

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

New Delhi, dated the 12th December, 2002


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 OM No. 11013/10/97-Estt. (A) dated 13th February, 1998 under which the guidelines and norms laid down by the Supreme Court in the case of Vishaka and others Vs. State of Rajasthan and others (JT 1997(7) SC 384) for prevention of sexual harassment of women at work places, were circulated to all Ministries/Departments for compliance by all concerned.

2. The guidelines laid down by the Supreme Court provide, inter-alia, for the constitution of a Complaints Committee in the employer's organization for redress of the complaint made by the victim. In this connection, a question has been raised regarding the status of the inquiry held by the Complaints Committee. It is clarified that the findings of the Complaints Committee regarding sexual harassment of the complainant/victim will be binding on the disciplinary authority to initiate disciplinary proceedings against the Government servant(s) concerned under the provisions of the CCS (CCA) Rules, 1965. The report of the Complaints Committee should be treated as a preliminary report against the accused Government servant.

3. The Ministries/Departments are requested to bring these instructions to the notice of all concerned and ensure that necessary follow up action is taken on the report of the Complaints Committee without any delay.



(Smt. Pratibha Mohan)
Director

To

All Ministries/Departments of the Government of India.