

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.20504 of 2014(O&M)
DECIDED ON : 04.03.2020

Jeet Kaur

...Petitioner

versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE GIRISH AGNIHOTRI

Present : Mr. N.S. Shekhawat, Advocate
for the petitioner.

Ms. Palika Monga, DAG, Haryana.

GIRISH AGNIHOTRI, J. (ORAL)

Present writ petition has been filed by the petitioner-Jeet Kaur, *inter alia*, with the prayer to direct the respondents No. 1 to 5 to constitute an Internal Complaints Committee as per Section 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and to initiate appropriate disciplinary action against respondent No.6.

The records of the case show that notice of motion in this case was issued on 14.11.2014. After notice of notice of motion, a detailed reply was filed on 08.12.2015 by Sh. Rakesh Kumar Arya, IPS, Superintendent of Police, Telecommunication, Haryana, Panchkula, on behalf of respondents No. 1 to 6. Thereafter, another status report was filed on 17.07.2017 submitting therein that the Internal Complaints Committee has been constituted. Para 3 of the said status report is reproduced hereunder:-

“3.That in this respect it is submitted that an internal complaint committee under Sexual harassment of women at

workplaces (Prevention Prohibition and Redressal), Act 2013 has been constituted on 25.07.2016 comprising the following officers/officials:-

- 1. Smt. Renu Bali, Supdt. of Railway & Commando HR.*
- 2. Sh. Kishore Verma, Shop No. 50 Old Ropar Road Near Happy Family Hospital Mani Majra, Chandigarh. (Member of NGO Press Tricity Club).*
- 3. Insp. Ashok Kumar No.581/C.*
- 4. L/EASI Nirmala No.921/C.”*

In 6 para of the status report dated 17.07.2017, it was mentioned that no complaint/inquiry has been received by the committee after its constitution i.e. 25.07.2015. In furtherance, this Court on 04.09.2017 had directed the respondent No.4 to accordingly forward the complaint of the petitioner to inquire into the matter and direction was also given to the respondents to file status report.

On 15.01.2020, status report has been filed by Sh. Pankaj Nain, IPS, SP/Telecommunication, Haryana, Panchkula, wherein it has been clarified that the complaint submitted by the petitioner was duly enquired into the matter and final status report was submitted on 21.11.2013 itself. It has been further stated that it is not appropriate to enquire into the matter again. Para 5 of the status report is reproduced hereunder:-

“5. That further it is submitted that in compliance of order dated 04.09.2017 of Hon'ble High Court the complaint of the petitioner was sent to Sexual Harassment Committee headed by Smt. Renu Bali, Superintendent, Office of Additional Director General of Police, Railways and Commando, Haryana Panchkula. She submitted in her report that on perusal of file received to enquire into the matter, it reveals that Police Commissioner Commissionerate, Ambala-Panchkula has already forwarded complaint cited as subjected to Smt. Purnima Singh, HPS Assistant Commissioner of Police, City, Panchkula-cum-Chairperson,

Complaint Committee for Prevention of Sexual Harassment of Women at workplaces in O/o Commissioner of Police, Ambala, Panchkula vide his office memo No.21319/C.C. dated 27.08.2013. The said Committee enquired into the matter and submitted its report vide No.404 ACP/City Panchkula dated 21.11.2013. Hence, it is not appropriate to enquire into the matter again and directed to file appropriate reply in the Hon'ble Court. The report of Superintendent O/o Addl. DGP, Railway and Commando, Haryana is annexed as Annexure R-10.”

In view of the above, substantial relief has already been granted.

No further orders are called for.

Writ petition is disposed of.

(GIRISH AGNIHOTRI)
JUDGE

March 04, 2020
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Whether speaking/reasoned : YES/NO
Whether reportable : YES/No