respondent, the HCJGSICC shall close and/or strike off the defence of the respondent and pass final orders under Regulation 10(5) and Regulation 11.

#### CHAPTER IV

#### POWERS & DUTIES

##### 14. Powers of HCJGSICC & Internal Sub-Committee-

- (1) The HCJGSICC shall have the power to issue circulars/notifications prescribing its procedure and for the purpose of carrying out and implementing the provisions of the present Regulation in their spirit and intent.
- (2) The HCJGSICC shall have the power to pass any order to be able to carry out the objectives and mandates of the present Regulation including directing any party or person to take any suitable action.
- (3) For the purpose of making an inquiry, the HCJGSICC and the Internal Sub-Committee shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely:
  - (a) summoning and enforcing the attendance of any person and examining him on oath;
  - (b) requiring the discovery and production of documents; and
  - (c) any other matter which may be prescribed.



- (4) The HCJGSICC by resolution to be passed by two-thirds majority may remove any member of the Internal Sub-Committee and appoint a new member in his/her place, only if it is of the view that



- such a member has acted prejudicially to the principles of natural-justice, fair play and has acted biasedly in the conduct of the inquiry;
- (5) The HCJGSICC shall at all times have supervisory powers over the Internal Sub-Committee and it may issue directions to the Internal Sub-Committee from time to time in accordance with the provisions of the present Regulations;

#### 15. Duties-

The HCJGSICC in coordination with and with the assistance of the office of the High Court of Jharkhand shall-

- (a) take measures to provide a safe working environment for women at the High Court of Jharkhand precincts;
- (b) display at a all conspicuous place in the High Court of Jharkhand and on its web-site, the penal consequences of sexual harassment and the order constituting the Internal Committee under the present Regulations;
- (c) display at all conspicuous place in the High Court of Jharkhand and on its web-site, the status and outcome of complaints of sexual harassment;
- (d) organize workshops and awareness programmes at regular intervals for sensitizing the persons carrying out work at the High Court of Jharkhand premises with the provisions of the present Regulations and orientation programmes for the members of the Internal Committee in the manner as may be prescribed;
- (e) provide necessary facilities to the Internal Sub-Committee for dealing with the complaint and conducting an inquiry;
- (f) assist in securing the attendance of respondent and the witnesses before the Internal Sub Committee;
- (g) obtain such information for the Internal Sub-Committee as it may require having regard to the complaint;
- (h) cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the respondent and/or the perpetrator;
- (i) monitor the timely submission of reports by the Internal Sub-Committee; and

- (f) take any other action and/or measures to ensure an effective and meaningful implementation of the present Regulations.

## CHAPTER V

### MISCELLANEOUS

#### 16. Confidentiality-

- (1) The contents of the complaint made under the present Regulations, the identity and addresses of the aggrieved woman, respondent and witnesses, any information relating to the inquiry proceedings, recommendations of the HCJGSICC and the action taken by the HCJGSICC shall be confidential and shall not be published, communicated or made known to the public, press and media in any manner except upon the aggrieved woman submitting a specific request to do so in writing and upon the HCJGSICC acceding to the said request.
- (2) Upon the respondent being found guilty, information may be disseminated regarding the justice secured to any victim of sexual harassment under these Regulations without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved woman and witnesses.

#### 17. Protection of action taken in good faith-

No suit, prosecution or other legal proceedings shall lie against the Chief Justice of the High Court of Jharkhand, HCJGSICC and the Internal Sub-Committee or its members in respect of anything which is done or intended to be done in good faith in pursuance of these Regulations and the circulars/orders/notifications issued thereunder.

#### 18. Allocation of funds-



The Chief Justice of High Court of Jharkhand may, subject to the availability of financial and other resources, allocate and provide suitable funds as may be prescribed.

- (a) for the effective implementation of the present Regulations;
- (b) for development of relevant information, education, communication and training materials, organization of awareness programmes and for advancement of the understanding of the public of the provisions of these Regulations; or
- (c) for organizing orientation and training programmes for the members of the HCJGSICC, Internal Sub-Committees, volunteers, counselors etc.

**19. Regulations not in derogation of any other law-**

- (1) The provisions of these Regulations shall be in addition to and not in derogation of the provisions of any other law for the time being in force
- (2) The provisions of the present Regulations shall not bar any Court from taking cognizance of any offence punishable under any other enactment or law.

The regulation shall come into force from the date of its publication in the official gazette

By Order

Sd/- Muhammad Shukr  
Registrar General


Memo No. 162/Amts.

Dated: 18.02.22

Copy forwarded for kind information & needful to-

Registrar (Benches) / Registrar (Administration, etc) / Registrar (Vigilance) / P.S. to Hon'ble The Chief Justice / Member Secretary- S.C.M.S. / All Joint Registrars (Judicial) / Senior Secretary-cum-P.S. to Hon'ble the Chief Justice / In charge of P.A. Section / All Deputy Registrars (Judicial & non-judicial) / In charge of Court Master's Section / Secretaries to all the Hon'ble Judges / All Assistant Registrars (Judicial & non-judicial) / All Court Masters / Section Officers of all Judicial and non-judicial sections.

  
(Muhammad Shukr)  
Registrar General

The image features a warm, orange-toned sunset background. In the foreground, the silhouettes of four women are shown from the waist up, standing in a line and holding hands. The women are positioned on the left, center-left, center-right, and right sides of the frame. The text 'Landmark Judgments' is centered over the image in a bold, blue font with a white outline.

# Landmark Judgments

# Landmark Judgments

## **Vishaka & Others Vs. State of Rajasthan & Others**

*Writ Petition (Criminal) Nos. 666-70 of 1992*

In exercise of the power conferred under Article 32 of the Constitution of India for enforcement of the fundamental rights, Hon'ble The Supreme Court of India in the case of Vishaka & Ors versus State of Rajasthan & Ors laid down guidelines and norms for due observance at all work places or other institutions, until a legislation is enacted for the purpose of effective enforcement of the basic human right of gender equality and guarantee against sexual harassment and abuse, more particularly against sexual harassment at work places and further emphasised that this would be treated as the law declared by this Court under Article 141 of the Constitution.

## **Ms. Binu Tamta & Another Vs. High Court of Delhi & Ors**

*Writ Petition (Civil) No. 162 of 2013*

In the matter of Ms. Binu Tamta & Anr. v/s High Court of Delhi & Ors., Hon'ble the Supreme Court of India, by order dated 17.07.2013 had been pleased to approve and accept the "The Gender Sensitization & Sexual Harassment of Women at the Supreme Court of India (Prevention, Prohibition and Redressal) Regulations 2013" with a direction that a copy of the same be sent to the different High Courts in different States, so that they too may formulate their own Regulations in the same manner, in order to contain harassment of women in court premises.

### **Medha Kotwal Lele and Others Vs. Union of India and Others**

*Writ Petition (Criminal) Nos. 173-177 of 1999*

In the matter of Medha Kotwal Lele and Others Vs. Union of India and Others, Hon'ble the Supreme Court of India, by order dated 19.10.2012 had been pleased to observe that guidelines in Vishaka should not remain symbolic and issued further directions deemed necessary until legislative enactment on the subject is in place. It was also observed by the Hon'ble Apex Court that if there is any non-compliance or non-adherence to the Vishaka guidelines, orders of this Court following Vishaka and the above directions, it will be open to the aggrieved persons to approach the respective High Courts. The High Court of such State would be in a better position to effectively consider the grievances raised in that regard.

### **Afshan Pracha Vs. Union of India & Others**

*Writ Petition (Criminal) No. 113 of 2018*

In the matter of Afshan Pracha Vs. Union of India & Others, Hon'ble the Supreme Court of India, by order dated 11.05.2018 had once again reiterated the need for the constitution of Internal Complaints Committee as per the mandate of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and as per the guidelines contained in the judgment of the Court in the case of Vishaka & Others Vs. State of Rajasthan & Others and had been pleased to request the learned Chief Justices of each of the High Courts to constitute the Committees in High Courts as well as the District Courts, if not already constituted, within a span of two months.

## **Aureliano Fernandes Vs. State of Goa and Others**

*Civil Appeal No. 2482 of 2014*

In the matter of Aureliano Fernandes v/s State of Goa and Others, Hon'ble the Supreme Court of India, by order dated 12.05.2023 had been pleased to observe that however salutary the enactment of PoSH Act may be, it will never succeed in providing dignity and respect that women deserve at the workplace unless and until there is strict adherence to the enforcement regime and a proactive approach by all the State and non-State actors. If the working environment continues to remain hostile, insensitive and unresponsive to the needs of women employees, then the Act will remain an empty formality. If the authorities / managements / employers cannot assure them a safe and secure work place, they will fear stepping out of their homes to make a dignified living and exploit their talent and skills to the hilt. It is, therefore, time for the Union Government and the State Governments to take affirmative action and make sure that the altruistic object behind enacting the PoSH Act is achieved in real terms. In the said judgment, the Hon'ble Supreme Court of India also issued certain directions, deemed appropriate to issue to fulfill the promise that the PoSH Act holds out to working women all over the country.

The image features a warm, orange-toned sunset background. In the foreground, the silhouettes of four women are shown from the waist up, standing in a line and holding hands. They are positioned against the bright horizon, creating a strong contrast. The overall mood is peaceful and nostalgic.

# **Photo Archives**



# Photo Archives









*It is our Fundamental Duty as a citizen of India under Article 51 A (e) of the Constitution to ~ “renounce practices derogatory to the dignity of women”.*

