National Institute of Biologicals (NIB)

Policy on Prevention, Prohibition and Redressal of Sexual Harassment of Women at Workplace
(As per *The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013*)

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1. Preamble

In pursuance of the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and the Rules framed thereunder, the National Institute of Biologicals (NIB) hereby adopts this Policy to prevent, prohibit and redress sexual harassment of women at the workplace.

2. Purpose

The purpose of this Policy is to provide protection against sexual harassment of women at workplace and for the prevention and effective redressal of complaints of sexual harassment, in accordance with The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter referred to as "the Act").
This Policy aims to ensure a safe, secure and enabling environment free from sexual harassment for all women employees at NIB.

3. Scope

This Policy shall apply to all persons associated with NIB, including:

- Employees on regular, contract, deputation, outsourcing and daily wage basis
- Trainees, research fellows, students and interns
- Vendors, consultants, experts and service providers
- Visitors to NIB premises

The Policy shall apply to all workplaces of NIB, including offices, laboratories, field locations, training programmes, official travel and any place visited in connection with official work.

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2. What amounts to Sexual Harassment?

As per the Act, *"Sexual Harassment"* includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication):

i. Physical contact and advances;
ii. A demand or request for sexual favours;
iii. Making sexually coloured remarks;

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iv. Showing pornography;
v. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Circumstances that may constitute sexual harassment

The following circumstances, among others, may also amount to sexual harassment if connected with or related to any act or behaviour of sexual harassment:

- Implied or explicit promise of preferential treatment in employment.
- Implied or explicit threat of detrimental treatment in employment.
- Implied or explicit threat about present or future employment status.
- Interference with work or creating an intimidating, offensive or hostile work environment.
- Humiliating treatment likely to affect health or safety.

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3. Constitution of Internal Committee (IC)

In accordance with the Act, NIB shall have an **Internal Committee (IC)** through a written order.
The IC of NIB shall comprise:

- **Presiding Officer** – Senior level woman employee of NIB.
- **Two or more Members** – Employees preferably committed to the cause of women, or having experience in social work/legal knowledge.
- **One External Member** – Female member from an NGO or association committed to women's issues, or an individual familiar with issues of sexual harassment at workplace.
- At least **50% of IC members shall be women**.
- **Term of IC Members:** Not exceeding three years from the date of nomination.
- **Allowances:** External member shall be entitled for TA/DA as per applicable institutional norms.

4. Powers of the IC

The IC shall have the same powers as vested in a civil court under the Code of Civil Procedure, 1908, including summoning persons, enforcing attendance, and requiring production of documents.

5. Functions of the IC

- To receive complaints of sexual harassment
- To conduct inquiry in accordance with the Act and Rules
- To recommend interim reliefs during inquiry
- To submit inquiry reports and recommendations to the Competent Authority
- To undertake awareness and sensitization activities
- To submit annual reports

6. Preventive Measures

NIB shall adopt the following preventive measures:

- Periodic awareness and sensitization workshops
- Display of penal consequences of sexual harassment and IC details at prominent locations
- Training and capacity building of IC members
- Inclusion of POSH briefing in induction and orientation programmes

7. Procedure for Filing Complaints

- Complaints shall be made in writing to the IC within three months of the last incident
- Assistance shall be provided where the complainant is unable to submit a written complaint
- Complaints by legal heir/representative shall be accepted as per the Act
- Inquiry shall be conducted strictly as per the procedure prescribed under the POSH Act and Rules, 2013

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8. Procedure for Dealing with Complaints

The IC shall follow the procedure as prescribed under the Act and Rules.

Step	Action	Time Limit
1	IC convenes first meeting to assess if complaint falls under POSH Act	Within 7 working days of receipt of written Complaint
2	Complainant submits written complaint (with supporting documents, evidences, list of witnesses, if any)	Within 3 months of last incident or there should be sufficient reason for delayed complaint filed
3	IC sends complaint copy to respondent	Within 10 working days
4	Respondent submits reply with supporting documents and list of witnesses, if any	Within 10 working days
5	Conciliation (if requested by complainant, without monetary transaction/settlement)	At the first stage of case hearing
6	IC conducts inquiry, may recommend interim reliefs (transfer, leave up to 3 months, etc.)	Completed within 90 days
7	IC submits report & recommendations to Unit Head/ Employer (copy to both parties)	Within 10 days of completion
8	Action on IC recommendations by employer	Within 60 days

Quorum: At least 3 IC members, including Presiding Officer, must be present during inquiry. IC can summon anyone related to the case, seek documents from any department

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9. Interim Relief

During the pendency of inquiry, the IC may recommend interim reliefs such as:

- Transfer of the aggrieved woman or the respondent
- Grant of leave up to three months to the aggrieved woman
- Any other relief deemed appropriate

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10. Manner of Taking Action

- If allegations are not proved, IC shall recommend no action.
- If allegations are proved, IC shall recommend disciplinary action as per CCS Rules and Institute Standing Orders.

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11. Appeal

An appeal against IC's recommendations or against non-implementation of recommendations may be filed before the Appellate Authority within **90 days**.

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12. Punishment for False or Malicious Complaint

If IC concludes that the complaint was malicious or evidence was forged/misleading, action may be recommended against the complainant as per CCS Rules and Institute Standing Orders. *(However, inability to substantiate a complaint shall not attract action unless mala fide intent is established.)*

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13. Confidentiality

The identity of the aggrieved woman, respondent, witnesses, proceedings, recommendations, and action taken shall remain **strictly confidential**.
Disclosure in public, press, or media is prohibited and shall invite penalty under service rules.

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14. Annual Report

The IC shall prepare and submit an Annual Report as on **31st Jan** each year to the Competent Authority. The same shall be included in NIB's Annual Report.

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15. Duties of the Employer (NIB)

- Provide a safe working environment at the workplace.
- Display penal consequences of sexual harassment and details of IC at conspicuous places.
- Provide facilities to IC for dealing with complaints and conducting inquiries.

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- Ensure attendance of respondent and witnesses as required.
- Organize workshops and awareness programmes for employees at regular intervals.
- Conduct orientation programmes for IC members.
- Treat sexual harassment as misconduct under Service Rules and initiate action accordingly.
- Monitor timely submission of reports by IC.

16. Periodic Review of Policy

- This Policy shall be reviewed periodically and updated in accordance with amendments to the POSH Act, Rules and statutory instructions issued by the Government of India.

📌 **Note:** For detailed provisions, refer to the *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013* and Rules notified by the Government of India.

Annexure I – Complaint Format

i. Name of Complainant:
ii. Designation / Status:
iii. Department / Section:
iv. Contact Details:
v. Details of Incident(s):
vi. Date(s) and Place(s):
vii. Name of Respondent:
viii. List of Witnesses (if any):
ix. Supporting Documents (if any):

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