

Step number 2: Inquiry Process



CONCILIATORY PROCESS:

The Committee may, **before initiating an enquiry**, at the request of the Aggrieved Person, **take steps to settle the matter** between him/her and the accused person through conciliation provided that no monetary settlement shall be made as a basis for conciliation.

- Where a settlement has been arrived at, the Committee shall **record the settlement** so arrived and **take written consent on the same from both parties** and record and share the same with action as specified or agreed.
- The Committee shall provide copies of the settlement to the Aggrieved Person and the accused person and also the Employer.
- No further inquiry is required where conciliation happens and settlement is arrived at.

INQUIRY PROCESS:

- **In case there is no settlement arrived at**, the Committee shall immediately proceed with the inquiry and communicate the same to the Aggrieved Person and person against whom complaint is made.
- At the time of filing, the Aggrieved Person shall submit to the Committee, **6 copies of the complaint along with supporting documents** of the names and addresses of the witnesses.

- On receipt of the complaint, **the Committee shall send one of the copies** received from the Aggrieved Person **to the accused person within a period of 7 (seven) days.**
- The **accused person shall file his or her reply to the complaint** along with his/her list of documents and names and addresses of witnesses **within a period not exceeding 10 working days** from the date of the receipt of the complaint from the Committee.
- The Committee shall make inquiry into the complaint in accordance with the principles of natural justice and for this purpose the Committee shall have the same powers as are vested in a Civil court under the Code of Civil Procedure.
- The Committee will hold a **meeting with the Aggrieved Person within 7 (seven) working days** of the receipt of the complaint.
- The Committee may call upon any documents like e-mails, text messages (stored on handsets), mobile statements, credit card statements etc. which they deem can serve as documentary proofs.

PRECEEDINGS OF THE MEETING

- At the first meeting, the Committee members shall hear the Aggrieved Person and record the allegations. They can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate his/her complaint.
- If the Aggrieved Person does not wish to divulge the event personally due to embarrassment of narration of event, any officer as representative of the aggrieved person may act on his or her behalf for the purpose of recording the statement.
- The person against whom the complaint is made may be called for a deposition before the Committee and an opportunity will be given to him or her to give an explanation, where after, an enquiry shall be conducted.
- The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the Committee.