



॥ विद्या विनयेन शोभते ॥

Janardan Bhagat Shikshan Prasarak Sanstha's
CHANGU KANA THAKUR

**ARTS, COMMERCE AND SCIENCE COLLEGE, NEW PANVEL
(AUTONOMOUS)**

Re-accredited 'A+' Grade by NAAC (3rd Cycle - CGPA 3.61)
'College with Potential for Excellence' Status Awarded by UGC
'Best College Award' by University of Mumbai

POLICY DOCUMENT INTERNAL COMPLAINT COMMITTEE (ICC)

Preamble

The Parliament of India passed the “Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act,” in the year 2013. The ACT provides protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for the matters connected therewith or incidental thereto. The guidelines explicitly state the following: “It shall be the duty of the employer or other responsible persons in workplaces or other institutions to prevent or deter the commission of acts of sexual harassment and to provide the procedures for the resolutions, settlement, or prosecution of acts, of sexual harassment by taking all steps require.” Educational institutions are also bound by the Supreme Court’s directive and the Act. The International Institute for Population Sciences (IIPS), Mumbai is committed to creating and maintaining an environment which is free of all forms of gender violence, sexual harassment, and discrimination on the basis of sex/gender. Following this, the institute is committed to uphold the Constitutional mandate ensuring the above-mentioned human rights of all those who fall within its jurisdiction. As directed by the act IIPS has constituted a committee called “Internal Complaint Committee to Prevent Sexual Harassment of Women at the Workplace.” The following policy has been made keeping in mind the above facts.

Definition

The Definition of Sexual Harassment According to THE SEXUAL HARASSMENT OF WOMEN AT THE WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT 2013, sexual harassment includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

1. Physical contact and advances; or
2. A demand or request for sexual favours; or
3. Making sexually coloured remarks; or Showing pornography; or
4. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.



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Any act falling under the purview of following cases will be considered as an incident of sexual harassment (Clarification of Unwelcome acts or behaviour):

- a) When submission to unwelcome sexual advances, requests for sexual favours, and verbal or physical conduct of a sexual nature are, implicitly or explicitly, made a term or condition of teaching/guidance, employment, participation, or evaluation of a person's engagement in any activity.
- b) When unwelcome sexual advances, and verbal, non-verbal and/or physical conduct such as loaded comments, remarks or jokes, letters, phone calls or e-mails, gestures, exhibition of pornography, lurid stares, physical contact, stalking, sounds or display of a derogatory nature.
- c) Interfering with her work or creating an intimidating, offensive, or hostile environment for her.
- d) When a person uses the body or any part of it or any object as an extension of the body with a sexual purpose in relation to another person without the latter's consent or against that person's will, such conduct will amount to sexual assault.
- e) When deprecatory comments, conduct or any such behaviour is based on the gender identity/sexual orientation of the person and/or when the premises or any public forum of the institute is used to denigrate/discriminate against person(s), or create a hostile environment on the basis of a person's gender identity/sexual orientation.
- f) When a person shows any humiliating treatment to woman that is likely to affect her health and safety.
- g) Teaching activities or explanation of various issues related to fertility, reproductive health and other research topics in a scientific manner will not be considered as harassment.



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Objectives-

It is decided that the committee constituted would meet the following objectives:

- To develop guidelines and norms for a policy against sexual harassment.
- To develop principles and procedures for combating sexual harassment.
- To work out details for the implementation of the policy event discrimination and sexual harassment against women, by promoting gender amity among students and employees.
- To make recommendations to the principal for changes/elaborations in the rules for students in the prospectus and the bye-Laws, to make them gender just and to lay down procedures for the prohibition, resolution, settlement and prosecution of acts of discrimination and sexual harassment against women, by the students and the employees.
- To deal with cases of discrimination and sexual harassment against women, in a time bound manner, aiming at ensuring support services to the victimized and termination of the harassment.
- To recommend appropriate punitive action against the guilty person.

Key Functions/ Members Roles/ Responsibilities of all officers:

The committee is NOT to act as moral police; neither will it intrude on anyone's privacy.

The role of the Committee is to create awareness about sexual harassment and to deal with and recommend punishment for non-consensual acts of sexual harassment, and not to curtail sexual expression within the campus. Members are expected to be sensitive to the issue and not let personal biases and prejudices (whether based on gender, caste, class) and stereotypes (e.g., predetermined notions of how a "victim" or "accused" should dress up or behave) affect their functioning as members of the committee



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A. Preventive:

1. To create and ensure a safe environment that is free of sexual harassment, including safety from persons/visitors coming into contact at the workplace.
2. To publicise the policy in English, Hindi and Marathi widely, especially through notice boards.
3. To publicise in English, Hindi and Marathi, the names and phone numbers of members of the Committee.

B. Gender Sensitization:

Gender Sensitization involves creating awareness about issues of gender and sexuality and working towards and creating an enabling environment of gender justice where all can work together with a sense of personal security and dignity. Sensitization and Awareness will be a basic function of the Committee formed.

The following is a list of methods in which awareness and sensitization of students, staff and faculty will be conducted:

1. An orientation seminar will be organized to discuss the nature and scope of the sexual harassment of women at the workplace (Prevention, Prohibition and Redressal) Act 2013, at the beginning of the academic year.
2. One or more workshops/seminars annually where external experts on the subject will interact with all employees and students.
3. Seminars, performances and discussion forums where gender sensitization and gender awareness will be the focus – these will happen during the academic year.
4. Spreading awareness of the policy and implementation of the same through informal sessions, performances, cultural events, etc.

C. Remedial:

1. The mechanism for registering complaints should be safe, accessible, and sensitive.
2. To take cognizance of complaints about sexual harassment, conduct enquiries, provide assistance and redressal to the victims, recommend punitive action or take immediate action against the harasser, if necessary.
3. To recommend disciplinary action for any complaint registered with the Committee after the enquiry to the Director/administration/or concerned authorities and to follow-up action and monitor the same.



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4. To recommend Institute to provide assistance to the complainant if she so chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time-being in force.
5. To recommend the Institute to provide the medical intervention with the consent of the complainant or even without consent in such cases where the complainant is physically or mentally incapacitated to give her consent.
6. To inform the administration to arrange for appropriate psychological, emotional, and physical support (in the form of counselling, security and other assistance) to the victim if she so desires.

Meetings or Reviews (ACADEMIC YEAR)

The members of the Committee shall meet at least two times (at least once in a semester) in a year. The Chairperson shall preside over the meeting. In the absence of the Chairperson, the second senior female Faculty member shall preside over the meeting. The Chairperson may upon the request of not less than one third of the total members of the Committee, call a meeting on a date not later than fifteen days after the receipt of such requisition.

1. The quorum of the meeting of the Committee shall be five of its members. If the quorum is not complete in any meeting, it shall be adjourned for half an hour and thereafter, the meeting shall precede with those members who are present in the meeting.
2. All decision in the meeting will be taken through mutual consent from the members of the Committee present in the meeting. In the case of any disagreement among the members regarding any decision, Chairperson of the Committee shall hold the authority to take the final decision and her decision would be considered as final.

Procedure for Approaching Committee

- The Committee deals with issues relating to sexual harassment at the Changu Kana Thakur Arts, Commerce and Science college, New Panvel .
- It is applicable to all students, staff and faculty.
- A complaint of discrimination or sexual harassment may be lodged by the victim or a third person.



- A written complaint may be addressed to the Convener of the Committee.
- Here it should be noted that according to the Honourable Supreme Court guideline Sexual harassment can be defined as "unwelcome" sexually determined behaviour (whether directly or by implication) as:
 - o Physical contact and advances
 - o Demand or request for sexual favours
 - o Sexually coloured remarks
 - o Showing pornography
 - o Other unwelcome physical, verbal or non-verbal conduct of a sexual nature

The following is also sexual harassment and is covered by the committee:

- Eve-teasing,
- Unsavoury (morally unacceptable) remarks,
- Jokes causing or likely to cause awkwardness or embarrassment,
- Innuendos and taunts,
- Gender based insults or sexist remarks,
- Unwelcome sexual overtone in any manner such as over telephone (obnoxious telephone calls) and the like touching or brushing against any part of the body and displaying pornographic or other offensive or derogatory pictures, cartoons, pamphlets or sayings forcible physical touch or molestation and Physical confinement against one's will and any other act likely to violate one's privacy.

Reporting Mechanisms:

The survivor of sexual harassment who wishes to pursue or make a complaint of sexual harassment has two options through which they can make the complaint: Informal complaint and Formal complaint

An informal complaint is made to any academic member of staff, or administrator. It is made in those cases where the survivor wishes for something to be done.

(e.g. warn the harasser or transfer him/her to another department or change his/her dissertation supervisor) but is not ready to lodge a formal complaint.

The policy emphasizes the importance of documenting all cases of sexual harassment within the college precincts or involving the students, college administrators, teaching and non-teaching staff.



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Investigation procedures:

Upon receiving a report on sexual harassment, the receiving authority shall refer the matter to the anti-sexual harassment committee to investigate.

The receiving authority shall also inform the principal for necessary interim action especially in cases where the perpetrator is in higher authority than the survivor and is likely to interfere with investigations.

Interviews will be confidential and discreet. Persons with information on the incidence will also be interviewed.

Disciplinary measure:

Disciplinary committee shall then submit its recommendation to the principal for action. This policy document states the college commitment to providing an environment free from sexual harassment and any employee or student who violates the policy shall be subject to serious disciplinary action which could include: -

- 1) Termination of services
- 2) Suspension or expulsion of the student from the college.
- 3) Barring such persons from accessing the college premises.
- 4) Conciliation

The college recognizes that persons may make false reports and therefore prohibits this. Persons who make false allegations are subject to disciplinary action. Cases beyond the college jurisdiction will be forwarded to the appropriate authorities outside the campus.

Confidentiality:

All complaints of sexual harassment shall be treated confidential to the extent practicable.

Only those individuals who may have received informal complaints or are necessarily involved in an investigatory process and in the making of decisions regarding resolution of the complaint should ordinarily be provided access to information regarding any allegation of sexual harassment.

Support for victims of Sexual Harassment: There is usually stigma and undue pressure associated with Sexual Harassment and most survivors and especially female survivors who experience this with their lecturer to keep quiet for fear of victimization.

Once there is evidence that one is undergoing Sexual Harassment, the college shall provide appropriate counselling for the survivors and any other member of the survivor's family where appropriate.