

# Vocabulary:

## In his own cause:

### **The Chief Justice of India shows how not to deal with a sexual harassment complaint**

The manner in which the Supreme Court responded on the judicial side to allegations of sexual harassment made by a former employee against the Chief Justice of India is a textbook example of how not to deal with such a complaint. An issue that squarely fell within the domain of an internal process was taken up by a special Bench constituted by CJI Ranjan Gogoi, comprising himself, Justice Arun Mishra and Justice Sanjiv Khanna. On a 'mention' by the Solicitor-General, it was listed as 'Re: Matter of Great Public Importance Touching upon the Independence of the Judiciary'. The decision to hold an open court hearing is questionable. A complaint of this nature requires an institutional response on the administrative side. There is an internal process to initiate an inquiry mandated by the law regarding sexual harassment at the workplace. The Supreme Court itself has an internal sub-committee under its Gender Sensitization and Sexual Harassment of Women at Supreme Court (Prevention, Prohibition and Redressal) Guidelines, 2015. There is a separate 'in-house procedure' to deal with complaints against judges, under which their judicial peers, and not outsiders, will examine them. It is not known if the complaint will be probed under an internal process, but it is clear that the CJI ought not to have presided over the special Bench that took up the matter that concerned himself. The onslaught on the complainant's credibility and the references made to her alleged criminal record when she was not a party to the proceedings are deplorable.

Justice Gogoi was one of the four judges who spoke out against the manner in which his predecessor as CJI, Dipak Misra, managed the roster. It is ironical that as one who was aggrieved that senior-most judges were kept out of Benches handling major cases, he went on to form a Bench that included himself but not the two senior-most judges after him. Nor was there a woman judge on the Bench. CJI Gogoi's anguish is understandable, if indeed the complaint is baseless and false, as he contended from the Bench. But then, the court's Secretary General has sent a denial to the online news organisations that carried details of the complaint. The complainant, a former junior court assistant, had made her charge in the form of an affidavit, supported by purported evidence, and sent it to 22 judges of the court. It referred to likely witnesses to the alleged sexual harassment and victimisation. This is a serious matter that requires careful processing. It is possible even now to send the complaint to an independent committee. That is the only reasonable and fair means of establishing the innocence the CJI has asserted. Pronouncements and protestations from the Bench to a captive audience of acquiescent law officers and lawyers are not the way.

| <u>Words</u>   | <u>Kind</u> | <u>Meaning</u>                                     |
|----------------|-------------|--|
| Squarely       | Adjective   | equally  |
| Touch upon     |             | refer, allude                                      |
| Peers          | Noun        | Equal, contemporary                                |
| Probe          | Noun        | Investigation, enquiry, examination                |
| Onslaught      | Noun        | Assault, attack, onrush, incursion, invasion.      |
| Credibility    |             | Trustworthiness, reliability, plausibility         |
| Proceedings    | Noun        | events / reports/ law suit, legal action.          |
| Deplorable     | Adjective   | disgraceful, shameful, lamentable, regrettable     |
| Roster         | Noun        | schedule, agenda                                   |
| Ironical       | Adjective   | Paradoxical, incongruous, odd, strange             |
| Aggrieved      | Adjective   | irritated, resentful, riled, nettled, disgruntled  |
| Anguish        | Noun        | Agony, pain, torment, torture                      |
| Contend        | Verb        | Complete, tussle, strive, struggle                 |
| Purported      | Adjective   | Claimed, pretended, masqueraded                    |
| Assert         | Verb        | Declare, aver, proclaim, avow, pronounce, profess. |
| Assertive      | Adjective   | Declarative, self confident                        |
| Assert oneself |             | Speak or write confidently.                        |