

No. DFSS/4/44/2016 5534
Government of India
Ministry of Home Affairs
Directorate of Forensic Science Services

Block No. 9, 8th Floor,
CGO Complex, Lodhi Road,
New Delhi- 110003
Date: January, 2023

OFFICE ORDER

Sub: Constitution of Internal Complaint Committee for the Prevention of Sexual Harassment of women at workplace- Reg.

In pursuance to judgment of the Hon'ble Supreme Court in the Vishaka case and as per Section 4(1) of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, an Internal Complaint Committee comprising of the following officers/ officials is hereby constituted for all the 7 CFSLs located at Kolkata, Delhi, Hyderabad, Chandigarh, Pune, Bhopal & Assam, under the administrative control of DFSS and the DFSS HQr, New Delhi.

		Chairperson
1	Smt. K.B Jena, Director, CFSL Kolkata	Member
2	Dr. A Ruppali, SSO-I (FPD), CFSL Delhi	Member
3	Sh. D.V. Subramanyam, Administrative Officer, CFSL Hyderabad	Member
4	Smt. Meenakshi Saini, Assistant, DFSS HQ	Member
5	One Member from NGO or Association committed to the cause of women or a person familiar with the issues relating to sexual harassment	Member

2 To prevent the possibility of any undue pressure or influence from senior levels, such Complain committee should associate one member, either an NGO or some another body which is familiar with the issue of sexual harassment. To fulfill this provision, **it has been decided that the third party will be involved before the conduct of inquiry in complaints of sexual harassment and it will be from the place where the complainant is posted.**

Definition of Sexual Harassment

A) Unwelcome sexually determined behavior, whether directly or by implication, such as:-

- i. Physical contact or advances; or
- ii. A demand or request for sexual favours; or
- iii. Sexually coloured remarks; or
- iv. Showing pornography; or
- v. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

B) The following circumstances, among other circumstances, in relation to or connected with any act or behavior of Sexual harassment may amount to Sexual harassment:

- i. Implied or explicit promise of preferential treatment in her employment
- ii. Implied or explicit threat or detrimental treatment in her employment
- iii. Implied or explicit threat about her present or future employment status
- iv. *Interference with her work or creating an intimidating or offensive or hostile work environment for her; or*
- v. *Humiliating treatment likely to affect her health or safety.*

3. The Complaint Committee inquiring into such complaints shall be deemed to be Inquiring Authority appointed by the Disciplinary Authority and shall hold the inquiry as far as practicable in accordance with the procedure laid down in the Rule 14 of CCS (CCA) Rules 1965. The Complaint Committee would normally be involved at two stages. The first stage is investigation. The second stage is, when they act as Inquiry Authority. It is necessary that the inquiry is conducted as far as practicable as per Rule 14 of CCS (CCA) Rules 1965.

4. Women working at all cadre of DFSS, MHA, whether she is regular, temporary, ad-hoc, or on contract/ daily wager may submit her complaint in writing to the chairperson of the committee and in case chairperson is on leave, complaint can be submitted to any member of the committee or the concerned employer. As per Section 9(1) of the Act, the aggrieved women or complainant is required to make a complaint within three months of the last incident and in case of series of incident within a period of three months from the date of last month. Chairperson or the committee member as the case may be, put the complaint in the knowledge of CFS/ HOO as early as possible so that the complaint may be processed in accordance with the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

5. The complaint committee should also remember that as per Section 16 of the Act, notwithstanding the RTI Act, 2005, informations as regards indemnity and addresses of the aggrieved women, respondent and witnesses, inquiry proceedings, recommendations of the committee, shall not be published or communicated or made known to public, press or media in any manner. Provided that information may be disseminated regarding the justice secured to any victim of sexual harassment under Act without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved women and witness.

6. Members of the committee/ HOO are also requested to call upon those women who are unable to understand the contents of this order due to unfamiliar with the English/ Hindi knowledge and get them familiar to the contents of this order for their knowledge.

7. It has also been decided that a copy of this order will be provided to every women including women hired on contractual basis.

8. The above Office Order will supersede all earlier Office Orders issued in this regard with immediate effect.

(Dr. S.K. Jain)

Chief Forensic Scientist, DFSS, MHA.

Office Order Book.

Copy for information to:

1. The Under Secretary, Women Safety Division, MHA.
2. The Director/ Director-in-Charge, CFSL Kolkata/ Assam/ Chandigarh/ Pune/ Bhopal/ Hyderabad/ Delhi with the request to ensure the compliance of Sub-rule (a) & (b) of the Section 19 of the said act.
3. Smt K.B Jena, Director, CFSL Kolkata.
4. Dr. A Ruppali, SSO I (FPD), CFSL Delhi.
5. Sh. D.V Subramanyam, Administrative Officer, CFSL Hyderabad.
6. PS to CFS, DFSS, MHA, New Delhi.
7. Smt Meenakshi Saini, Assistant, DFSS HQ.
8. All the women employees of DFSS, New Delhi
9. Notice Board(s), DFSS HQ. / Website of DFSS HQ

(Dr. S.K. Jain)

Chief Forensic Scientist, DFSS, MHA.