

सं. / No. 1-12(B-78)/2013-ADM/ 611

तिथि / Date: २५ /09/2018

REF : 1) Order No.1-12(B-78)/2013-ADM/70 dated 03-02-2016.

**ORDER**

1. In partial modification to Order cited above, under Rule -3 ( C) of the CCS (Conduct) Rules, 1964 provides that no Government servant shall indulge in any act of sexual harassment of any women at her work place. Every Government servant who is in-charge of a work place shall take appropriate steps to prevent sexual harassment to any woman at such work place. "Sexual Harassment" includes such unwelcome sexually determined behaviours, whether directly or other wise, as :

- physical contact and advances ;
- demand or request for sexual favours;
- sexually coloured remarks;
- showing any pornography ; or
- any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

2. In supersession of the order referred to at preamble above, the Administrator, Daman & Diu and Dadra and Nagar Haveli is hereby pleased to reconstitute the "Complaints Committee" for redressal of the complaints of sexual harassment of women employees at work place.

Sr. No.	Name of Officers with Rank	Department	Remarks
01.	Smt. Soumya	RDC, Silvassa Collectorate, DNH	Chairperson
02.	Smt. Namrata Parmar	CDPO, DNH, Silvassa.	Member
03.	Dr. Bhagwanjee Jha	In-charge Principal, Dr. APJ Abdul Kalam Govt. College DNH, Silvassa.	Member
04.	Shri Rahul B. Bhimra	Assistant, Collectorate, DNH, Silvassa.	Member
05.	Smt. Darshita H. Naik	Assistant DMHS, Silvassa.	Member

The composition of the Complaints Committee will be as under :

3. The Committee shall ensure time bound disposal of complaints and should involve a third party, either NGO or other body who is familiar with the issue of sexual harassment.

4. The Committee shall make an annual report to the Administrator on the complaints received and action taken by them.

5. Any woman employee may file a complaint with regard to the "Sexual Harassment" with any member of the Committee, and the Committee shall take immediate action with regard to verification of such complaint and report their findings and recommendations to the Administrator within 30 days of receipt of the complaint.



6. Explanation to this rule,
- a) The following circumstances, among other circumstances, if it occurs or is present 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 employment; or
  - (ii) implied or explicit threat of detrimental treatment in employment; or
  - (iii) implied or explicit threat about her present or future employment status; or
  - (iv) Interference with her work or creating an intimidating or offense or hostile work environment for her : or
  - (v) Humiliating treatment likely to affect her health or safety.
- b) "Workplace" includes –
- (i) any department, organization, undertaking, establishment, enterprise, institution, office, branch or unit which is establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the Central Government;
  - (ii) hospitals or nursing homes ;
  - (iii) any sports institute, stadium, sport complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereto ;
  - (iv) any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey;
  - (vi) a dwelling place or a house.
7. The Chairperson and Members of the Committee are advised that the following procedure may be adopted while dealing with complaints of sexual harassment :-
- (i) Sexual harassment will include any one or more of the Acts or behaviour defined in Rule-3 (C) of the CCS (Conduct) Rules, 1964 read with sec 3(2) of SHWW (PPR) Act.
  - (ii) The Committee constituted in each Ministry / Department/Office under the CCS (Conduct) Rules, 1964 shall inquire into complaints of sexual harassment in accordance with the provisions of Section 4 of the SHWW (PPR) Act.
  - (iii) The Committee will as far as practicable follow the procedure prescribed in CCS (CCA) Rules 1965 for conduct of the inquiry.
  - (iv) If any complaint is received directly by the Committee, the same shall be referred to the appropriate disciplinary authority and the Committee shall inquire into the complaint on the complaint being referred to it by the disciplinary authority.
8. In addition, the Committee will have the powers to recommend to the employer:-
- (a) to transfer the aggrieved woman or the charged officer to any other workplace; or
  - (b) to grant leave to the aggrieved woman up to a period of three months.  
(The leave granted to the aggrieved woman under this section shall be in addition to the leave would be otherwise entitled to).
  - (c) to grant such other relief to the aggrieved woman as may be prescribed ; or
  - (d) to deduct from the salary or wages of the charged officer such sum as it may consider appropriate to be paid to the aggrieved woman or to her legal heirs. Any amount outstanding at the time of cessation of the services of the charged officer due to retirement, death or otherwise may be recovered from the terminal benefits payable to the officer or his heirs. Such compensation will not amount to penalty under Rule 11 of CCS (CCA) Rules.

