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<b>OFFICE OF THE PRINCIPAL COMMISSIONER OF          GST AND CENTRAL EXCISE,          CHENNAI NORTH COMMISSIONERATE</b> 26/1, महात्मा गांधी मार्ग, नुंगम्बाक्कम, चेन्नै-600 034 26/1, Mahatma Gandhi Road, Nungambakkam, Chennai 600 034		

C.No.II/39/103/2007-Vig.

Dated 14.12.2017

**STANDING ORDER NO. 01/2017- (CHENNAI NORTH)**

Sub: Re-Constitution of the "Complaints Committee" to prevent Sexual Harassment of Women Employees-reg.

Ref: This Office standing Orders No.01/2007 dated 05.02.2007, No.02/2007 dated 04.06.2007, No.03/2007 dated 14.08.2007, No.01/2009 dated 26.08.2009 and No.01/2015 dated 11.11.2015.

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The Department of Personnel, Public Grievance and Pensions, vide their O.M.No.11013/3/2009-Estt.(A) dated 21<sup>st</sup> July 2009 had issued instructions for strict compliance in all office/workplaces, etc. of Govt .of India on guidelines and norms to be observed to prevent sexual harassment of working women as laid down by the Hon'ble Supreme Court in the case of Visaka & Others Vs. State of Rajasthan and others (JT 1997(7)SC-384)

2. Pursuant to the above instructions, erstwhile Chennai-I Commissionerate had earlier constituted a Complaints Committee on 05.02.2007, 04.06.2007, 14.08.2007, 26.08.2009, 11.11.2015 and 21.02.2017. Since the Officers in this Committee have been transferred a new "Complaints Committee" consisting of the following Officers and one woman member from NGO is constituted for Chennai North Commissionerate, for redressal of complaints of sexual harassment of women employees, if any, of Chennai North Commissionerate.

3. **RE-CONSTITUTION OF COMPLAINTS COMMITTEE**

The Committee is re-constituted with immediate effect with the following members.

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| 01. Smt. N. Uma Shanthi, Asst. Commissioner<br>Hqrs. Chennai North Commissionerate | Chairperson |
| 02. Smt. Maya Chandran<br>Asst. Commissioner(P&V), Hqrs. Office.                   | Member      |
| 03. Smt. K. Akila, Superintendent.<br>Thiruvottiyur-I Range                        | Member      |

04.	Smt. V. Kayalvizhi, Superintendent Madhavaram Division.	Member
05.	Smt. Y. Sreelakshmi, Superintendent Ambathur-III Range	Member
06.	Smt. Sandhya Suresh Administrative Officer, (DDO)	Member
07.	S.S.S. Visveswaran, Superintendent, Legal Sec. Hqrs.	Member
08.	L. Uma Maheswari, Havaldar, Hqrs. (Estt.)	Member
09.	Smt. Athilakshmi, Inspector(Vig.) Hqrs.	Member
10.	Smt. Reena Meena, Inspector (Audit)	Member
11.	Ms. Raghavi, Tax Assistant, Hqrs.(Estt.)	Member
12.	Dr. Roseline, NGO, Founder Gracious Home, Majestic Colony, Thirumangalam, Chennai-40. Ph.No. 044-26151710/9884097778	Member

4. FUNCTIONS OF THE COMPLAINTS COMMITTEE:

a. The Committee shall meet every quarter (2<sup>nd</sup> Wednesday of the 1<sup>st</sup> month of each quarter) at Hqrs. Office, if any such complaint is received the Committee can convene a special meeting in between the period.

b. Minimum of four members (including 3 women members) shall constitute the QUORUM required for each meeting; after the meeting approved minutes shall be submitted immediately to the Commissioner by the Chairperson for further action.

c. All complaints in writing or orally made by the victim or her co-worker/colleague/superior about sexual harassment faced by the women employee shall be discussed in the quarterly/special meeting and recorded. Committee may also enquire and report any such instances of harassment faced by the women employees brought to the notice of the Committee by the Commissioner/HOO through a written note based on the information/intelligence received by him.

d. The Committee can ask the complainant to be present during such meeting for preliminary verification of veracity of the complaint. If further investigations is required, Committee can seek assistance of department's vigilance machinery through HOD/HOO.

e. The investigation report with such other recommendations for action shall be submitted within 03 months from the date of receipt of complaint/return note from the concerned by the Committee to the HOD/HOO for necessary action.

f. Vide Ministry of Personnel, Public Grievances and Pensions O.M.No.11013/3/2009-Estt.(A) dated 21.07.2009 "where there is a complaint of sexual harassment within the meaning of Rule 3-C of the CCS (Conduct) Rules 1964, the complaints committee established in each ministry or department or office for enquiring in to such complaints, shall be deemed to be the enquiring authority appointed by the disciplinary authority for the purpose of these rules and the compliance committee shall hold, if separate procedure has not been prescribed for the compliance committee for holding the enquiry in to the complaints of sexual harassment, the enquiry as far as practicable in accordance with the procedure laid down in these rules".

g. Ministry of Women and Child Development has developed an online complaint management system titled Sexual Harassment electronic-Box (SHe-Box) ([www.shebox.nic.in](http://www.shebox.nic.in).) which was launched by Hon'ble Minister, WCD on 24<sup>th</sup> July 2017, to receive complaints related to sexual harassment at workplace. This SHe-Box is an initiative to provide a platform to the women working or visiting any office of Central Govt. (Central Ministries, Department, Public Sector undertakings, Autonomous Bodies and Institutions, etc. to file complaints, related to sexual harassment at work place under the SH Act. Those who had already filed a written complaint with the concerned Internal Complaint Committee (ICC) constituted under the SH Act are also eligible to file their complaint through this portal.

h. After receipt of investigation report, if HOD/HOO satisfies himself that there is prima facie strong case, he shall institute disciplinary action under Conduct Rules for initiating disciplinary proceedings by the disciplinary authority.

i. Commissioner will submit a yearly report to the Pr.Chief Commissioner of GST & Central Excise, Tamil Nadu & Puducherry regarding the quarterly meetings held by the committee along with the gist of the minutes and notes on action taken by the department on the recommendations of the committee.

j. The Committee will keep vigil to deduct and prevent sexual harassment to any women employee of the Commissionerate by closely monitoring such instances of harassment. The Committee will take cognizance of such occurrences (even in the absence of any written complaint from victim or from any other officer) and bring the same to the notice of the Commissioner in their report or minutes.

5. RIGHT OF THE WOMEN EMPLOYEES (Including Contingency paid women employees, employees on contract basis):

(i) Sexual harassment includes such unwelcome sexually determined behavior (whether directly or by implication) as:

- a) physical contact and advances
- b) a demand or request for sexual favours
- c) sexually coloured remarks
- d) showing pornography

- e) any other unwelcome physical, verbal or non-verbal conduct or sexual nature.

Where any of these acts is committed in circumstances under the victim of such conduct has a reasonable apprehension that in relation to the victims employment or work (whether she is drawing salary or honorarium or wages) such contact can be humiliating. Such victim has got the right to complaint to the Committee with a copy to Commissioner.

(ii) Women employees (including contingency paid women employees and employees on contract basis) shall not be asked to attend office work at any place other than the office or prescribed place of duty unless she is accompanied by another staff member "(e.g. they shall not be asked to visit the residence of any official for taking office files or for official discussion unless accompanied by another staff member)"

(iii) Whenever the women employees are required to perform overtime work beyond office hours or on holidays due to unavoidable administrative exigencies, due care shall be taken to ensure that at least two women employees are present during the entire period apart from the fact that the OT duty is to be ordered only with the written approval of a responsible Group A Officer in charge.

(iv) Any women employee has the right to bring to the notice of Committee either in writing addressed to Chairperson/Member-Secretary or in oral by personally appearing before the Committee any instances of sexual exploitation faced by her during her service under Central Government. The complaint can be lodged either immediately or after responsible lapse of time.

(v) However, as generally women employees who faces such harassment and exploitation may not come forward to make such complaint to the Committee, due to fear of further harassment or loss of reputation etc., any other employee /co-worker/colleague/superior is also authorized to bring such instances of sexual harassment by a written signed complaint to the notice of the Committee on behalf of the victim.

(vi) A woman employee who has been a victim of sexual harassment has the right to seek a transfer within the Commissionerate so as to avoid fears of any further harassment. Such transfer request will be considered subject to administrative feasibility.

## 6. RIGHTS OF ALL EMPLOYEES

All the employees are allowed to raise the issues of sexual harassment in the Govt. Office/Place of work during the regular staff meetings.

(ii) Rule 3-C of the CCS (Conduct) Rules, 1964 introduced w.e.f 13.02.1998 has been incorporated in the CCS (Conduct Rules) in compliance with the Supreme Court judgment is as follows:

1. No Government Servant shall indulge in any act of sexual harassment of any women at her work place.
2. 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.

(ii) Consequent to the amendment of Rule 14 of CCS (CCA Rules), 1965, the committee should be deemed to be the Inquiring Authority appointed by the disciplinary authority.

7. In above scenario, every Group A Officer in-charge of various formations in this Commissioerate is required to be a role model for other employees, has to take appropriate steps to prevent sexual harassment to any female employee whether she is drawing salary, honorarium or wages or under contract with Government working under any formation of Central Excise Commissionerates.

8. Any instances of sexual harassment will amount to mis-conduct. In such cases, the disciplinary authority in such cases shall initiate appropriate disciplinary action including immediate suspension from duty.

9. The contents of this Standing Order may please be brought to the notice of all the Officers /Staff including Women employees for information and strict compliance.

10. The receipt of this Standing Order may please be acknowledged.



(RAJEEV KUMAR)  
ADDITIONAL COMMISSIONER (P&V)

To

The Chairperson and Members of the Committee  
All Deputy/Assistant Commissioners, Hqrs.& Divisions Chennai North.  
PRO, Chennai North Commissionerate  
All Sections, Hqrs. Chennai North.

Copy submitted to  
The Pr. Chief Commissioner of GST & Central Excise,  
Tamil Nadu and Puducherry.

Copy to  
Notice Board/All Staff Associations.