



# Gyanoday College of Education Janjgir

Akaltara Road Janjgir, Distt- Janjgir-Champa (C.G.)

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## NOTIFICATION

### Policy Against Sexual Harassment

The Constitution of India, Article 14 and Article 16 Right to equality is a Fundamental Right that include Right to Equality, a prohibition of discrimination and equality of opportunities in matter of public employment. Equality between men and women, right to work, to education and to public assistance in case of unemployment, old age, sickness and disablement and provision of just and humane conditions for work and maternity relief, are important Directive Principles of State Policy.

The Supreme Court of India in its August 13, 1997 judgment in Vishakha and Other vs. State of Rajasthan and others makes it obligatory for every employer and other responsible persons to follow the guidelines laid down by the Court and to evolve a specific policy to combat sexual harassment in the work place. Educational institutions are bound by the same directive.

Compliance with the mandate of The Supreme Court judgment made effective from 9<sup>th</sup> December 2013, COLLEGE adopted this policy to prevent, prohibit and punish sexual harassment for girl students and women staff and constituted a cell namely the **Women's Cell** in the year 2014.

In the year 2017, as per the Ref. to the letter D.O.No.F.91 -3/201 4(GS) 6<sup>th</sup> June, 2017 issued by UGC the Internal Complain Committee has been constituted with effect from 10.06.2017 and Women's Cell is renamed as Internal Complaint Committee (ICC).

### INTERNAL COMPLAINT COMMITTEE (ICC):

The main aim of the committee is to sensitize all staff members, students and every member of the college regarding guidelines issued by The Supreme Court of India, prohibiting gender discrimination and sexual harassment at workplace/institute, prevent any sexual harassment incident, monitor the safety arrangements for girl students and women staff members, organize self-defense programs, etc. to ensure and sustain friendly and safe environment for women.

### Objective & Functions:

- To fulfill the directive of The Supreme Court of India encouraging all staff and students to develop and implement a policy against Sexual harassment of women at work place.
- To prevent gender discrimination and sexual harassment by promoting gender equality amongst all members of the University community.
- To promote a social, physical and psychological environment that will raise awareness about and deter acts of sexual harassment of women.
- To ensure implementation of laid down procedures including the constitution of appropriate committees for purpose of gender sensitization and to conduct enquiries into complaints of sexual harassment.

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To take immediate action against the guilty (after prior investigation) within 24 hours of the complaint received.

#### Definition of Sexual Harassment:

On December 9, 2013, Supreme Court of India held that sexual harassment of women is a violation of the fundamental rights of women to work in a safe environment. According to the Supreme Court guidelines sexual harassment includes such unwelcome sexually determined behavior (whether directly or by implication) such as the following:

- Physical contact and advances.
- A demand or request for sexual favor
- Showing pornography
- Any other unwelcome, physical, verbal or non-verbal conduct of sexual nature. According to the Code of Conduct at work Place Prepared by the National Commission for Women in 1998, sexual harassment includes such unwelcome sexually determined behavior by any person either individually or in association with other persons or by any person in authority, whether directly or by implications, such as the following:
  - Eve Teasing
  - Unsavory remarks
  - Jokes causing or likely to cause awkwardness or embarrassment
  - 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 the like
  - Displaying pornographic or other offensive or derogatory pictures, cartoons, pamphlets or saying
  - Forcible physical touch or molestation and
  - Physical confinement against one's will and any other act likely to violate one's privacy.

#### Supportive Measures:

- (1) The rules, regulations or any such other instrument by which ICC shall function have to be updated and revised from time-to-time, as court judgments and other laws and rules will continue to revise the legal framework within which the Act is to be implemented.
- (2) The Executive Authority of the COLLEGE must mandatorily extend full support to see that the recommendations of the ICC are implemented in a timely manner. All possible institutional resources must be given to the functioning of the ICC, including office and building infrastructure (computers, photocopiers, audio-video, equipment, etc.), staff (typists, counseling and legal services) as, well as a sufficient allocation of financial resources.
- (3) Vulnerable groups are particularly prone to harassment and also find it more difficult to complain. Vulnerability can be socially compounded by region, race, class, caste, sexual orientation, minority identity and by being differently abled. Enabling committees must be sensitive to such vulnerabilities and special needs.
- (4) COLLEGE will conduct a regular and half yearly review of the efficacy and implementation of their anti-sexual harassment policy.
- (5) All schools under COLLEGE, will incorporate sessions on gender in their orientation and refresher courses. This will be across disciplines, and preferably mainstreamed using the UGC SAKSHAM Report which provides indicative modules in this regard.
- (6) Gender Sensitization programs, Orientation courses for administrators conducted at COLLEGE will have a module on gender sensitization and sexual harassment issues. Regular workshops are to be conducted for all sections of the COLLEGE community.



- (7) Counseling services will be institutionalized at COLLEGE through trained counselors.
- (8) Adequate lighting will be provided as a necessary component of infrastructure and maintenance.
- (9) Adequate and well trained security staff will be engaged. Security staff will receive gender sensitization training as a part of conditions of appointment. Efforts will be made to engage women security officers.
- (10) COLLEGE will ensure reliable public transport, especially within large campuses between different sections of the HEI, libraries, laboratories and main buildings, and especially those that do not have good access for day scholars. Lack of safety as well as harassment is exacerbated when employees and students cannot depend on safe public transport. Reliable transport will be arranged by COLLEGE to enable employees and students to work late in libraries, laboratories and to attend programmes in the evenings.
- (11) Concern for the safety of women students will not be cited as a justification to impose discriminatory rules for women as compared to male students. Campus safety policies will not result in securitization, such as over monitoring or policing or curtailing the freedom of movement, especially for women employees and students.
- (12) COLLEGE undertakes to provide adequate health facilities. In the case of women this must include gender sensitive doctors and nurses and should have collaboration with healthcare institutions for emergency services.
- (13) ICC will ensure the proper functioning of the surveillance equipment's like CCTV, etc and a review will be done twice in a year.

#### Meetings of the Committee:

The members of the Committee shall meet at least twice 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.

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 Registering Complaint and Immediate Action:

1. Any registered student wants to lodge a complaint of any sexual harassment/abuse incident may directly submit her grievance through online Grievance Portal available on the COLLEGE website/Grievance or in person to the office of the Chairperson, Womens' Cell (WC) or to the Internal Complaint Committee.
2. The ICC as per the compliant details will arrange for preliminary investigation and recording of statement of student involved;
3. The ICC meeting will be convened and committee has to conduct and complete the proceedings according to the level of the offence maximum within 24 hours.
4. The ICC will submit its report and punitive action to be taken against the concerned students in writing and send all relevant documentation in proper format to the Registrar office for record purpose. The same will be provided to the students in writing along with a copy to be handed over to the parents, mentor and case file for In-disciplinary issues.

The Enquiry Committee will consist of:

- One member from the institute from where the complaint is reported
- All the members of the ICC.
- There can be representation of one male member in the committee. The enquiry committee will be headed by a woman and will have a women healthcare staff of the university preferably the residential doctor or nurse.

Procedure of the Enquiry:

- The inquiry committee shall investigate into the incident by laying down its own procedure, to find out if the accused is prima facie guilty and the nature and extent of the guilt.
- To determine what constitutes sexual harassment will depend upon the fact and circumstances of each case.
- The Enquiry Committee shall submit its report to the Chairperson within 12 hours.

Procedure of Redressal:

- If there is a prima facie case against the accused, the Women's Cell may recommend immediate suspension till the person is proved innocent or the issue is settled.
- Effort must be made to resolve the dispute through counseling.
- In case the accused is found guilty, the COLLEGE-WC may recommend appropriate punitive action to be undertaken by the Principal.
- If required, ICC will refer the complaint to a lawyer to lodge a complaint with the concerned police station. The complainant shall then keep ICC informed about progress with complaint.
- The complainant shall have the right to appeal to the higher authority if he/she is not satisfied by the action taken by the Principal.

Punitive Action:

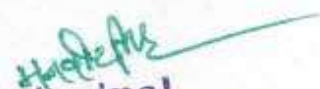
An employee guilty of sexual harassment shall be liable to give a written apology to the victim and any of the following punitive actions may be taken:

- Suitable censure/warning
- Withholding of increments
- Reduction to lower service, grade or post
- Compulsory retirement
- Removal from service
- Dismissal from service

A student found guilty of sexual harassment shall be liable to give a written apology to victim and any of the following punitive actions may be taken:

- Suitable censure/warning
- Withholding/withdrawing scholarship/fellowship and other benefits
- Rustication from the Institute for a specified period
- Expulsion from the Institute
- Expulsion from the Institute

ICC shall do its best to provide justice as per its good intentions and ability for the complainant.

  
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**SCHEDULE OF ACTIVITIES INTERNAL COMPLAIN COMMITTEE:**

Sl. No.	Name Of Activity	Organized By	Tentative Schedule
01	Sensitization program on gender issues and sex related crimes and abuse	Office of the Director Students Affairs	At the beginning of the new academic session.
02	Wide publicity on the existence of Internal Complaint Committee (ICC) at the university and the procedure of approach in case of any sexual harassment.	Internal Complaint Committee (ICC)	During the beginning of the new academic session.
03	Celebration of International Women's Day/Girl Child Day etc. to create the awareness on issues related to women's safety and rights.	Event Management Forum	On the scheduled dates
04	Workshops on Sexual Harassment/ Gender Equity, etc.	Event Management Forum	Dates as per the convenience of the university management.
05	Self Defense Training Workshops	Internal Complaint Committee (ICC)	Minimum twice in a year.

**Members Internal Complaints Committee (ICC)**

Name	Designation	Contact Details
Dr. Manveer Singh	Chairperson	9425230437
Smt. Hema Tiwari	Faculty Member	8770934592
Shri. Amit Kumar Upadhyay	Faculty Member	7389682400
Shri. Manoj Kumar Yadav	Non-teaching Member	8827474784
Smt. Lata Yadav	Non-teaching Member	9753218917
Manharn LalSuyrawanshi	Student Member from each Department	9754245172

CONTACT: For any clarification and Details Welfare Committee may be contacted.

  
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