



भारत सरकार

GOVERNMENT OF INDIA

वित्त मंत्रालय, राजस्व विभाग

MINISTRY OF FINANCE, DEPARTMENT OF REVENUE

आयुक्त सीमा शुल्क (VIII) का कार्यालय

OFFICE OF THE COMMISSIONER OF CUSTOMS (VIII)

सीमा शुल्क भवन, नं.60, राजाजी सालै, चेन्नै-600 001.

CUSTOM HOUSE, NO.60, RAJAJI SALAI, CHENNAI-600 001.

F.No. S.Misc 75/2017-CIU/VIG

Date: .03.2019

Sub: Constitution of the "Internal Complaints Committee" to prevent Sexual Harassment of women employees – reg
Ref: Standing Order No. 40/2017.

Department of Personnel vide their OM No.11013/10/97-Estt(A) dt 13.02.1998 had issued instructions for strict compliance in all offices/workplaces etc. of Government of India with 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 Vs State of Rajasthan and others(IT 1997(7)SC385).

Pursuant to the instructions, Chennai Customs Zone had constituted an internal complaints Committee(hereinafter referred to as "the committee") vide Standing Order No.40/2017.

Changes in the constitution of internal Complaints Committee mentioned in the above Standing Order No.40/2017 is as follows in view of transfer/long leave etc. of some of the previous members:

CONSTITUTION OF INTERNAL COMPLAINTS COMMITTEE

- | | |
|--|---|
| 1. Smt. N.Padmasri, Commissioner | : Chairperson (Audit Commissionerate) |
| 2. Smt. K.K.Suja, ADC | : Member (Chennai-II Commissionerate) |
| 3. Smt. N.Kavitha, DC | : Member (Chennai-II Commissionerate) |
| 4. Smt. T.Nalina Sofia, DC | : Member (Chennai-VIII Commissionerate) |
| 5. Smt. S.Varalakshmi, DC | : Member (Audit Commissionerate) |
| 6. Smt. Bhuvaneshwari Ravi, ADO | : Member (Chennai-VIII Commissionerate) |
| 7. Smt. S.Swarnalatha, PO | : Member (Dir. Gen. Of Valuation, SZU) |
| 8. Shri. V.Kadhivelu, Advocate,
Madras High court | : External Member |

For the benefit of the employees in general, women employees in particular, the objectives, functions and the powers of the Committee is enclosed as Annexure A. Efforts may be made to make all aware of the same.

Encl: As above

To,

1. The Chairman and members of the internal complaints committee.
2. All Group 'A' officers, Chennai Customs Zone.
3. Appg. main sections of Comm. I to VIII, Appeal Comm.(IX &X), CESTAT for circulation within their respective Comm./offices.
4. EDI for updating in Internet/Website.
5. Hindi Cell.

Copy submitted to:

The Principal Chief Commissioner of Customs, Chennai Customs Zone.

(Dr. ANIL K. NIGAM)
Commissioner (CH-VIII)

ANNEXURE -A

FUNCTIONS OF THE COMPLAINTS COMMITTEE

- a) The committee shall meet every Quarter (2nd Friday of the 1st month of each Quarter) at Chennai Customs Zone, Commissioner-VI Conference Hall, Vth Floor, Custom House, Chennai 600 001. If any such complaint is received in between, the Committee can convene a special meeting.
- b) Four members (including 2 women members) shall constitute the QUORUM required for each meeting; after meeting, the approved Minutes shall be submitted immediately to the Commissioner of Customs, Chennai VIII Commissionerate / Head of the Department (HOD) by Member-Secretary for further action.
- c) All complaints in writing or in oral, made by the VICTIM or her co-worker / Colleague / Superior about sexual harassment faced by the woman employee shall be discussed in the quarterly / special meeting and minuted. The Committee may also enquire and report any such instances of harassment faced by the woman employees brought to the notice of the Committee by Commissioner / HOD through a written note based on the information / intelligence received by him.
- d) The Committee will keep vigil to detect and prevent sexual harassment to any woman employee of Chennai Customs Zone by closely monitoring such instances of harassment. The Committee will take cognizance of such occurrences (even in the absence of any written complaint from the victim or from any other Officer) and bring the same to the notice of the Commissioner in their reports / Minutes.
- e) The Committee can ask the Complainant [Victim or others as detailed at (c) above] to be present during such meeting for preliminary verification of the veracity of the complaint. If further investigation is required, the Committee can seek the assistance of the Department's vigilance machinery through the Commissioner / HOD.
- f) The investigation report with such other recommendation for action shall be submitted, within three months from the date of receipt of complaint / written note from concerned, by the Committee, to the Commissioner for necessary action.

After receipt of the Investigation Report, if the Commissioner is satisfied himself / herself that there is prima facie a strong case, he/she shall institute disciplinary action under the Conduct Rules.

Consequent to the amendment of Rule 14 of CCS (CCA) Rules, 1965, the Committee shall be deemed to be the Inquiry Authority appointed by the Disciplinary authority, and the relevant portion of the Department of personnel's Notification dated 01.07.2004 (F.No.11012/5/2001-Estt.(A) is reproduced below:

"where there is a complaint of sexual harassment with the meaning of Rule 3C of the Central Civil Services (Conduct) Rules, 1964, the Complaints Committee established in each Ministry or Department or Office for inquiring into such complaint, shall be deemed to be the Inquiring Authority appointed by the disciplinary authority for the purpose of these rules and the Complaints Committee shall hold, if separate procedure has not been prescribed for the Complaints Committee for holding the inquiry into the complaints of sexual harassment, the inquiry as far as practicable in accordance with the procedure laid down in these rules".