

**PROCEEDINGS OF THE CHAIRMAN/ DISTRICT COLLECTOR, WOMEN, CHILDREN, DISABLED
AND SENIOR CITIZENS, JAYASHANKAR-BHUPALPALLY DISTRICT, TELANGANA STATE**

Present: Sri. Bhavesh Mishra, I.A.S.
Chairman / District Collector

Procdgs No. A2 /DCPO/2022, Dated: 10.02.2023

Sub: - WCD&SC Dept. - Establishment - The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 - Certain Allegations against Sri. B. Hari Krishna, District Child Protection Officer, Jayashankar Bhupalpally - Enquiry Report Internal Complaints Committee - WD & CW Department - Termination Orders - Issued - Regarding.

Ref: - 1. Proc. No. 24/ICPS-DCPU/2018, Dt: 13.03.2020 & 13.03.2021 of the Chairman/District Collector, Jayashankar Bhupalpally
2.Lr.No.2905/CPS/2022, Dt: 31.12.2022 of the Commissioner, WD&CW Department, T.S., Hyderabad.
3. T.O. Memo No.2905/CPS/2022, Dt: 05.01.2023.
4. Explanation submitted by Sri. B. Hari Krishna, DCPO, Jayashankar Bhupalpally on 10.01.2023.
5. Lr.No.420/ICPS/18 Dt: 31.01.2023 of the Commissioner, WD&CW Department, T.S., Hyderabad.

ORDER:

Vide the reference 2nd cited above, the Commissioner, WD&CW Department, T.S., Hyderabad has informed that the District Child Protection Officer, Jayashankar Bhupalpally District has submitted the explanation towards the enquiry conducted against the allegations and as seen from the explanation given by B. Hari Krishna, DCPO, it is evident that he has invited his female colleague to home and as seen from the enquiry report, that there is sufficient evidence to prove the guilt.

The WD&CW Department directed the District Collector Jayashankar Bhupalpally to take action as per the principles of natural justice as the contract is entered with the District Administration.

Accordingly, vide reference 3rd cited, a memo was issued to Sri. B. Hari Krishna, DCPO, Jayashankar Bhupalpally (who has been appointed vide reference 1st cited above) with instructions to attend before the District Collector, Jayashankar Bhupalpally on 10.01.2023 @ 4 PM at District Collector chamber along with his explanation. Further, another opportunity was given to him to represent his case on 13.01.2023.

The DCPO has submitted that he has not indulged in any case of sexual harassment and the allegations against him are false. Further, he has stated that he was not given sufficient opportunity to represent his case before the internal complaints committee of WD & CW department.

The internal complaints committee of WD&CW department in its report has concluded that:

The DCPO has acted against the rules, calling the woman employee to his residence for doing office work is itself an offence as per the provisions of the Sexual Harassment Act. As per the Act, displaying sexist, pornographic or other offensive pictures, posters, MMS, WhatsApp and email is an offence. Touching/pinching the women employees at workplace are offences. Sri Hari Krishna is found guilty in the above offences and may be subjected for punishment under Sexual Harassment Act, 2013.

As per Section 13(3) & 13(4) of the Act:

(3) Where the Internal Committee or the Local Committee, as the case may be, arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the employer or the District Officer, as the case may be—

(i) **to take action** for sexual harassment as a misconduct in accordance with the provisions of the service rules applicable to the respondent or where no such service rules have been made, in such manner as may be prescribed;

(4) The employer or the District Officer **shall act upon the recommendation** within **sixty days** of its receipt by him.

After perusal of the enquiry report sent by the WD&CW Department and the explanation submitted by the District Child Protection Officer, it is evident that the charges of sexual harassment levelled against him by the female employees have been found to be correct. The internal complaint committee has looked into every aspect of the case and has given sufficient opportunity to DCPO to represent his case and no violation of Principal of Natural Justice as alleged by the DCPO has been noticed by the undersigned.

Sri. B. Hari Krishna has been appointed as DCPO **purely on contractual basis** and the District Collector, Jayashankar Bhupalpally has the power to terminate his services in case of misconduct.

Sexual harassment results in violation of the fundamental rights of a woman to equality under articles 14 and 15 of the Constitution of India and her right to life and live with dignity under article 21 of the Constitution and right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment.

In view of the above and as per powers vested under Section 13(4) of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 **the services of Sri. B. Hari Krishna working as District Child Protection Officer is terminated with immediate effect.**

Chairman/District Collector
Jayashankar Bhupalpally

To:

Sri. B. Hari Krishna, DCPO, Jayashankar Bhupalpally.

Copy to:

The District Welfare Officer, WCD&SC, Jayashankar Bhupalpally for take necessary action

The Commissioner, WD&CW Department, T.S., Hyderabad for favour of kind information.
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