

# Himachal Pradesh State Roads Transformation Program

(Funded by World Bank)

## GENDER BASED VIOLENCE Risk Assessment and Mitigation Plan (DRAFT)

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**HIMACHAL PRADESH ROAD & OTHER INFRASTRUCTURE  
DEVELOPMENT CORPORATION LTD.**  
(Government of Himachal Pradesh Undertaking)  
(An ISO 9001:2008 QMS & ISO 14001:2004 EMS conforming company)

# CONTENTS

<b>ACRONYMS &amp; ABBREVIATIONS</b> .....	<b>II</b>
<b>CHAPTER 1: INTRODUCTION</b> .....	<b>3</b>
PROJECT DESCRIPTION .....	3
GENDER BASED VIOLENCE: THE CONTEXT .....	5
UNDERSTANDING GBV .....	6
GBV IN MAJOR INFRASTRUCTURE PROJECTS.....	6
<b>CHAPTER 2: GBV RISK ASSESSMENT</b> .....	<b>8</b>
AREA OF IMPACT .....	8
ASSESSMENT OF GBV RISKS AT NATIONAL AND SUB-NATIONAL LEVEL .....	10
GENDER BASED VIOLENCE IN HIMACHAL PRADESH .....	10
<b>CHAPTER 3: LEGAL AND POLICY ENVIRONMENT FOR WOMEN’S SAFETY</b> .....	<b>13</b>
INTERNATIONAL INSTRUMENTS.....	13
NATIONAL INSTRUMENTS.....	14
<b>CHAPTER 4: PROCESS FOLLOWED FOR GBV RISK ASSESSMENT AND RESPONSE</b> .....	<b>17</b>
THE PROCESS .....	17
STAKEHOLDER CONSULTATIONS .....	17
KEY FINDINGS .....	17
<b>CHAPTER 5: OUTLINE OF PROPOSED INTERVENTIONS</b> .....	<b>21</b>
ACTION PLAN FOR GENDER BASED VIOLENCE, PREVENTION AND RESPONSE .....	21
<b>CHAPTER 6: GBV TRAINING, GRIEVANCE REDRESSAL, MONITORING, BUDGET AND OVERSIGHT</b> .....	<b>24</b>
GBV TRAINING .....	24
GBV REDRESSAL MECHANISM .....	27
CODE OF CONDUCT .....	31
MONITORING AND REPORTING.....	32
BUDGET .....	32
SUPERVISION AND OVERSIGHT .....	33
<b>ANNEXURE – I : UNDERSTANDING GBV-KEY TERMS AND DEFINITIONS</b> .....	<b>36</b>
<b>ANNEXURE – II : GOHP CIRCULAR FOR FORMATION OF ICC COMMITTEE</b> .....	<b>38</b>
<b>ANNEXURE- III : DETAILS OF STAKEHOLDER CONSULTATIONS</b> .....	<b>47</b>
<b>ANNEXURE – IV : GENDER BASED VIOLENCE-CODE OF CONDUCT</b> .....	<b>56</b>
<b>ANNEXURE – V: TORS FOR GBV SPECIALIST</b> .....	<b>58</b>

## Acronyms & Abbreviations

Aanganwadi	Frontline worker of the Women and Child Development Department Rural child care centre)
AIDS	Acquired Immuno-deficiency Syndrome
CAWC	Crime Against Women and Children
CBOs	Community Based Organizations
CoC	Code of Conduct
ESIA	Environmental and Social Impact Assessment
ESF	Environmental and Social Framework
ESS	Environmental and Social Standards
FGD	Focus Group Discussion
GoI	Government of India
GoHP	Government of Himachal Pradesh
GBV	Gender -Based Violence
GPN	Good Practice Note by WB
GRM	Grievance Redress Mechanism
GBVCC	Gender Based Violence Complaints Committee
HP	Himachal Pradesh
HPPWD	Himachal Pradesh Public Works Department
HPRIDC	Himachal Pradesh Road and Other Infrastructure Development Corporation
HPDOT	Himachal Pradesh Department of Transportation
HPMVA	HP Motor Vehicle Administration
HPSRP	Himachal Pradesh State Roads Transformation Program
IA	Implementing Agency
ICC	Internal Compliance Committee
IPRs	Information progress reports
MMs	Mahila Mandals
M&E	Monitoring and Evaluation
NGOs	Non Government Organizations
Panchayat	Local elected body
Pradhan	Local elected body President
SP	Service Providers
SHGs	Self Help Groups
WB	World Bank
QPRs	Quarterly Progress Reports

## Chapter 1: Introduction

### Project Description

GoHP's program for transforming state level transport institutions, improving mobility and logistics for horticulture and overall economic growth in HP, connecting HP to the Bharatmala network, and enhancing Road Safety, sets the goal for the institutional transformation envisaged to be implemented under the proposed project. The proposed Project Development Objective is to enhance the efficiency of the transportation, logistics and Road Safety institutions to stimulate horticulture and overall economic growth in Himachal Pradesh.

The World Bank is supporting series of strategic interventions based on state level circumstances and anchored in international good practices. These include, inter alia: creating public corporate entities and enabling the state transport and Road Safety institutions to be effective in delivering transport and logistics services; achieving best value for public resources; leveraging private financing; and reducing fatality from road accidents in the Himalayan mountains. The project is helping the GoHP to adopt efficient logistics system and strategy that will help small holder horticultural farmers, services, SMEs and manufacturing industries deliver products just-in-time to wholesale and terminal markets at a lower transportation cost and reduced losses.

The project is supporting institutional reforms based on international good practices to commercialize maintenance works and enable the direct labor to operate based on commercial principles, to ensure the delivery of road maintenance at a reduced cost. The project will support the adoption of electronic project management systems, as well as international standards and practices for procurement, road financing, and environment and social safeguards. The project supports to enhance good governance in the delivery of efficient motor vehicle administration services to the satisfaction of customers and collect more revenue. The project is introducing 'the Safe System', which is a scientific approach that helped to reduce road injuries and fatality. The project is mainstreaming resilience in the geo-hazardous/landslide prone Himalayan roads by adopting bio-engineering solutions.

### Gender Mainstreaming

The female labor force participation for Himachal Pradesh is about 25%, of which percentage of women agriculture workers is as high as 82.7% (Agriculture Census 2011). Women contribute towards majority of the activities in farm-based livelihoods and barring ploughing, contribute substantially in all other farm related activities, including sowing, irrigation, using fertilizers, reaping and post-harvest management of the produce<sup>1</sup>. However, there is clear occupational segregation as women are relatively less engaged in off-farm, market-related activities, logistics and technical STEM-related job roles<sup>2</sup>.

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<sup>1</sup>The Approach Paper to the Eleventh Five Year Plan of Himachal Pradesh

<sup>2</sup> Based on extensive stakeholder consultations

Changing climatic conditions, an expected decrease in horticulture production and associated impact on agri-based livelihoods is likely to impact women cultivators and their farm-based sources of income more prominently as compared to men<sup>1</sup>. Hence, the proposed gender actions under the project will focus on building the skills sets of women producers' groups/self-help groups and women employed in institutions to enable income diversification and career advancement.

Project beneficiaries: In terms of gender the specific anticipated outcomes for women in the project areas include: (a) access to self-help women group to develop and preserve bio-engineering solutions and post construction road maintenance; and (b) employment within SMEs, production clusters, and road-side commercial activities.

The project is mainstreaming gender by increasing the participation of women in the workforce and contracting out the preservation of bio-engineering solutions to women self-help groups. The project will *carry out the following Gender actions:*

- a) HPRIDC will engage women-led producer groups to build capacity on operations and maintenance and incentivize private contractors to train and hire women-led groups (CBOs/SHGs) for maintenance tasks supported across the horticulture belt;
- b) The logistics system and strategy planned to stimulate horticulture growth will take into consideration the specific needs of women cultivators and involve them in digital demonstrations;
- c) Ensure that at least a 50% of women are recruited/deputed by the motor vehicle authority (MVA) in the vehicle registration and transaction services and about 30% in the other services;
- d) 20% of the maintenance contracts for the 80km MDRs supported under the project will be awarded to women-led producer groups/SHG groups;
- e) Provision of intensive technical (slope-cutting and bio-engineering solutions) as well as life skills training (digital, legal and financial) will be offered to these groups through collaboration with Industrial Training Institutes.

The digital platform operation, the preservation of bio-engineering solutions and post construction non-mechanized maintenance by women-self-help groups will attribute to gender inclusiveness. Therefore, the project will play a catalytic role in increasing production, creating economic opportunities, enhance gender inclusiveness, generating employment and increase income.

### **Community Participation and stakeholder engagement**

The project will promote community Road Safety programs in the pilot districts by organizing, training and equipping volunteers in high accident-prone areas to support enforcement and emergency response. The operation will also establish communication system connecting accident sites and dedicated hospitals for post-crash care in the pilot

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<sup>1</sup>The State Action Plan on Climate Change

districts. The project will engage a consultancy firm to prepare an action plan, advise HP police and the Road Safety Unit of HPDOT, and provide training to the commission's staff and the volunteers from local communities supporting the enforcement. The scale up of the Road Safety interventions in the remaining districts will be pursued by GoHP. GoHP is also committed to establish a sustainable financing mechanism for maintenance.

### **Institutional and Implementation Arrangements**

The Project Director (PD), HPSRTP under HPRIDC shall be responsible for the day to day functions of the Project and will be assisted by Superintending Engineers and Executive Engineers at corporate office. The Corridor Management Unit (CMU) at package level supports the PD in managing the HPSRTP at field level. The CMU will be headed by an Executive Engineer and supported by assistant engineers and junior engineers beside field level staff and other administrative staff.

At the corporate level, the HPRIDC shall have an Environment and Social Management Unit (ESMU), with Project Director as the head of this unit. The ESMU will have two separate divisions namely Environment Management Unit (EMU) and Social Management Unit (ESMU) dealing with implementation of environment management plan (EMP) and resettlement action plans (RAP) respectively. The EMU will be headed by an environmental officer (EO), whereas the SMU will be headed by a social development officer (SO), who shall be responsible for day to day handling of environmental, social, resettlement and land related issues. The Social Development Officer assisted by Resettlement and Rehabilitation Officer at the Corridor Management Unit level. The Resettlement and Rehabilitation Officer shall work as the ear and eyes for the SMU at field level. An NGO or any other independent agency will be appointed by HPRIDC for providing implementation support for social, resettlement and land related issues.

The management, coordination and implementation of the SEP and its integral tasks will be the responsibility of dedicated team members of CMU within HPRIDC and its implementing agencies (ESIA consultants, DPR Consultants, Contractors and Supervision consultants).

### **Gender Based Violence: The Context**

Gender-based violence (GBV), including Sexual Exploitation and Abuse (SEA), is a prevalent global challenge and manifestations likely exist in every environment where the Bank operates. Violence against women and children - and sometimes even against men - contributes to enduring physical and mental harm, while undercutting the ability of survivors, and often their families, to engage in meaningful, productive lives.

Finding solutions to reduce and respond to GBV is a critical development imperative, with implications for the productivity, agency and well-being of individuals and communities. Identifying and understanding the risk to women and children, as well as to other vulnerable populations, of SEA and GBV is challenging, yet critical. Risk factors are myriad and cut across multiple spheres, including at the individual, relationship, community, institutional and policy levels. Development projects, depending on their scope, can exacerbate existing risks or create new ones. Project-related risk factors include the size

and scale of a project; the scale of labour influx; the extent to which a community has capacity to absorb labour influx or requires separate camp facilities; the inflow of income to workers, which can exacerbate already existing inequities between workers and community members; and the geographic location of project activities.<sup>1</sup>

## Understanding GBV

The WB Good Practice Note<sup>2</sup> provides a comprehensive understanding of the nature and kinds of GBV(Annex-I).The GPN establishes an approach to identifying risks of GBV, in particular sexual exploitation and abuse and sexual harassment, that can emerge in major infrastructure projects with civil works contracts. The GPN builds on World Bank experience and good international industry practices, including those of other development partners.

## GBV in Major Infrastructure Projects

Large infrastructure projects often involve major civil works<sup>3</sup> that require labour force and associated goods and services that cannot be fully met by local supply. In such cases, workers are often brought in from outside the project area. Construction workers are predominantly young males, typically separated from their families on a construction job for extended periods of time. They can therefore act outside their normal spheres of social control, which can lead to a spectrum of unacceptable and illicit behaviors, including sexual exploitation and abuse of women and girls from the local community.

In this project, HPRIDC shall contract agencies to undertake civil works, agencies/firms to support core-functions; primary suppliers of material/equipment and other implementation support partners. All categories of project workers: Direct workers, Contracted workers, Migrant Workers and Community Workers would be involved. During implementation of Phase I - HPSRP, a significant percentage number of migrant workers (more than 60%) from adjoining states of Himachal Pradesh were used and all such migrant workers were sourced through labour contractors. If not carefully managed, an influx of labour in the form of rapid migration and settlement of workers or locals can negatively impact a project area, especially in contexts with high prevalence and social acceptability of violence against women and girls. It is therefore essential to take into account the labour influxes<sup>4</sup> and drivers of gender-based violence when designing risk assessment strategies and mitigation measures.<sup>5</sup> For example:

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<sup>1</sup>Working Together to Prevent Sexual Exploitation and Abuse': RecommendationsforWorld Bank Investment Projects, July 31, 2017, World Bank Group.

<sup>2</sup>Good Practice Note: Addressing Gender Based Violence in Investment Project Financing involving Major Civil Works, 28 September 2018, the World Bank group.

<sup>3</sup>Major civil works, which include construction, maintenance and/or upgrading of infrastructure (transport, energy, water & sanitation, irrigation and urban infrastructure, school or hospital construction, etc) and related supervision oversight, as well as technical assistance activities related to such projects.

<sup>4</sup>See Labour Influx Guidance Note, 2016, World Bank.

<sup>5</sup>Good Practice Note: Addressing Gender Based Violence in Investment Project Financing involving Major Civil Works,28 September 2018,the World Bank group.

- Projects create changes in the communities in which they operate and can cause shifts in power dynamics between community members and within households. Male jealousy, a key driver of GBV, can be triggered by labour influx on a project when workers are believed to be interacting with community women. Hence, abusive behavior can occur not only between project-related staff and those living in and around the project site, but also within the homes of those affected by the project.
- Construction workers are predominantly younger males. Those who are away from home on the construction job are typically separated from their family and their normal sphere of social control. This can result in inappropriate behavior, such as sexual harassment of women and girls and illicit sexual relations with minors from the local community.
- Projects with a large influx of workers may increase the demand for sex work - even increase the risk for trafficking of women for the purposes of sex work - or the risk of forced early marriage in a community where marriage to an employed man is seen as the best livelihood strategy for an adolescent girl. Furthermore, higher wages for workers in a community can lead to an increase in transactional sex. The risk of incidents of sex between labourers and minors, even when it is not transactional, can also increase.
- Women and girls' job opportunities are limited due to a lack of appropriate transportation options. When creating job opportunities for women within projects, teams should be aware that traveling to and from work in some settings can force women and girls to use unsafe, poorly lit commuter routes, or unsafe public transport. Increased risk of violence is experienced when women are confronted with traveling long distances to access work opportunities or forced to travel at night.
- Increased interactions between the incoming workforce and the local community may result in increasing rates of communicable diseases, including sexually transmitted diseases and HIV/AIDS.



## Chapter 2: GBV Risk Assessment

### Area of Impact

When considering GBV risks, there are different “areas of impact” that influence both the nature of the risk, and the appropriate mitigation measures that a project can implement<sup>1</sup>:

- The project site is the location where the project’s activities are being undertaken. This includes both the actual locations where civil works are conducted, but also the associated areas such as the locations of workers’ camps, quarries, etc.
- Under the project the following (see table 1 below) four corridors along three districts are being taken up for upgradation in Himachal Pradesh. The GBV assessment will require further updating once the tranche II, III and maintenance corridors are identified, which is presently underway.
- The estimated number of project workers or work force at all levels including the labourers, who will be engaged in project construction is given in Table 2 It is anticipated that about 70% of unskilled and 20% of skilled workforce will be migrant workers. The migrant workers will be housed in project specific workforce camps and/or rented accommodation in nearby settlement areas and /or towns.

Table 1. – Roads proposed for Upgradation under HPSRTP			
S.No	Name of the Road	District	Length (Km)
1	Baddi – Sai – Ramshahr	Solan	3.000
2	Dadhol –Ladrour	Bilaspur	14.500
3	Mandi –Rewalsar – Kalkhar	Mandi	28.000
4	Raghunathpura-Mandi-Harpura- Bharari	Bilaspur	2.75

Table 2. – Roads proposed for Maintenance under HPSRTP			
S.No.	Road name	District	Length (km)
1	Kolar - Bilaspur	Sirmour	13
2	Mashobra - Bhekhalti	Shimla	18
3	Mandi – Kataula - Bajaura	Mandi	51
4	Una - Rampur – Haroli – Palkwah – Polian - Jaijon (Punjab Border)	Una	23
5	Bhager (Panol), Vijapur Chounta road	Bilaspur	31
6	Panoh Harlog Samella Road Km 0/0 to 22/165	Bilaspur	22
	<b>Total length (km)</b>		<b>158</b>

<sup>1</sup> Good Practice Note: Addressing Gender Based Violence in Investment Project Financing involving Major Civil Works, 28 September 2018, the World Bank Group.

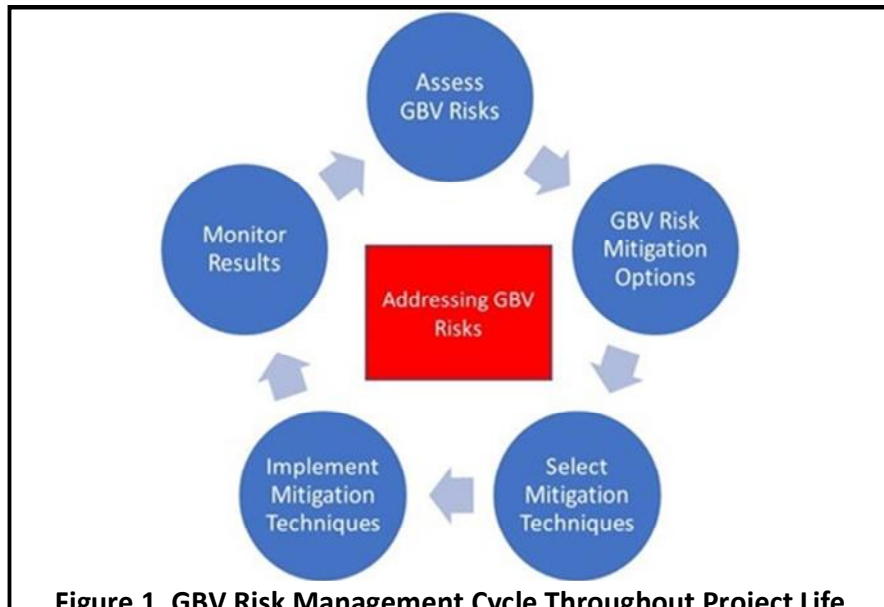
Table 3: Estimated Construction Workforce for Tranche I roads under HPSRTP						
Sl No	Designation	Road 1	Road 2	Road 3	Road 4	Total
1	Project Managers	3	3	1	1	8
2	Dept. Project Managers	4	4	1	2	11
3	Specialized Engineers	6	6	2	6	20
4	Site Engineers	10	10	3	10	33
5	Mechanical Engineers	14	14	3	14	45
6	Technicians	30	30	5	30	95
7	Supervisors	18	18	5	18	59
8	Skilled and unskilled workers/ labourers)	470	300	60	350	1180
9	Other supporting staff	15	15	5	15	50
	Total	570	400	85	436	1501
Note: 1. The number of skilled and unskilled labors can reach a peak level of 300 and a bare minimum of 30 at any given time of project implementation phase 2. The Staff indicate above excludes the HPRIDC staff deployed for supervision						

- The project adjoining communities is generally the broader geographic area around the project. This extends beyond the specific location where civil works are being carried out into the wider surroundings. Neighboring communities are at risk of GBV, particularly when workers are highly mobile.
- There are also regional and national areas of impact that will not be affected by specific interventions on a project, but may benefit through institutional strengthening and other efforts to address GBV risks. An assessment at the regional and/or national level can give clients and Task Teams an understanding of those experiencing GBV in that country and can give a sense of the type and scale of violence and its acceptability in the communities where World Bank-financed projects are implemented. For example, the less equality between men and women and the more violence against women and girls, the more likely it is that the project will inadvertently reinforce these situations if it does not proactively acknowledge and seek to mitigate this risk.

These GBV risks need to be assessed throughout the project's life by monitoring the situation, assessing the effectiveness of risk mitigation measures, and adapting them accordingly as depicted in the Figure 1 below<sup>1</sup>-

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<sup>1</sup> Good Practice Note: Addressing Gender Based Violence in Investment Project Financing involving Major Civil Works, 28 September 2018, the World Bank Group.



### Assessment of GBV Risks at National and Sub-National level

GBV is experienced predominantly by women across all social and income groups. Research has identified multiple risk factors for GBV at the individual, relationship, community, institutional and policy levels. These include male-dominated household decision-making and income, policies and laws that discriminate against women, and cultural norms that justify or condone the use of violence against women and girls as a form of conflict resolution or discipline.

### Gender Based Violence in Himachal Pradesh

A gender risk assessment based on Indicative questions<sup>1</sup> to assess potential risks linked to GBV and, a review of existing surveys and research available at the national level was carried out, which outlines the key drivers and risks of gender-based violence in Himachal Pradesh.

Extent of Violence Against Women: Prevalence of violence (physical and sexual) In Himachal Pradesh for women between the age group of 15-49 is 9% as per the recently conducted National Family Health Survey of India (2015-16)<sup>2</sup>. This is much lower than the National level percentage where 30% of women who have experienced physical or sexual violence.

<sup>1</sup>'Assessing Project Related Risks of SEA', Working Together to Prevent Sexual Exploitation and Abuse': Recommendations for World bank Investment Projects, July 31, 2017, World Bank Group

<sup>2</sup> NFHS-4 (2015-16)

**Intimate Partner Violence:** Domestic violence is one of the most pervasive forms of violence against women and girls. Reflected through cases reported under section 498-A (IPC) or cruelty by husbands or relatives, domestic violence comprises 35% of the cases reported according to the 2015 National Crime Records Bureau data<sup>1</sup>. Though the cases of violence against women have reduced marginally between 2014 and 2015, it continues to be high and unacceptable. In HP, among those who experienced physical violence since age 15, the most common perpetrator for ever-married women was the husband. One percent of women who have ever been pregnant have ever experienced physical violence during one or more of their pregnancies. Women who are widowed, divorced, separated, or deserted (5%) are more likely than women in any other group to have experienced violence during pregnancy. The prevalence of spousal violence is lower among more educated women.

**Type of Violence:** Two-fifths of women who have experienced spousal physical or sexual violence have suffered injuries as a result of the violence, and among women who have experienced both physical and sexual violence this proportion rises to 63%, although the number of cases is small. 4% of ever-married women report having been slapped by their husband or report being pushed, shaken, or having something thrown at them; 1-2% report having their arm twisted or hair pulled; being punched; or being kicked, dragged, or beaten up; and less than 1% have experienced being choked or burned on purpose. 2% report that their husband physically forced them to have sex when they did not want to, and 1% report that their husband forced them with threats or other ways to perform sexual acts they did not want to perform. Overall, 6% of ever-married women have experienced spousal physical or sexual violence from their current husband or, if not currently married, from their most recent husband. 5% report spousal emotional violence. Very few ever-married women (0.4%) have ever initiated violence against their husband.<sup>2</sup>

**Justification of wife beating:** An important indicator of empowerment is the rejection of norms that underlie and reinforce gender equality. One such norm is the husbands right to control women in various ways, including through violence. At the national level, 52% of women and 42% of men agree with one or more of the specified seven reasons for wife beating. Although agreement with one or more reasons for wife beating has fallen for men since NFHS 3, it has remained unchanged for women.

In HP, almost one-fifth of women (19%) believe it is justifiable for a husband to beat his wife under some circumstances. Women are most likely to believe that wife beating is justified if a woman shows disrespect for her in-laws and if she neglects the house or children (11% each), followed by if she argues with him (10%) and if he suspects her of being unfaithful (9%). Men are about equally likely to agree that it is justifiable for a husband to beat his wife: 18% say that wife beating is justified in some circumstances, especially if the wife shows disrespect for in laws (11%), if he suspects her of being unfaithful (10%), or if she argues with him (8%). Even among women and men who have completed 12 or more years of schooling, 11% of women and 14% of men say that a husband is justified in beating his wife for one or more of the specified reasons. 86% of

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<sup>1</sup><http://ncrb.nic.in/>

<sup>2</sup>NFHS-4. HP State report

women and 82% of men believe that a woman is justified in refusing to have sex with her husband if she knows he has a sexually transmitted disease, if she knows he has intercourse with other women, and if she is tired or not in the mood. 87% of men agree that if a wife refuses to have sex with her husband he does not have the right to get angry and reprimand her, refuse to give her financial support, use force to have sex even if he doesn't want to, or have sex with another woman.

Help seeking Behavior: In HP, only 34% of women who have ever experienced physical or sexual violence by anyone have sought help. More than half (55%) of women have neither sought help nor told anyone about the violence. Abused women who have sought help most often seek help from their own families. Only 11% of abused women who sought help for the violence sought help from the police.

Child Marriage: *Despite the existence of several laws to prevent child marriage*, the practice remains unabated and is widespread in India. As per the Census of India, 102 million girls less than 18 years are reported married in 2011 of which 46% married when they were 15 years of age or below. The evidences seem to suggest that the child marriage has come down over past decades. Widely used indicator on child marriage in India from NFHS has shown a decline at the national level from 47.4% in 2005-06 to 26.8% in 2015-16 which is measured as the percentage of married women aged 20-24 years who got married before 18 years of age.<sup>1</sup>

In HP according to NFHS, child marriage has reduced significantly from 12.3 in 2005-6 to 8.6 in 2015-16.<sup>2</sup>

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<sup>1</sup> Sanjay Kumar, 'Measuring Child Marriage from Census and Large Scale Data Systems in India', Demography India (2016) ISSN: 0970-454X Vol.45, Issue: 1&2, pp: 59-76

<sup>2</sup> *ibid*

## Chapter 3: Legal and Policy Environment for Women's safety

### International Instruments

Over the past three decades, the international community has undertaken many measures to make the world a safer place for women and children. Intimate partner violence is the most common and widespread form of gender violence experienced by women globally. A number of studies capture the extent of this violence in different countries.

The international legal and policy framework establishes standards for action by countries to meet their legal obligations and policy commitments to address violence against women. Some of the key International instruments<sup>1</sup> for the protection of women include the following:

- United Nations General Assembly, Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW):  
Date of adoption: 18 December 1979.

Under CEDAW, States ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination and refrain from engaging in any practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation.

- Fourth World Conference on Women, Beijing Declaration and Platform for *Action*  
Date of adoption: 15 September 1995

The Platform for Action states that 'women may be vulnerable to violence perpetrated by persons in positions of authority in both conflict and non-conflict situations. Training of all officials in humanitarian and human rights law and the punishment of the perpetrators of violent acts against women would help to ensure that such violence does not take place at the hands of the public officials in whom women should be able to place trust, including police and prison officials and the security forces' (Para. 121).

- United Nations General Assembly, Resolution 52/86 on Crime Prevention and Criminal Justice Measures to Eliminate Violence Against Women  
Date of adoption: 2 February 1998.
- United Nations Security Council Resolution 1325 on Women, Peace and Security  
Date of adoption: 31 October 2000

UN SCR 1325 is a key document in influencing police organisations to incorporate gender aspects into the reforms. The resolution calls on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including measures that ensure the protection of and respect for human rights of

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<sup>1</sup>Gender based violence : A guide for capacity building of gender responsive police service delivery : Institute for Development & Communication / International Development Research Centre

women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary. The Council invites Member States to incorporate the protection, rights and the particular needs of women, as well as the importance of involving women in all peacekeeping and peace-building measures, into their national training programmes for military and civilian police personnel in the preparation for deployment.

World Bank's Guidance note on Management of Labor Influx, 2016. The document provides guidelines to address issues and risks arising from influx of migrant labor leading to gender-based violence, forced labor etc. Applicable to all sub-projects, as influx of migrant labor in construction works is a norm in Himachal Pradesh. It requires HPRIC to prepare a labor influx management and GBV risk mitigation plan.

### National Instruments

India ranks 130 out of 189 countries in Human Development Index (HDI) in 2017 and has low equality (Group 5 in Gender Development Index (GDI)) between women and men (0.841 in GDI) in achieving the basic dimensions of health, knowledge and living standards<sup>1</sup>. According to Gender Inequality Index, India ranks 127<sup>2</sup>. The current status of gender inequality and gender development in India reveals the serious need to mainstream gender sensitivity and gender-responsive policy developments at all organisation levels.

Existing gender inequalities in India create conditions of unequal access to the resources between men and women and manifests into violence through the practice of differentiation. Norms such as male pre-eminence, female seclusion, value of male child, honour, chastity, practice of dowry, restricted mobility, female circumcision and acts of direct violence (rape, wife-beating, dowry death etc.) are manifestations of deep-seated gender inequalities across India.

Domestic violence is one of the most common forms of gender-based violence against women and has been recognised since 1983 as a criminal offence under Indian Penal Code 498-A. However, it was not until the enactment of the Protection of Women from Domestic Violence Act 2005 (PWDVA), which came into effect in 2006, that civil protections were afforded to victims of domestic violence. Similarly, the laws on sexual violence and rape were amended in 1983 in the Mathura rape case where a 16 year old girl was raped by two policemen in the police station while her relatives were waiting outside. With regard to sexual harassment, the Vishaka vs. State of Rajasthan and Others is a landmark case, where sexual harassment had been legally defined as an unwelcome sexual gesture or behaviour. The case was filed under public interest litigation by a non-government organisation named 'Vishaka' to seek an enforcement of the fundamental right of working women under Article 21 of the Constitution. The Supreme Court judgment known as Vishaka Guidelines, held the employers responsible for providing a safe environment for women across India. More recently, India amended its Criminal Procedure Code in 2013 and enacted the Sexual Harassment of Women at workplace (Prevention, Prohibition, Redressal) Act.

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<sup>1</sup><http://hdr.undp.org/en/composite/GDI>

<sup>2</sup><http://hdr.undp.org/en/composite/GII>

Some of the key policies and laws pertaining to gender-based violence in India include the following:

- National Policy for the Empowerment of Women<sup>1</sup>, Year of adoption: 2001.
- India has signed and ratified Convention on Elimination of Discrimination against Women (CEDAW)<sup>2</sup>. Since then, the national policy for Women 2016 and other policies and amendments on acts has been reflecting the principles highlighted in the related international conventions. The goal of this Policy is to bring about the advancement, development and empowerment of women.
- The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, is introduced to prevent and provide redressal of complaints of sexual harassment. One of the main provisions in this act is that it calls for constituting an Internal Complaints Committee at each office or branch with 10 or more employees/workers.
- The Protection of Women from Domestic Violence Act, 2005<sup>3</sup> defines domestic violence, describes the powers and duties of protection officers, service providers and lists the procedures for obtain reliefs.
- The Dowry Prohibition Act, 1961 makes giving and demanding dowry as a punishable offence. Section 8B identifies Dowry Prohibition Officers who are appointed not only to prevent the offence but also to collect evidence and perform additional functions that are deemed to serve the purpose of the act.
- The Protection of Children from Sexual Offences Act, 2012<sup>4</sup> has been framed to strengthen the legal measures for protecting children from any kind of sexual offences. Despite having sexual offences covered under different sections of Indian Penal Code, those existing sections do not entirely cover similar offences against children. Recognising the children as a person of 18 years or below, the various offences have been clearly defined under this Act. The Act also defines the gravity of certain offences carried out against children and suggests stringent punishments accordingly.
- The Convention on the Rights of the Children<sup>5</sup> lays out a universal definition of 'child'. It articulates how children should be treated in a non-discriminatory manner and calls for action that considers the best interests of the child. While Article 32 keeps in view of protecting the childhood from being engaged as labourers, articles 33, 34, 35, 36, 37 and 38 protects children from drug abuse, sexual exploitation, abduction, sale and trafficking, other forms of exploitation, detention and punishment and war and armed conflicts. Article 39 focuses specifically on rehabilitation of child victims who are

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<sup>1</sup>"Draft National Policy for Women 2-16\_0.pdf" on <http://wcd.nic.in/sites/default/files>

<sup>2</sup><http://treaties.un.org/>

<sup>3</sup>"TheProtectionofWomenDomesticViolenceAct2005.pdf" on <http://ncw.nic.in/acts>

<sup>4</sup>"childprotection31072012.pdf" on <http://wcd.nic.in/sites/default/files>

<sup>5</sup>[http://www.unicef.org/crc/files/Rights\\_overview.pdf](http://www.unicef.org/crc/files/Rights_overview.pdf)



categorised as neglected, abused, or exploited in any manner. As a signatory to the Convention, India put in place necessary institutional arrangements including strengthening the NGO framework across the country to address survival rights, development rights, protection rights, participation rights. It is noted that as on date India has signed Optional Protocol to CRC on Sale of Children, Child Prostitution and Child Pornography and Optional Protocol to CRC on the involvement of Children in Armed Conflict. The third optional protocol to the Convention on the Rights of the Child on a Communications Procedure is not signed by India as of now.

- India ratified the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others<sup>1</sup> and following that, the country enacted The Immoral Traffic (Prevention) Act in 1956 and punishes trafficking in relation to prostitution.

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<sup>1</sup><http://www.ohchr.org/en/professionalinterest/pages/trafficingpersons.aspx>

## Chapter 4: Process followed for GBV Risk Assessment and Response

### The Process

- Desk review of WB guidelines, global and national policy environment, baseline studies on GBV at national and sub-national level.
- Stakeholder consultations (Annex VIII) were carried out in November 2019, at Sai, Ramshahr and Ghumarwin in Solan and Bilaspur districts to assess potential GBV At-Risk groups and Hotspots, as part of the project preparation for the two priority upgradation corridors a) Baddi to Sai to Ramshahrand, b) Dadhol to Ladrer.
- Preparation of the GBV assessment report which includes: identifying potential risks; mitigation measures; an assessment and plan for strengthening client capacity; prevention and responses strategy; key actions to be taken, - including the appropriate level of institutional responsibility and time frames if each of the identified actions.

### Stakeholder Consultations

The team carried out individual and focused group discussions with community women, adolescent girls, local panchayat members, women pradhans, anganwadi workers, teachers and NGOs working in the area along the 2 corridors (See Annex III). There were no consultations with contractors as they have not been mobilized yet in the project. These interactions led to the identified of potential At-Risk groups and Hotspots for GBV in the project as outlined below-

### Key Findings

#### Vulnerable At-Risk groups

##### Single women:

In the context of this project single women<sup>1</sup> living in adjoining communities are a potential high at-risk and vulnerable group for GBV and SEA. During the FDGs<sup>2</sup>, several women shared their stories of social, economic and sexual exploitation and abuse by close family members and the community. Women panchayat presidents also narrated examples of resolving disputes relating to violence against women in the



<sup>1</sup>One-fourth of the households in HP are headed by women<sup>1</sup> who are single, divorced, widowed or deserted-HP state report NFHS 4.

<sup>2</sup> The FDGs were all carried out in 'safe spaces' where the women were comfortable sharing their experiences of GBV.

communities. Most cases were resolved at the community level with the support of family elders, the panchayat, and with the help of the local NGOs. A majority of GBV survivors are reluctant to seek help from the police, except in the case of extreme domestic violence.<sup>1</sup>

**Adolescent girls:** Several issues of concern were raised during the focused group discussions with adolescent girls gathered at vocational training centers and in schools. Girls narrated incidents of harassment and eve-teasing while travelling to schools and vocational centers. The issue of young girls eloping with migrant workers was also reported in Ramshahr during the consultations. The consultations confirmed that adolescent girls are quite vulnerable and an at-risk group for potential GBV due to labour influx in the area.



### Interaction with NGOs

The team had consultations with some women’s organizations working in the area. In their experience GBV survivors were reluctant to report incidents of violence, particularly domestic violence. They explained that the reasons for women remaining in abusive relationships were: fear of retribution, lack of other means of economic support, concern for the children, emotional dependence, and lack of support from family and friends. Despite the abuse, the social unacceptability of being single or divorced poses an additional barrier that keeps them from leaving. Furthermore, denial and fear of social stigma often prevents women from reaching out for help.



**Migrant women labourers** are also vulnerable<sup>1</sup> if adequate safety and security measures are not undertaken at work sites and within labour camps.

<sup>1</sup>Studies show that only 34% of women in Himachal Pradesh, who have ever experienced physical or sexual violence, have sought help. Abused women who have sought help most often seek help from their own families. Only 11% of abused women who sought help for the violence sought help from the police.

Suitable work conditions for women's participation includes gender-equal wage rates, safety & security issues, child care facilities, health and sanitary requirements and separate toilets for women, and temporary housing for families of labourers during the construction work at the labour camp site with strict compliance to availability of water and sanitation facilities. Strict adherence to child labour norms should be followed.

### Women staff

In this project HPRIDC will ensure that at least a 50 percent of women are recruited/deputed by the motor vehicle authority (MVA) in the vehicle registration and transaction services and about 30 percent in the other services. These women staff are a potential at-risk group for GBV in the project.

Discussions with HPRIDC confirmed that they have constituted an ICC committee as directed by the WCD department through a circular dated 31<sup>st</sup> July 2019 (Annex II), to the state PWD, all the Managing Directors of the boards and corporations, vice chancellors of universities and all the Deputy Commissioners in HP. ICC committees have been constituted by PWD in all there state, district and block level offices. The team met with discussions with the chairperson the ICC committee of HPRIDC who was aware of the circular and the roles and responsibilities of the ICC committee. She confirmed that ICC meetings were held periodically and issues of SH in the workplace were discussed amongst the members. They were also preparing annual reports in accordance with the circular and that there were some cases of SH that had been reported, which were currently pending action. The details of the cases brought to the ICC committee were not shared with the team since it was confidential.



### Identified Hot Spots for GBV within the project include:

- Construction work and labour camps alongside local communities;
- Around Schools and Vocational training centers;

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<sup>1</sup>Women in India earn 50-75% of what men earn across all sectors. In addition they experience harassment and violence at the workplace, both in the formal and informal sectors. Over 90% of the economy is in informal employment, and since majority of women are engaged in the informal economy, they are exposed to the risk of exploitation and harassment.

- Around Liquor shops and,
- Migrant labourers residing in rented accommodations within the villages.

### **Assessment and plan for strengthening staff capacity.**

The project implementation involves multiple institutions, namely: HPRIDC of HPPWD, HPDOT and HP State Police Commission. HPRIDC will be responsible for the overall coordination of the project implementation. The reform of HPPWD and road infrastructure improvement will be implemented by HPRIDC. HPDOT will be responsible for the establishment of HPMVA, strengthening the Directorate of Transportation, and development of the logistics system and strategic multimodal transportation plan. HP State Police Commission will implement the Road Safety component. As it was the case for the HPSRP I, the country systems will be used for the project implementation. To ensure that the reform process and the investments are implemented at the planned quality, cost and time, the project will provide targeted support. The project will strengthen safeguards, bioengineering solutions, planning, engineering design, procurement and contract management units of HPRIDC by engaging consultants and training. HPPWD, HPDOT and HP State Police Commission will engage consultancy firms that will advise on the reform process, undertake studies and provision of training.

Based on the interactions with HPRIDC staff and the ICC chairperson it was observed that although there was a good understanding of the technical aspects of the project including the gender objectives and actions, there is a limited understanding and knowledge of GBV and SEA. There is some awareness about national and state policies on SH and working of the ICC committee. The ICC chairperson was aware of her role and responsibilities. However, so far, no IEC material or training's/events have been conducted. The ICC chairperson expressed the need for providing ongoing support to this committee through training's and sensitization workshops for all ICC committee members and staff on an ongoing basis.

Based on this assessment, the plan for strengthening staff capacities includes:

- a) Orientation and sensitizations workshops for all HPRIDC staff, ICC members, GRM committee members, project management consultants, contractors, and all other project partners once they are mobilized as outlined in chapter 6, and
- b) Hiring of a GBV specialist (Annex V) to ensure adherence to and implementation of the GBV action plan. A more detailed assessment will be carried out when the PMC, consultants and contractors have been engaged.



## Chapter 5: Outline of Proposed Interventions

### Action Plan for Gender Based Violence, Prevention and Response

The GBV action plan outlines the key measures for prevention, mitigation and response for:

- a) The Potential GBV risks to women and adolescent girls (from adjoining communities) as a result of the influx of migrant labour and,
- b) Women workers- All categories of project workers: Direct workers, Contracted workers, Migrant Workers, Community Workers and women staff.

In this project it is anticipated that the construction work will be executed by contractors whose workers will come from within HP and outside states like Bihar and Jharkhand. It is likely that the workers will come into contact with the community and vice-versa. With varied cultural and economic backgrounds, the likely interactions between communities and workers may lead to potential women safety issues, making it pertinent to create awareness on gender issues, gender-based violence and risk mitigation, in particular. If not carefully managed, an influx of labour in the form of rapid migration and settlement of workers or locals can negatively impact a project area, especially in contexts with high prevalence and social acceptability of violence against women and girls<sup>1</sup>. It is therefore essential to take into account labour influxes and drivers of gender-based violence when designing risk assessment strategies and mitigation measures.

Robust measures be prepared and implemented to address the risk of gender based violence in the project and adjoining communities. The purpose of the action plan is to identify the issues, stakeholders, possible service providers and assess their capacity and document the legal and institutional mechanisms that aid in accessing grievance redressal. The action plans will focus on sensitizing the communities and other stakeholders, and strengthening their institutional capacities. This plan is intended for and applicable to all project implementing agencies, staff and adjoining communities throughout the project cycle.

The action plan will include, but not be limited to;

- i. Mapping of identified Hot Spots, and close monitoring of these areas throughout the project cycle.
- ii. Mapping of GBV service providers including an assessment of the capabilities of the service providers to provide quality survivor centered services. This should incorporate an assessment of the capabilities of the service providers to provide quality survivor centered services including GBV case management, acting as a victim advocate, providing referral services to link to other services not provided by the project itself.

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<sup>1</sup> 9 % of women and girls in Himachal Pradesh among age group 15-49, have experienced physical or sexual violence. NFHS 4, HP State Report.

- iii. Identifying active community members and CBO's and developing strategies for their involvement to engage in continuous dialogue and consultations with the community, and reporting any incidents of GBV in the area the concerned appropriate person responsible for GBV redressal. <sup>1</sup>
- iv. Preparation and display of signage on GBV prevention and zero tolerance against GBV at all strategic location/hotspots<sup>2</sup>; developing an IEC strategy and prepare and displaying of IEC material in the local language at identified Hot Spots; GoHPs policy against sexual harassment and gender equality in the workplace; zero tolerance for SEA or SH in the project, and GRM committee/ contact persons names and numbers, including help line numbers of police and other response actors, for reporting GBV incidents;
- v. Mandatory training's (see Chapter 6)for the workforce on: state and department policies on sexual harassment in the workplace; unacceptable conduct toward local community members, specifically women; and GBV CoC; GRM for reporting and response of GBV incidents;
- vi. Formation of a GBV committee for GBV grievance as outlined in chapter 6.
- vii. Finalization of the Accountability and Response Framework during project implementation. This will include at minimum a) GBV allegation procedures<sup>3</sup> and b) a response framework<sup>4</sup> ( details in chapter 6)
- viii. Introducing a Worker Code of Conduct (Annex V) as part of the employment contract, and including sanctions for non-compliance (e.g. termination); Inclusion of gender based violence in safety induction training's; continuous stakeholder consultation and citizen engagement carried out in the adjoining villages to inform the community about GBV risks and redressal mechanisms.
- ix. Stakeholder guidance will be sought to identify existing and potential local GBV risks and on potential interventions and risk mitigation measures. Consultations with those working with adolescent girls, single women and other at-risk groups, will be prioritized to enable understanding of GBV risks and mitigation measures.
- x. Inclusion of GBV reporting in the User satisfaction surveys that shall be carried out to establish project baseline and will form the basis for monitoring during mid-term and end term surveys;

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<sup>1</sup> GBV Services Provider(s) and/or community-based organizations are critical not only for supporting the project in addressing any case of GBV that may arise, but also in assisting the project to proactively prevent GBV cases.

<sup>2</sup> Visibly display signs around the project sites and identified hot spots that signal to workers and the community that GBV is prohibited.

<sup>3</sup> GBV Allegation Procedures to report GBV issues to service providers, and internally for case accountability procedures which should clearly lay out confidentiality requirements for dealing with cases.

<sup>4</sup> Response Framework should include: Mechanisms to hold accountable alleged perpetrators associated to the project; the GRM process for capturing disclosure of GBV; and, a referral pathway to refer survivors to appropriate support services.

- xi. Strengthen institutional linkages with other departments and response actors for GBV risk mitigation and response.
- xii. All new projects (under bidding or under bid evaluation) shall integrate the provisions of GBV and GRM compliances/ monitoring under ESMP in accordance to GOI and WB policies/ law for safety and security of woman workers at all levels involved in the project.
- xiii. Suitable work and accommodation conditions for migrant women labourers and families of labourers will be provided for in accordance with country labour laws and WB ESS2. This includes, gender-equal wage rates, safety & security issues, child care facilities, health and sanitary requirements and separate toilets for women, and temporary housing for families of labourers during the construction work at the labour camp site with strict compliance to availability of water and sanitation facilities. Strict adherence to child labour norms shall be followed.
- xiv. Monitoring (see Chapter 6) to be integrated into the projects safeguard monitoring framework with a special focus on identified Hot Spots. GBV action plans will be monitored during Joint Review Meetings (JRM) by a GBV specialist. QPRs shall include updates on the status of the GBV activities on the project.

Responsibility and Timelines for GBV Action Plan: HPRIDC will appoint an NGO - provision for required budgetary support has already made in the ESMPs for respective road corridors under HPSRTP. Requisite provisions have also been included in the bid documents as well, so that the contractors will be aware of all required roles and responsibilities of GBV action plan and accordingly price the bids.

The Proposed GBV action plan will be further updated, once the tranche II, III and maintenance corridors are identified, which is presently underway. Requisite budgetary support and provisions in bid documents will be accordingly made.



## Chapter 6: GBV Training, Grievance Redressal, Monitoring, Budget and Oversight

### GBV Training

To properly address GBV, the training and sensitizing of workers is essential. These workers include civil works contractors (including sub-contractors and suppliers), supervision consultants, other consultants who may have a presence in the project adjoining communities - as well as the IAs. Projects can seek to embed training modules that incorporate GBV into the regular Occupational Health and Safety (OHS) 'toolbox' meetings with workers, official training and/or standalone training efforts. Linking the curriculum to actors outside the project such as health and education sector professionals may also be beneficial. Training on GBV should be thorough and proportional to the GBV risk. The modality, frequency and content of the training are outlined in Table 1 below.

At a minimum, training shall include:

- What GBV, particularly SEA and SH, is and how the project can exacerbate GBV risks;
- Roles and responsibilities of actors involved in the project (the standards of conduct for project-related staff captured in CoCs);
- GBV incident reporting mechanism, accountability structures, and referral procedures within agencies and for community members to report cases related to project staff;
- Services available for survivors of GBV; and,
- Follow-up activities to reinforce training content.

As projects are implemented, training on GBV should be made available to the project-affected communities so they can learn about the roles and responsibilities of actors involved in the project, processes for reporting incidents of project-related GBV, and the corresponding accountability structures. Training of both project-affected communities and project implementers allows all stakeholders to understand the risks of GBV, as well as appropriate mitigation and response measures, putting everyone on the same page.<sup>1</sup>

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<sup>1</sup>Good Practice Note: Addressing Gender Based Violence in Investment Project Financing involving Major Civil Works, 28 September 2018, the World Bank group

Table 1: Modality, Frequency and Content of Training's

Group	Modality	Frequency	Topic
HPRIDC, HPDoT staff, ICC & GBVCC members.	2 day workshop including Power point presentations, oral Discussions, case studies and group work.	1-2 days orientation workshops every 6 months	<ul style="list-style-type: none"> <li>• Introduction on GBV, SEA and SH. Identified GBV risks in the project.</li> <li>• National and state policies on SH and roles and responsibilities of ICC/GBVCC committee members.</li> <li>• Potential GBV risks and hotspots in the project.</li> <li>• Understanding of the roles and responsibilities in accordance with the Accountability and Results Framework.</li> <li>• Mitigation strategies and effective implementation of the action plan.</li> <li>• Monitoring and reporting on GBV and GBV GRM.</li> </ul>
PMC staff	1 day orientation programme on GBV. Power point presentation, oral Discussions, sharing of best practices and group activities	Every 6 months (1 month after the PMC has been engaged)	<ul style="list-style-type: none"> <li>• Introduction on GBV, SEA and SH. Identified GBV risks in the project.</li> <li>• Working with contractors to prevent SH in the workplace (as well as within the agency and the contracting firms) and other forms of GBV in the project-affected communities (for example, through CoCs).</li> <li>• Strengthening GRMs and other monitoring mechanisms to provide safe and ethical reporting systems for people wishing to report cases of GBV, and their linkage with adequate response actors.</li> <li>• Understanding of the roles and responsibilities of the GBVCC and the Accountability and Response Framework.</li> <li>• Effective implementation of the action plan.</li> <li>• Available Service providers working on GBV in the area and other referral pathways.</li> </ul>
Contractor	1 day orientation	Every 6 months	~ What constitutes GBV, SEA and SH.

	<p>programme on GBV.</p> <p>Power point presentation</p> <p>Oral Discussions, case studies of best practices and Group discussions/work.</p>	<p>(one month after contractors are engaged)</p>	<ul style="list-style-type: none"> <li>~ National, state and corporate policies on SH</li> <li>~ Available Service providers working on GBV in the area and other referral pathways.</li> <li>~ Strengthening GRMs and other monitoring mechanisms to provide safe and ethical reporting systems for people wishing to report cases of GBV, and their linkage with adequate response actors.</li> <li>~ Promoting interventions to reduce the level of tolerance to GBV by contributing to community mobilization around project sites, including the use of partnerships with NGOs, national and local authorities and other leaders.</li> <li>~ Key elements of the CoC,</li> <li>~ Strengthening and monitoring of the GBV GRM systems and reporting and response protocols.</li> </ul>
Workers	<p>One day orientation.</p> <p>Power point presentations, oral discussions and group activities.</p>	<p>Every 6 months and daily discussion in tool box talks and during safety inductions</p>	<ul style="list-style-type: none"> <li>~ Explaining GBV, SEA and SH and key GBV risks identified.</li> <li>~ Key elements of the CoC.</li> <li>~ And zero tolerance policy on GBV.</li> </ul>
Community volunteers/ focal point	<p>One day orientation.</p> <p>Power point presentations oral discussions and group activities</p>	<p>Every 3 months</p>	<ul style="list-style-type: none"> <li>~ Explaining GBV, SEA and SH in the context of the project, including identified GBV risks and hotspots.</li> <li>~ Awareness about the key mitigation strategies and GRM mechanisms for GBV incidents and response.</li> <li>~ Their roles as focal points for continuous dialogue and feedback from the community for GBV prevention and mitigation.</li> </ul>

## GBV Redressal Mechanism

### Proposed Project GRM

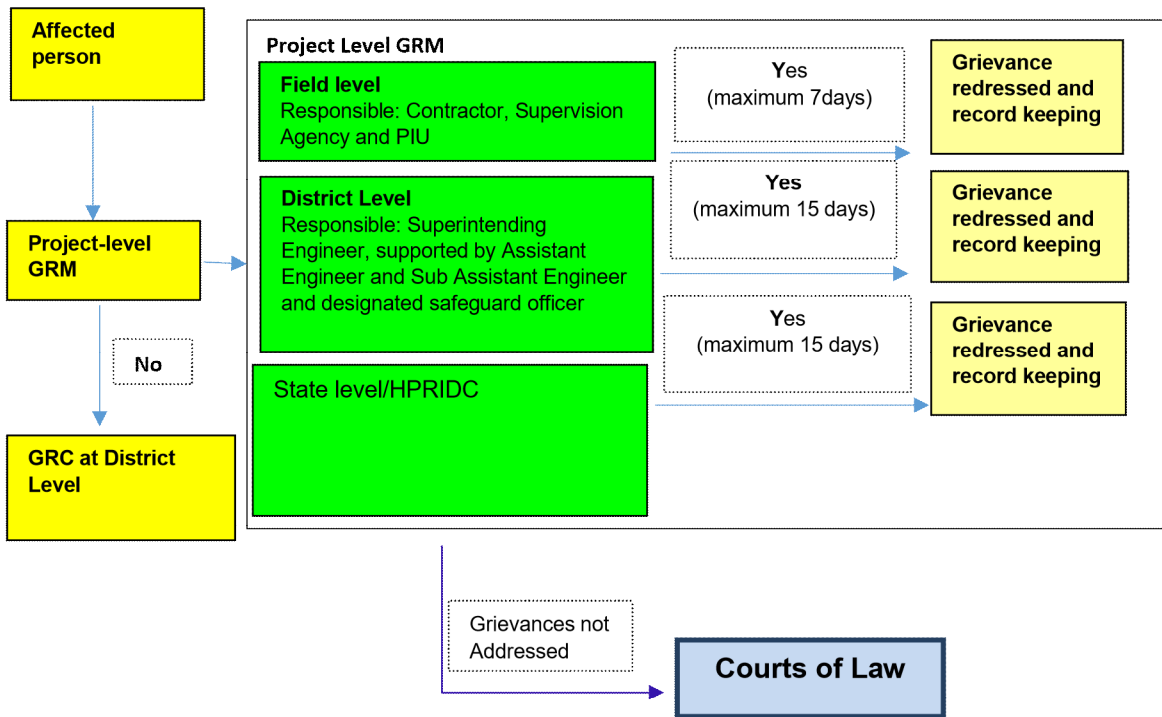
1. A grievance redress mechanism (GRM) to uphold the Project's social and environmental safeguards performance is designed to address concerns and complaints promptly and transparently with no impacts (cost, discrimination) for any reports made by project affected people (PAPs). The grievance redress mechanisms described hereunder include both complaints and grievances (hereinafter referred to only as 'grievances'). Grievances raised by stakeholders need to be managed through a transparent process, readily acceptable to all segments of affected communities and other stakeholders, at no cost and without retribution. The GRM works within existing legal and cultural frameworks, providing an additional opportunity to resolve grievances at the local, project level.

The key objectives of the GRM are:

- “ Record, categorize and prioritize the grievances;
- “ Settle the grievances via consultation with all stakeholders (and inform those stakeholders of the solutions)
- “ Forward any unresolved cases to the relevant authority.

2. The types of grievances stakeholders may raise include, but are not limited to:
  - Non-payment, or inadequate compensation and/or due R&R assistances; wrong measurement of parcel
  - Construction related impacts – cracks, damages to structures; dust damaging crops/trees
  - Health and safety risks;
  - Negative impacts on the environment;
  - Negative impacts on communities, which may include, but not be limited to financial loss, physical harm and nuisance from construction or operational activities;
  - Impacts arising from migrant labor on local communities

## Grievance Redress Mechanism/ Process



## GBV GRM

In addition to the GRM as described above, a separate but integrated mechanism to address GBV incidents in the project is proposed.. This would be carried through the establishment of a GGV Complaints Committee (GBVCC). The details of the proposed GBVCC are outlined below:

Formation of GBVCC: The proposed Complaints Committee may include the following:

- Presiding Officer – senior woman in the Department
- Not less than two members from the Department preferably committed to the cause of women or who have had experience in social work or have legal knowledge
- One member from each of the district GRC s
- One SH/GNV specialist from member from amongst NGOs or associations working on violence against women in the state.
- At least half of the total members so nominated shall be women

Responsibilities of GBVCC:

- Create and communicate a detailed policy on GBV; Ensure awareness and orientation on the issue among all stakeholders (including community, labour,

employees, contractors); prepare an annual report and share with stakeholders); Have the skill, knowledge and capacity to fulfill the responsibilities as a CC.

- Be thoroughly prepared; Know the GBV policy; Gather and record all relevant information; Inform the complainant on both informal and formal processes; Determine the main issues; prepare relevant interview questions; conduct necessary interviews; Ensure parties are aware of their rights, roles and responsibilities; Analyze information gathered; prepare a report with findings and recommendations.

Stages of Complaint process:

Receipt of Complaint → Planning the process → Interviews → Reasoning → Report writing → Finding and Recommendations.

Time-lines: The complaints committee shall give its findings within 1 month of the receipt of the complaint. The complaint itself can be made within 3 months of the incidence. The recommendations have to be implemented within 60 days and appeal may be filed within 90 days.

## GBV Allegation Procedures

What is GBV incidence:

GBV includes any of the following behavior (but is not limited to): sexually offensive remarks, innuendos, or behaviour; intimidation, threat, blackmail or monetary or any other favour offered for sexual favours; unwelcome sexual advances such as physical touching or caressing. The said behavior should be unwelcome, sexual and would be a subjective experience from the complainant's point of view<sup>1</sup>.

Who can complain and where: Any person who is affected by such GBV incidence or in case of a minor his/her guardian may complaint to the GBVCC. Such incidence must be a result of the behavior or act of any migrant labour that had been employed by the Project.

Since all the projects are in the rural areas, and considering the rural environment and support that the complainant may need in filing of a complaint (not being able to read or write, not familiar with complaint processes, not knowing whom to contact etc.), it is possible that the following may be the process of filing of complaint:

The complainant directly or through another person whom she knows, contacts → the community focal point/ support organization/ Gram Panchayat, who takes cognizance of the complaint → Refers the case to the GBVCC

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<sup>1</sup> See Court Judgments on Sexual Harassment at workplace (Prevention, Prohibition and Redressal) Act and definition of sexual harassment in the said Act.

## Responsibilities of GBVCC .

The CC has a responsibility to establish an effective internal complaints procedures, such as:

- Assurance that no victimisation will result from making a complaint
- Procedure is well documented, available and in accessible formats;
- Members who manage complaints are well trained
- Assistance is provided in the form of language interpreters as needed for parties to a complaint
- Ensuring the process is confidential, independent and based on principles of natural justice
- Ensuring the process has clear timelines
- All conflicts of interest are managed appropriately

## Code of Conduct

- As the CoC establishes expectations for behavior within a company and within the community which the company serves or works in, it becomes an instrument to assist in mitigating risks related to SEA and SH. The CoC clearly defines obligations of all project staff (including sub-contractors and day workers) regarding:
- Policies related to GBV, specifically SEA and workplace SH;
- Compliance with applicable labor legislation;
- Norms and regulations of conduct for all personnel;
- An understanding that GBV is prohibited and all transgressions will be acted upon;
- The CoC should cover the commitment of the company, and the responsibilities of managers and individuals with regard to GBV, and if possible, other key issues identified in the ESA/ESMP/C-ESMP, such as ESHS and OHS; and,
- It is important that the CoC be translated into the local language<sup>1</sup>.

Key areas of the CoC developed for this project detailed out in Annex V include:-

Compliance with applicable National and Company laws, policies, rules, and regulations (including policy on sexual harassment); Compliance with applicable health and safety requirements; Non discrimination in dealing with the local community and all co-workers; Will not indulge in Sexual Harassment (for example prohibition of the use of language or behavior, in particular towards women and/or children, that is inappropriate, abusive, sexually provocative, demeaning or culturally inappropriate); No Exploitation including sexual exploitation and abuse; Refrain from Sex with anyone under the age of 18 and that the breach of this code will incur sanctions that could impact employment; Attend training for the duration of the contract for understanding this Code of Conduct; Report violations of this Code; Sanctions may be applied if an employee is confirmed to be a gender-based violence perpetrator and Non- retaliation against workers who report violations of the Code, if that report is made in good faith.

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<sup>1</sup> ibid



## Monitoring and Reporting

It is essential that the project monitor GBV activities. Monitoring and Evaluation plays a key role in assessing the effectiveness of mitigation measures. As part of the M&E process, indicators need be selected for inclusion and reporting in the project QPRs.

The QPRs should include indicators related to: (i) the GBV activities on the project; and, (ii) the GRM.

GBV indicators may include:

- Successful implementation of agreed GBV Action Plan;
- Number of training courses related to GBV delivered;
- Percentage of workers that have signed a CoC; and/or,
- Percentage of workers that have attended the CoC training.

Projects have a significant role to play in supporting safe spaces for women and children to report their experiences of violence. It should be noted that increases in the number of reported cases does not necessarily mean that GBV incidents have increased but likely reflects improved mechanisms for safe and confidential reporting and increased interest in accessing GBV support services. It should be emphasized that any reporting should have no identifiable information on individual cases. It is essential that the confidentiality and safety of GBV survivors is protected.

Review of GRM protocols to ensure that GRM receives and processes complaints in a timely manner including referring complaints to an established mechanism for review and response.

## Budget

Appropriate budgetary allocations need to be made to support the process to prevent and respond to GBV in the project. This includes investment in:

- Staff development and training programs;
- Guidance notes and continuous learning;
- Client capacity-building on SEA and,
- To partner with GBV Services Providers to facilitate access to timely, safe and confidential services for survivors (including money for transportation, documentation fees, and lodging if needed),
- Community awareness and stakeholder engagement,
- Hiring of the GBV specialist, and
- Functioning of GBVCC for awareness raising and redressal and reporting of GBV incidents

## Supervision and Oversight

Contractors on civil works projects are typically supervised by a consulting firm on behalf of the IA. HPRIDC will engage Environment and Social Safeguards officers and Project Management Consultant (PMC), which will be responsible for quality assurance and monitoring

A key challenge faced by many projects is that the supervision and oversight of GBV activities during civil works is inadequate. This section outlines activities that can be incorporated into the project to make supervision and oversight more proactive.

### Supervision Modalities

Effective supervision and oversight of the project's GBV prevention and mitigation efforts is vital and should therefore be carefully considered during project preparation. Effective oversight requires various actors with additional ones needed in higher risk projects. All entities involved - supervision consultants, the IA, any independent oversight entities, as well as other entities such as steering committees and civil society - must have clear roles and responsibilities throughout the implementation of the project. All those involved in GBV activities should have appropriate training and skills for the tasks assigned to them.

### Implementing Agency Staffing

It is recommended that the IA have appropriate environmental and social specialists available. Without them, it will be very difficult to manage the project's ESHS risks - especially related to GBV. The presence of the IA's GBV specialists- who may be the project's social specialists - will assist in meeting the necessary GBV standards, and all the specialists to verify that project safeguard reports adequately reflect the actual situation with regard to mitigating GBV risks.

The Terms of Reference for the GBV specialist (Annex V) need to clearly outline the expectations of their role in ensuring that GBV risks and mitigation measures are properly reflected in the action plan and are implemented. These include: demonstrating the appropriate capacity to take on GBV related responsibilities; verifying that a working GRM for GBV is in place so that referral of GBV cases can be made when needed; working with GBV Services Providers and entry points into service provision (as required) to raise awareness of the GRM; develop IEC material; facilitating stakeholder consultation in accordance with the stakeholder engagement plan to ensure community concerns and priorities inform all phases of planning, implementation, monitoring and evaluation.

Table below presents the GBV action plan outlining the key actions and responsibilities of project partners

SNo.	Actions	Responsibility	Timeline
1	Policy of GBV: Prepare signage and IEC material in the local language for policy against Sexual harassment at workplace and display in strategic locations	HPRIDC	Before commencement of civil works and display at locations within one month of mobilization of contractor
2	Identification and mapping of GBV service providers, developing appropriate strategies and modalities of working together, including response protocols and adequate budgetary allocations.	HPRIDC	Within 2 months of project effectiveness
3	Training staff on GBV: Capacity building on: state and department policies on sexual harassment in the workplace; unacceptable conduct toward local community members, specifically women and, GBV CoC; GRM for reporting and response of GBV incidents	HPRIDC	Within one month of project effectiveness
4	Training focal social specialists: Ongoing capacity building of social specialists	HPRIDC	Within 2 months of joining
5	GBV in safety Induction, Tool Box Talk and task Briefing Inclusion of GBV in safety induction, including preparation and display of signage on zero tolerance against GBV at all strategic location/hotspots	HPRIDC with support from Contractor and identified service provider	Within one month of mobilization of contractor
6	Signing of the Workers Code of Conduct by all labourers	HPRIDC with support from Contractor and identified RAP Implementation Agency	Commence within one month of mobilization of contractor and subsequently as and when new labor join
7	Formation of a GBVCC with clear roles and responsibilities.	HPRIDC	Within one month of mobilization of contractor
8	Accountability and Response framework finalized during project implementation. This includes Allegation procedures and response	HPRIDC	Within one month of mobilization of PMC and

SNo.	Actions	Responsibility	Timeline
	framework on how the project will provide information to employees and the community on how to report cases of GBV CoC breaches to the GRM. .		contractor
9	GBV in Community interface: Orienting and building awareness of the community on GBV risks, prevention, reporting and response mechanisms in all corridors taken during implementation	HPRIDC with support from Contractor	Within one month of project effectiveness
10	Stakeholder consultations: Continuous stakeholder consultation will be carried out in the adjoining villages to inform the community about GBV risks and redressal mechanisms as part of Stakeholder Engagement Plan	HPRIDC with support from Contractor and identified service provider	Once the RAP implementation agency is on-board
11	Monitoring: Inclusion of GBV reporting in the User satisfaction surveys that shall be carried out to establish project baseline and will form the basis for monitoring during mid-term and end term surveys Monitoring to be integrated into the projects safeguard monitoring framework with a special focus on identified Hot Spots. GBV action plans will be monitored during Joint Review Meetings (JRM) by a GBV specialist. QPRs will include updates on the status of the GBV activities on the project.	HPRIDC with support from Contractor and identified service provider	Continuous
12	Strengthen institutional linkages with other departments (WCD, police, local NGO's) and response actors for GBV risk mitigation	HPRIDC	Within one month of project effectiveness

## Annexure – I : Understanding GBV-Key Terms and Definitions

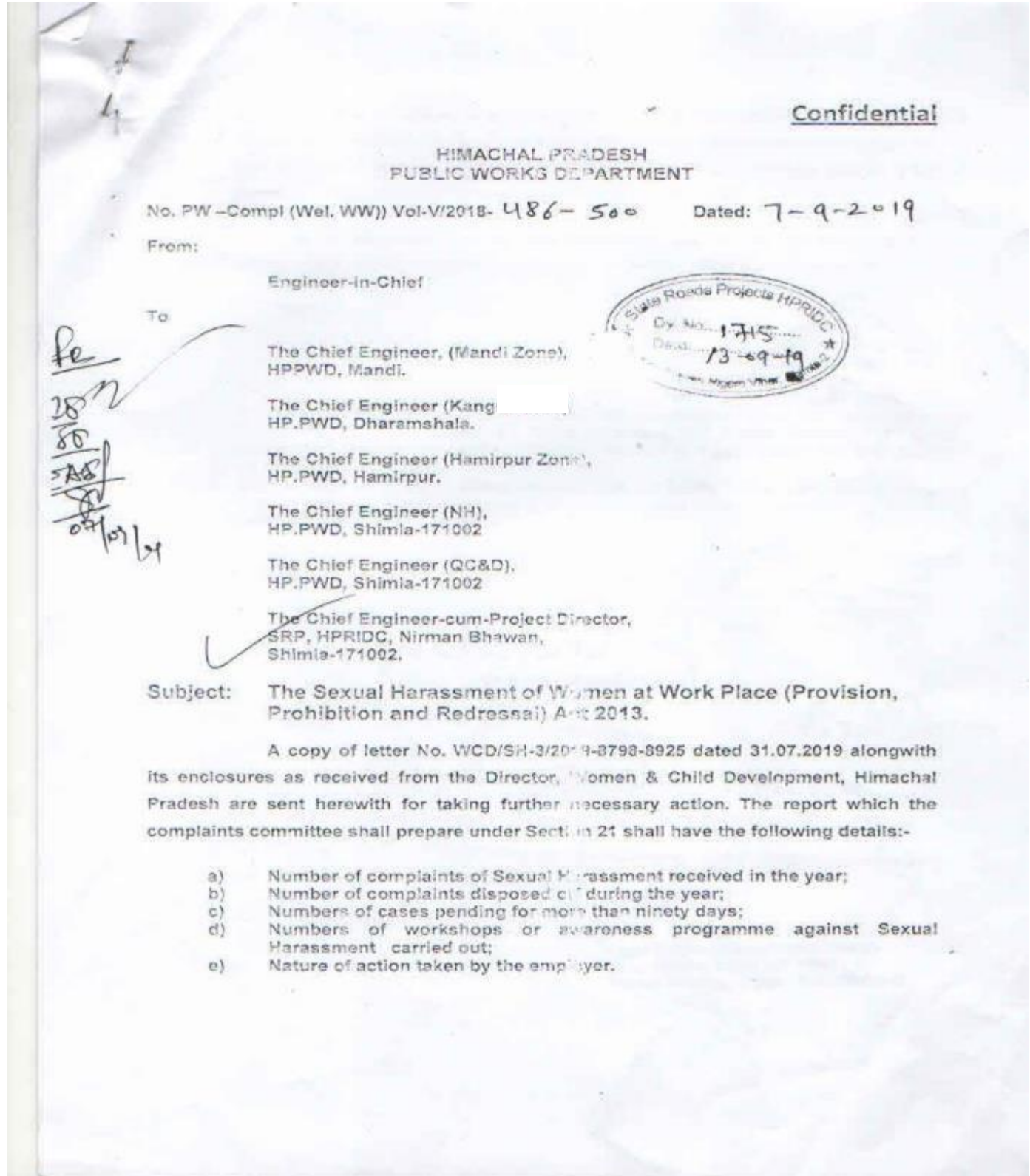
GBV is an umbrella term for any harmful act that is perpetrated against a person’s will and that is based on socially ascribed gender differences. GBV includes acts that inflict physical, mental, sexual harm or suffering; threats of such acts; and coercion and other deprivations of liberty, whether occurring in public or in private life. The term GBV is most commonly used to underscore systemic inequality between males and females - which exists in every society in the world - and acts as a unifying and foundational characteristic of most forms of violence perpetrated against women and girls. The term GBV stems from the 1993 United Nations Declaration on the Elimination of Violence against Women, which defines violence against women as “any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women”. Discrimination on the basis of sex or gender identity is not only a cause of many forms of GBV, but also contributes to the widespread acceptance and invisibility of such violence - so that perpetrators are not held accountable and survivors are discouraged from speaking out and accessing support.

### Key Terms and Definitions

<p>Violence against women and girls (VAWG)</p>	<p>The 1993 UN <i>Declaration on the Elimination of Violence against Women</i> defined violence against women and girls as any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life (Article 1).</p> <p>Violence against women and girls shall be understood to encompass, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>• Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;</li> <li>• Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced sex work;</li> <li>• Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs (Article 2).</li> </ul> <p>Violence against women and girls is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women.</p>
<p>Gender-based violence (GBV)</p>	<p>Gender-based violence (GBV) is an umbrella term for any harmful act that is perpetrated against a person’s will and that is based on socially ascribed (i.e. gender) differences between males and females. It includes acts that inflict physical, sexual or mental harm or suffering, threats of such acts, coercion, and other deprivations of liberty. These acts can occur in public or in private (IASC 2015). Women and girls are disproportionately affected by GBV across the</p>

	globe.
Sexual harassment (SH)	Unwelcome sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature. SH differs from SEA in that it occurs between personnel/staff working on the project, and not between staff and project beneficiaries or communities. The distinction between SEA and SH is important so that agency policies and staff training can include specific instructions on the procedures to report each. Both women and men can experience SH.
Sexual Exploitation and Abuse (SEA)	Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. Sexual abuse is further defined as “the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.” Women, girls, boys and men can experience SEA. In the context of World Bank supported projects, project beneficiaries or members of project-affected communities may experience SEA.
Child/ Forced early Marriage	Forced marriage is the marriage of an individual against her or his will. Child marriage is a formal marriage or informal union before age 18. Even though some countries permit marriage before age 18, international human rights standards classify these as child marriages, reasoning that those under age 18 are unable to give informed consent. Therefore, child marriage is a form of forced marriage as children are not legally competent to agree to such unions (IASC 2015).
Human Trafficking	The recruitment, transportation, transfer, harboring or receipt of persons, by means of force, the threat of force, other forms of coercion, abduction, fraud, deception, of the abuse of power, or of a position of vulnerability, or giving or receiving of payments or benefits to achieve the consent of a person, having control over another person, for the purpose of exploitation. Exploitation includes, at a minimum, the exploitation of the sex work of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs (United Nations 2000. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children).

ANNEXURE – II : GoHP circular for Formation of ICC Committee





In view of above direction of the Hon'ble Minister of Women and Child Development and Textiles, Govt. of India, it is requested that all workplaces with ten or more employees are necessarily required to have Internal Committees and all districts are required to have Local Committees as prescribed in the Act.

It is requested that desired information may kindly be provided to this office immediately so that concerned authority can be apprised accordingly.

Encl: As above.

*P. Singh*  
Senior Vigilance Officer,  
Himachal Pradesh PWD,  
Shimla-171002

1. Copy alongwith copy of above referred letter is forwarded to the Superintending Engineers, 3<sup>rd</sup> Circle, Solan, 4<sup>th</sup> Circle, Shimla-3, 11<sup>th</sup> Circle, Rampur, 12<sup>th</sup> Circle, Nahan, 14<sup>th</sup> Circle, Rohru, Elect. Circle, Shimla-9 & Mech. Circle, HPPWD, Shimla-12 for similar necessary action.
2. Copy alongwith copy of above referred letter is forwarded to Mrs. Tamanna Rani, Executive Engineer (Chairperson) of Sexual Harassment Committee in this office for similar necessary action.

Encl: As above.

Senior Vigilance Officer,  
Himachal Pradesh PWD  
Shimla-171002

Himachal Pradesh  
Public Works Department.

No. PW/CE/WB/E-8/2019-20-1594

Dated 18-09-19

✓ Copy alongwith its enclosures to  
Mrs Tamanna Rani, Executive Engineer (CE) of  
this office with reference to above for registration  
and necessary action.  
Encl: As above.

*P. Singh*  
Chief Engineer-Cum-Project Director  
State Roads Project, HP, PWD,  
Nirman Bhawan, Nigam Vihar, Shimla-2

18/09/19



No.: WCD/SH-3/2019 8798-8925  
Directorate of Women and Child Development,  
Himachal Pradesh, Shimla-1

To

FR  
S.V.O.  
17/8  
V-5  
16/8

1. All the Head of the Departments (PWD)
  2. All the MD's of the Boards and Corporations
  3. All the Vice Chancellors of Universities
  4. All the Deputy Commissioners in HP
- Dated 31/7/2019 Shimla-1,  
The Sexual Harassment of Women at Work Place  
(Prevention, Prohibition and Redressal) Act 2013.

FR  
W.P.  
9  
13/8

Subject:-

Sir/Madam,

The Hon'ble Minister of Women and Child Development & Textiles, Govt. of India has directed for effective implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (SH Act) in the State of Himachal Pradesh with special focus on the following issues (copy of the letter is enclosed at Annexure-A):

311  
13/8/19  
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19-8-2019

- i. Constitution of Internal Committees or ICs at all workplaces by employers through written orders as per Section 4 of the Act.
- ii. Constitution of Local Complaints Committees or LCs in all districts to receive complaints from organizations having less than 10 workers or if the complaint is against employer himself, as prescribed u/s 6 & 7 of the Act.
- iii. Notification of District Officers u/s 5 and designation of nodal officer's u/s 6(2) in every block, taluka and tehsil in rural or tribal area and ward or municipality in the urban area all across the State.
- iv. Regular monitoring of the progress of action on the grievances under this Act.
- v. Ensuring display at conspicuous points in all workplaces of the penal consequences of sexual harassment of women at workplace and the details of LCs and related ICs.
- vi. Ensuring extensive training, sensitization and awareness exercises for training for all stakeholders on regular and ongoing basis, including induction training for all new entrants to workplace.
- vii. Any other steps or approaches which you may consider required and are suitable for achieving these goals.

410

This Directorate has already conveyed about the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Rules thereof. Further, it has been also requested that as per the section 19 (and Rule 13 and 14) of the Sexual harassment Act, 2013, the employer shall (Copy enclosed at Annexure-B and C):

- (a) Formulate and widely disseminate an internal policy or charter or resolution or declaration for prohibition, prevention and Redressal of sexual harassment at workplace intended to promote gender sensitive safe space and remove underlying factors that contribute towards a hostile work environment against women;

- 14/10/19
- (b) Carry out orientation programmes and seminars for the members of the internal committee;
  - (c) Carry out employee awareness programmes and create forum for dialogues which may involve Panchayati Raj institutions, Gram Sabha, women's group, mother committees, adolescent group, urban local bodies and any other body as may be considered necessary;
  - (d) Conduct capacity building and skill building programmes for the members of the internal committee;
  - (e) Declare the names and contact details of all the members of the internal committee;

**Preparation of annual report**


The annual report which the complaints committee shall prepare under Section 21 shall have the following details:-

- (a) Number of complaints of sexual harassment received in the year;
- (b) Number of complaints disposed off during the year;
- (c) Number of cases pending for more than ninety days;
- (d) Numbers of workshops or awareness programme against sexual harassment carried out
- (e) Nature of action taken by the employer

In view of the direction of the Hon'ble Minister of Women and Child Development and Textiles, Govt. of India it is requested that all workplaces with ten or more employees are necessarily required to have Internal Committees and all districts are required to have Local Committees as prescribed in the Act.

Further, all districts are also necessarily mandated to be provided with notified District Officers who shall further designate nodal officers at sub-district levels to receive complaints under this Act. It may be also ensured that widespread training, awareness and environment building initiatives are carried out in your Departments/Corporations/Boards/Universities and Districts.

Yours faithfully,

  
Director,  
Women and Child Development,  
Himachal Pradesh.  
Dated 31-7-19 Shimla-I

Endst:- Even no 8926-8939  
Copy to:-

1. The Additional Chief Secretary (SJ&E) to the Govt. of H.P for information please.
2. The Spl Secretary to the (monitoring & Coord) to the Chief Minister, H.P.O w.r.t letter no SJE-A-A(10)-5/2012 dated 18-7-2019 for information please.
3. All the District Programme Officers for information and necessary action for effective implementation of the SH Act in your District

  
Director,  
Women & Child Development  
Himachal Pradesh.



मि. जूबिन इरानी  
Mr. Zubin Irani



सत्यमेव जयते

मंत्रि  
महिला एवं बाल विकास और वस्त्र  
भारत सरकार  
नई दिल्ली  
Minister  
Women & Child Development and Textiles

D.O. No. WW-12016/2/2019-W

Aadarniya Shri Jal Ram Thaku

14 Nov  
I would like to draw your attention to the fact that maximizing the participation of women in our country's economic activity in a conducive work environment. However, possibilities and fear of sexual harassment of women at workplace remains a concern till date.

2. The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 (The SH Act) had been brought in force six years ago to provide legal and administrative mechanism to deal with this menace. Under this Act, women, whether employed or not, who suffer sexual harassment at workplace, are all covered. All workplaces, including a dwelling place or a house and the places visited by an employee arising out of or during the course of her employment (including transportation provided by the employer for undertaking such journey), are covered. Further, all workplaces with ten or more employees are necessarily required to have Internal Committees and all districts are required to have Local Committees as prescribed in the Act. All districts are also necessarily mandated to be provided with notified District Officers who shall further designate nodal officers at sub-district levels to receive complaints under this Act. Widespread training, awareness and environment-building initiatives are to be carried out. Discharge of prescribed duties by employers (in relation to providing of safe working environment for women at their workplaces) and for action/outcome related disclosures (pertaining to this Act) by companies and employers, are to be ensured. And, most importantly, time bound support, inquiry and redressal for aggrieved women are to be ascertained.

3. Unfortunately, very often it has been observed that the implementation of the SH Act is lacking in many of the afore-mentioned critically important aspects. I would like to request you to kindly ensure its strong and effective implementation with special focus on the following issues:

- Constitution of Internal Committees or ICs at all workplaces by employers through written orders as per Section 4 of the Act.
- Constitution of Local Committees or LCs in all districts to receive complaints from organizations having less than 10 workers or if the complaint is against employer himself, as prescribed u/s 6 & 7 of the Act.

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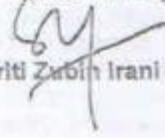
- 2 -

- iii. Notification of District Officers u/s 5 and designation of nodal officers u/s 6(2) in every block, taluka and tehsil in rural or tribal area and ward or municipality in the urban area all across your State.
- iv. Regular monitoring of the progress of action on the grievances under this Act.
- v. Ensuring display at conspicuous points in all workplaces of the penal consequences of sexual harassment of women at workplace and the details of LCEs and related ICs.
- vi. Ensuring extensive training, sensitization and awareness exercises for all stakeholders on regular and ongoing basis, including induction training for all new entrants to workforce.
- vii. Any other steps or approaches which you may consider required and suitable for achieving these goals.

I shall be grateful for your intervention and support towards effective implementation of The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 which I am sure will go a very long way in providing safe and secure workplaces to women and in promoting women empowerment in our country.

With regards.

Yours Sincerely

  
(Smriti Zubin Irani)

14/11/13

Shri Jai Ram Thakur  
Hon'ble Chief Minister of Himachal Pradesh  
Room No. E-100,  
Armsdale Building, HP Secretariat  
Shimla



30)

Himachal Pradesh

24

No.: 6-10/87-Wel-W.W.-1-  
Directorate of Women and Child Development,  
Himachal Pradesh, Shimla-1.

To

1. All the Head of the Departments
2. All the M.Ds of Boards and Corporations
3. All the Vice Chancellors of Universities
4. All the Deputy Commissioners  
in Himachal Pradesh.

Dated Shimla-1. 25-4-14.

Subject:

The Sexual Harassment of Women at Workplace (Prevention,  
Prohibition and Redressal) Act, 2013

Madam/ Sir,

The Sexual Harassment of Women at Workplace (Prevention,  
Prohibition and Redressal) Act, 2013 and the Rules thereof are enclosed for  
information and necessary action please.

Yours faithfully,

Joint Director,  
Women and Child Development,  
Himachal Pradesh,  
Shimla-1.

Endst. No. Even

Copy to Additional Chief Secretary (SJ&E) to the Government  
of H.P. for information please.

Joint Director,  
Women and Child Development,  
Himachal Pradesh.

4.

(14)

Himachal Pradesh

No: 6-10/87-Wel-W.W.-1-  
Directorate of Women and Child Development,  
Himachal Pradesh, Shimla-1.

To

1. All the Head of the Departments
2. All the M. Ds of Boards and Corporations
3. All the Vice Chancellors of Universities
4. All the Deputy Commissioners — 6281-6292  
in Himachal Pradesh.

Dated 26-4-2014.

Shimla-1.

17/04/2015

Subject: The Sexual Harassment of Women at Workplace  
(Prevention, Prohibition and Redressal) Act, 2013

14 Feb.  
Madam/ Sir,

In continuation with this office letter of even no dated 26-4-2014 vide which the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules thereof have been circulated.

As per the section 19 (and Rule 13 and 14) of the Sexual harassment Act, 2013, the employer shall:

- (a) Formulate and widely disseminate an internal policy or charter or resolution or declaration for prohibition, prevention and redressal of sexual harassment at workplace intended to promote gender sensitive safe space and remove underlying factors that contribute towards a hostile work environment against women;
- (b) Carry out orientation programmes and seminars for the members of the internal committee;
- (c) Carry out employee awareness programmes and create forum for dialogues which may involve Panchayat Raj institutions, Gram Sabha, women's group, mother committees, adolescent group, urban local bodies and any other body as may be considered necessary;
- (d) Conduct capacity building and skill building programmes for the members of the internal committee;
- (e) Declare the names and contact details of all the members of the internal committee;



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preparation of annual report  
The annual report which the complaints committee shall prepare under Section 21 shall have the following details:-

- (a) Number of complaints of sexual harassment received in the year;
- (b) Number of complaints disposed off during the year;
- (c) Number of cases pending for more than ninety days;
- (d) Awareness programmes against sexual harassment
- (e) Nature of action taken by the employer

It is submitted that the Annual Report for the year 2014-15 may kindly be provided on the format enclosed at Annexure-A please.

Yours faithfully,

Joint Director,  
Women and Child Development,  
Himachal Pradesh.

Dated Shimla-1. 17/07/2015

Enclt. No. Even/305

Copy to the Additional Chief Secretary (SJ&E) to the Government of H.P. for information please.

Joint Director,  
Women and Child Development,  
Himachal Pradesh.

## ANNEXURE- III : DETAILS OF STAKEHOLDER CONSULTATIONS

### Baddi to Sai to Ramshahr

Date	Location	Stakeholders
21.11.2019	Sai, District Solan	Panchayat president, anganwadi workers, community women.
21.11.2019	Ramshahr, District Solan	Community women, adolescent girls from vocational training centre, NGO representatives and panchayat members.

### Dadhol to Ladrur.

Date	Location	Stakeholders
22.11.2019	Kota, District Bilaspur	Aanganwadi workers, community women, single women and NGO representatives.
	Ghumarwin, District Bilaspur	School girls, school teachers and adolescent girls from vocational training centre.



Dated: 21/11/2019

Himachal Pradesh State Roads Transformation Project (HPSRTP)

Attendance Sheet for Public Consultations/FGDs



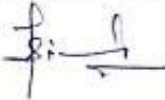
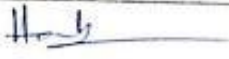
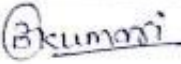
Name of the Road Baddi-Sai-Ramshohar

Package No. \_\_\_\_\_

Chainage In Kms \_\_\_\_\_

Name of the Place Sai

District Solan Taluka \_\_\_\_\_

Sl. No.	Name	Address & Occupation	Signature/Thumb Impression	Phone Number
1	Er. N.K. PURI	ASSISTANT ENGINEER, HP, PWD, JOB DIVISION BADDI		99180 00206
2	Er. RAKESH KUMAR	Assistant Engineer HP PWD JOB DIVISION RAMSHOHAR		92199 75107
3	Er. Lakshminotes Singh Ju	Junior Engineer HP PWD Baddi		86278 92826
4	HARI PRAKASH	DECCAN CONSULTING ENGINEERS (P) LTD	 9810533235	9810533235
5	BANISHA KUMARI	(Works as a Tector) Vill Tall-Po. Sai Tel. Baddi. Distt Solan		99055-26841

Sl. No.	Name	Address	Signature/Thumb Impression	Phone Number
	P			
	Rajkumari	Anganwadi Worker v. Talli Po Sai Teh. Baddi Distt Solan.	Rajkumari	98163- 03341
	NEELAM DEVI	Local Villager v. Talli Po Sai Teh. Baddi Distt Solan	Neelam	98053- 04331
	KIRAN BALA	Local - /	KiranBala	98162- 21496
	MEERA DEVI	Local /	Meera	98059 37154
	NIKKI DEVI	Bilai Teacher /		88948- 50987
	NIRMALA DEVI	Ex. Pradhan Gram Panchayat Sai.		98165- 76450
	DINESH KUMAR	Local - vill Talli. P.O Sai		88941- 84256

Nandkishori

A. S. Sec (Sai)  
Sub Div. Solan



98163 8715 2

Himachal Pradesh State Roads Transformation Project (HPSRTP)

Attendance Sheet for Public Consultations/FGDs

Name of the Road Baddi Sai - Ramshohar

Package No \_\_\_\_\_




Chainage In Kms 44.95

Name of the Place Ramshohar

District Solan Taluka \_\_\_\_\_

Sl. No.	Name	Address & Occupation	Signature/Thumb Impression	Phone Number
1.	राजा राजी	रामशहर a B.D.C.	Raj Raji	98165- 94165
2.	रुनी ग्राफी	- do -	Runi Gropi	9816345- 130
3.	मीना कुमारी	- do -	मीना कुमारी 8894200443	←
4.	शिव देई	- do -	शिव देई	898880- 7752
5.	समित्री देवी	महली	समित्री देवी	9805211 514

Sl. No.	Name	Address	Signature/Thumb Impression	Phone Number
6.	सपना देवी	Ramshetkar	Sapna Devi	981636225
7.	अंजु	Ramshetkar	Anju	9805178895
8.	सौम्य	Ramshetkar	Soumya Thakkar	98163-79153
9.	पूजा देवी	Ramshetkar	Pooja A Devi	
10.	Anita Devi	Ramshetkar	Anita Devi	85805536 8580553614
11.	Rita	Ramshetkar	रिता	70186 39271
12.	Hukmi Ovi	Ramshetkar	हुक्मी ओवी	✓

Sl. No.	Name	Address	Signature/Thumb Impression	Phone Number
18	RAKESH KUMAR	ASSISTANT ENGINEER UPPD SUB-DIVISION RAMSHEHAR Dis-4. Salau (MP).		82199 75107
19.	Ram Lal	P/Sect Of. Ramshehar		97860-46949
20 <del>21</del>	Nandkishor	J. S. Sanku Sai Pwd Sub Divsu Pwd		98163 87152

Dated: 22/11/2019

Himachal Pradesh State Roads Transformation Project (HPSRTP)

Attendance Sheet for Public Consultations/FGDs


Name of the Road Dadhul - Ladhaur

Package No \_\_\_\_\_


Chainage In Kms \_\_\_\_\_

Name of the Place Ghumarwin

District Bilaspur Taluka \_\_\_\_\_

Sl. No.	Name	Address & Occupation	Signature/Thumb Impression	Phone Number
1	कमला देवी	W/o. SH. Jagat Ram Vill. Kothi Teh. Ghumarwin Distt. Bilaspur H.P.		कमला देवी कोठी 945940915
2	जिंदई देवी	W/o Karmu Singh Vill. Kothi P.O. Kothi Teh. Ghumarwin Distt. Bilaspur.		
3	मारी देवी	W/o Ram. Rauth. Kothi.		मारी देवी
4	पूजा देवी			पूजा देवी
5	कला देवी		कला देवी	



Sl. No.	Name	Address	Signature/Thumb Impression	Phone Number
6	प्रेमलता	पत्नी/सौ श्री प्रेमलता गोक कोठी Teh. Ghumerwin Distt Bilaspur H.P.	प्रेमलता	
7	शुक्ला शर्मा	w/o Sh. Banshi Ram. Vill. Kothi, Teh. Ghumerwin Distt Bilaspur H.P.	Shukla Sharma	- 82193- 94900
8	नीलम देवी	w/o Sh. Distt Bilaspur H.P.	नीलम देवी	88020 28065
9	मीना देवी	w/o Idar misr Singh Vill. Tumkora P.O. Tumkora Teh. Ghumerwin Distt Bilaspur. H.P.	मीना देवी	9805173505
10	रवि चन्द्र	w/o Lal Chand Vill. Kothi P.O. Kothi Teh. Ghumerwin Distt Bilaspur H.P.		
11	हेम अका	Village Kothi P.O. Kothi Teh Ghumerwin Distt Bilaspur (H.P.)	हेम अका	858902948
12	डियाली	Village Kothi P.O. Kothi Teh Ghumerwin Distt Bilaspur (H.P.)	डियाली	





#### Annexure – IV : GENDER BASED VIOLENCE-CODE OF CONDUCT

1. Compliance with applicable National and Company laws, policies, rules, and regulations (including policy on sexual harassment).
2. Compliance with applicable health and safety requirements to protect the Local Community (including vulnerable and disadvantaged groups), the Employer's Personnel, and the Contractor's Personnel (including wearing prescribed personal protective equipment, preventing avoidable accidents and a duty to report conditions or practices that pose a safety hazard or threaten the environment).
3. Will not use illegal substances.
4. Will not discriminate in dealing with the local community and all co-workers. Treat women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinions, national, ethnic or social origin, property, disability, birth or other status.
5. Will not indulge in Sexual Harassment (for example prohibition of the use of language or behavior, in particular towards women and/or children, that is inappropriate, abusive, sexually provocative, demeaning or culturally inappropriate).
6. No Violence, including sexual and/or gender-based violence (for example acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion, and deprivation of liberties).
7. No Exploitation including sexual exploitation and abuse (for example the prohibition of the exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliation, degrading behavior, exploitative behavior, and abuse of power).
8. Refrain from Sex with anyone under the age of 18 and that the breach of this code will incur sanctions that could impact employment.
9. Will not mix/ interact with children including sexual activity or abuse, or otherwise unacceptable behavior towards children (anyone under the age of 18), and ensure their safety in the project areas.
10. Sanitation requirements (for example, to ensure workers use specified sanitary facilities provided by their employer).
11. Avoid conflict of interest (such that benefits, contracts, or employment, or any sort of preferential treatment or favours, are not provided to any person with whom there is a financial, family, or personal connection).
12. Respect reasonable work instructions (including environmental and social norms).

13. Protection and proper use of property (for example, to prohibit theft, carelessness or waste).
14. Will attend training for the duration of the contract for understanding this Code of Conduct.
15. Will report violations of this Code. All staff must report suspected or actual violations by a fellow worker, whether in the same contracting firm or not. Reports must be made through the GRM setup for this purpose.
16. Sanctions may be applied if an employee is confirmed to be a gender based violence perpetrator. The sanctions will be proportional to the transgression and in accordance with applicable laws and policies.
17. Non- retaliation against workers who report violations of the Code, if that report is made in good faith.

I have read and was explained all the contents given above, and I understand the requirement. I shall strictly adhere to this Code of Conduct in all the areas of work. I understand the insistence on compliance with these norms which are mandatory for me.

IR – INCHARGE

NAME OF WORKMEN

##### CONSTRUCTION

DATE:

## ANNEXURE – V: TORs FOR GBV SPECIALIST

The Terms of Reference for the GBV specialist need to clearly outline the expectations of their role in ensuring that GBV risks and mitigation measures are properly reflected in the action plan and are implemented. It is critical that the GBV specialist is responsible for coordinating the GBV programme. This includes:

- Quality control, reporting, analysis and coordination of different components of the project; Demonstrate the appropriate capacity to take on GBV related responsibilities, such as supervising the signing of CoC; verifying that a working GRM for GBV is in place so that referral of GBV cases can be made when needed;
- Work with GBV Services Providers and entry points into service provision (as required) to raise awareness of the GRM;
- A role in the resolution of GBV complaints made to the GRM;
- To ensure that effective measures are in place to reduce sexual and gender based violence; Build GBV capacity and provide trainings to project partners;
- Mobilise communities to define and prioritise solutions to GBV problems, including those of individuals and groups with specific needs, and
- To ensure that those community identified priorities through stakeholder consultations and user satisfaction surveys, inform all phases of planning, implementation, monitoring and evaluation.

### A minimum qualification should include:

- Professional technical experience matching the above-mentioned duties and responsibilities.
- Master's degree in social development and a minimum of 7 years of experience in working with GOI and the private sector to address social and gender issues;
- Demonstrated experience on working on issues of gender-based violence;
- Knowledge of GOI and WB safeguard policies ; and
- Strong oral and written communication skills in Hindi and English, and ability to present and facilitate orientations, training's and consultations with multiple stakeholders.

### The ideal candidate should have:

- A proven track-record in communicating difficult or complex issues in a clear and concise manner to different stakeholders and hierarchy levels;
- Excellent interpersonal, problem-solving, diplomacy and team skills, and the ability to work with a range of stakeholders to effectively negotiate and build consensus to achieve constructive outputs;
- Demonstrated experience with complaints handling, mediation or conflict resolution, and
- Strong organizational skills, with ability to prioritize, deal with frequent and unexpected changes, and work within tight timeframes.