

DFSS/19(1)/2015-Pt. 1614
Government of India
Ministry of Home Affairs
Directorate of Forensic Science Services

Block No. 9,8th Floor,
CGO Complex Lodi Road,
New Delhi-110003.
Dated the July 9, 2019.

Office Order

Sub : Constitution of Internal Complaint Committee for the Sexual harassment of Women at Workplace-reg.

In pursuance to judgement of the Hon'ble Supreme Court in the *Vishakha* case and as per Section 4(1) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, an internal Complaints Committee comprising of the following officers/officials is hereby constituted for DFSS HQ and office of CFSL, Pune/Bhopal/Assam for the purpose:

1. Dr.(Smt.) Seema Srivastava, AD, CFSL, Hyderabad-**Chairman**
2. Dr. Shivani Sharma, JSO, CFSL, Chandigarh-**Member**
3. Shri Ajay Aggarwal, UDC, DFSS, New Delhi-**Member**
4. One member from NGO or Associations 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 Complaints Committees should associate third party, either an NGO or some other body which is familiar with the issue of sexual harassment. To fulfil this condition, it has been decided that 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) "Sexual harassment" includes any one or more of the following acts or behaviour (whether direct or by implication), namely:-
- i) Physical conduct and advances, or
 - ii) Demand or request for sexual favours; or
 - iii) Sexually coloured remarks; or
 - iv) Shown any pornography; or
 - v) Any other unwelcome physical, verbal, non-verbal conduct of a sexual nature
- B) The following Circumstances, among other circumstances, in relation to or connected with any act or behaviour of Sexual harassment may amount to Sexual harassment:-
- i) Implied or explicit promise of preferential treatment in employment; or
 - ii) Implicit or explicit threat of detrimental treatment in employment; or
 - iii) Implicit or explicit threat about her present or future employment status ; or
 - 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 constituted above under its power may recommend action to be taken against complainant, if the allegation is malicious, or the complainant knows it to be false, or has produced any forged or misleading document and also recommend action against any witness if such witness has given false evidence or produced any forged or misleading document.

4. Woman working at DFSS, New Delhi or CFSL, Pune/Bhopal/Assam 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 woman or complainant is required to make a complaint within three months of the incident and in case there has been a series of incidents, three months of the last incident. Chairperson or the Committee Members, 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 provision of Sexual harassment of Woman at Workplace (Prevention, (Prohibition and Redressal) Act, 2013.

5. The Complaint Committee should also remember that as per the section 16 of the Act, notwithstanding the RTI Act, 2005, information as regards indemnity and addresses of the aggrieved woman, 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 woman and witnesses.

6. Members of Committee are also hereby requested to call upon those women (MTS/Sweeper) who are unable to understand the contents of this order due to unfamiliar with the English/Hindi language and get them familiar to the contents of this order for their knowledge.

7. It has also been decided that copy of this order will be provided to every women including women hired on contractual basis working at DFSS, New Delhi, O/o CFSL, Pune/Bhopal/Assam.

Hindi version will be follow.

(Dr. S K Jain)

Chief Forensic Scientist

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Copy for information to:

1. The U.S.(PM.III), MHA, New Delhi.
2. PS to Chief Forensic Scientist, DFSS, New Delhi
3. The Director, CFSL, Pune/Bhopal/Assam with the request to ensure the compliance of Sub Rule (a) & (b) of Section 19 of the said Act.
4. Dr. Seema Srivastava, AD, CFSL, Hyderabad.
5. Dr. Shivani Sharma, JSO, CFSL, Chandigarh.
6. Shri Ajay Aggarwal, UDC, DFSS, New Delhi.
7. All women officers/staff.
8. Notice Board(s),DFSS & CFSLs.

(Dr. S K Jain)

Chief Forensic Scientist