

**No.11013/11/2001 -Estt. (A)**  
**Government of India**  
**Ministry of Personnel, P.G. & Pensions**  
**(Department of Personnel & Training)**

New Delhi, dated the 4<sup>th</sup> August, 2005


**OFFICE MEMORANDUM**

Sub. : Report of the Complaints Committee constituted for prevention of sexual harassment of women at work places – follow up action.

The undersigned is directed to refer to this Department's O.M. of even number dated 12<sup>th</sup> December, 2002 in which it has been clarified that the report of the Complaints Committee should be treated as a preliminary report against the accused Government servant.

2. In the order dated 26.04.2004 in Writ Petition (Cri.) No. 173-177/1999 (Medha Kotwal Lele & Others Vs. Union of India and others) the Supreme Court has directed that "the report of the Complaints Committee shall be deemed to be an inquiry report under the CCS Rules. Thereafter the disciplinary authority will act on the report in accordance with the rules." Sub-rule (2) of rule 14 of the CCS (CCA) Rules, 1965 has accordingly been amended to provide that the Complaints Committee shall be deemed to be the inquiring authority appointed by the disciplinary authority for the purpose of these Rules by the Notification No. 11012/5/2001-Estt. (A) dated 01.07.2004 (GSR 225 dated 10<sup>th</sup> July, 2004).

3. In view of the said amendment made to the CCS (CCA) Rules, 1965 the instructions contained in the O.M. No. 11013/11/2001-Estt. (A) dated 12<sup>th</sup> December, 2002 should be treated as modified and the report of the Complaints Committee should be treated as an enquiry report and not a preliminary report.



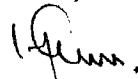
(Hari Kumar)  
Director

To

All Ministries/Departments of the Government of India.

**Copy to :**

1. Comptroller and Auditor General of India, New Delhi.
2. Union Public Service Commission, New Delhi.
3. Central Vigilance Commission, New Delhi.
4. Central Bureau of Investigation, New Delhi.
5. All Union Territory Administrations.
6. Lok Sabha/Rajya Sabha Secretariat.
7. All Attached and Subordinate Offices of the Ministry of Personnel, Public Grievances and Pensions and Ministry of Home Affairs.
8. All Officers and Sections of the Ministry of Personnel, Public Grievances and Pensions and MHA.



(Hari Kumar)  
Director