



BHANDARKARS' ARTS AND SCIENCE COLLEGE

(RE-ACCREDITED AT 'A' GRADE WITH CGPA OF 3.32 ON 4 POINT SCALE)
KUNDAPURA - 576 201, UDUPI DISTRICT

Sponsored By

THE ACADEMY OF GENERAL EDUCATION
MANIPAL - 576 119, U.D.

Anti-Sexual Harassment Committee

Policy: As per the Supreme Court Judgement and guidelines issued in 1997 to provide for the effective enforcement of the basic human right of gender equality and guarantee against sexual harassment and abuse, more particularly against sexual harassment at work places, the University Grants Commission (UGC) has issued circulars since 1998, to all the Universities, advising them to establish a permanent cell and a committee and to develop guidelines to combat sexual harassment, violence against women and ragging in colleges and universities. Keeping the above guidelines in mind Bhandarkars' Arts and Science College has constituted committee against Sexual Harassment:

On 13th Aug 1997, the Supreme Court of India issued a judgment, Vishaka judgment that recognized and addressed sexual harassment at the workplace as a human rights violation. The Supreme Court in its judgment said every woman has a right to a safe workplace. The court gave directives for all employers/organizations making it mandatory to institute sexual harassment complaints committees at workplaces. The judgment also created sexual harassment prevention guidelines for the workplace. The sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 has replaced the guidelines/norms laid down by Hon' able Supreme Court on sexual harassment and came into force from 9 December 2013. The Govt. of India made rules for carrying out the provisions of this Act, 2013.

The Internal Complaints Committee is responsible for investigating every formal written complaint of sexual harassment and taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment.

The Internal Complaints Committee shall inquire into the complaints as per the provisions of Section 11 of the Act, 2013. The Committee may give recommendations as may be considered necessary under the provision of Section 12

of the Act, 2013 and based on these recommendations, the Competent Authority shall take appropriate action.

Aims and Objectives of the committee:

- Prohibition of any hierarchical oppression exercised based on gender inequality that prohibits intellectual or academic growth.
- Prevention of gender biased attitude when it comes to adjudication of efficacy of work allocated within working hours.
- Protection of the fundamental rights of a woman.

Roles & Responsibilities:

- To help women to realize their rights of freedom.
- To treat sexual harassment as a misconduct and initiate punitive actions for such misconduct.
- To assist the aggrieved woman to place the complaint.
- To safe guard the one who is victimized.
- To educate and train students about sexual harassment.
- To develop guidelines and norms for policies against sexual harassment
- To develop principles and procedures to combat sexual harassment
- To work out details for the implementation these policies.
- To prepare a detailed plan of actions, both short and long term
- To organize gender sensitization awareness programme.
- To deal with cases of discrimination and sexual harassment in a time bound manner, aiming at ensuring support services to the victimized

What is Sexual Harassment?

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

- Physical contact and advances.
- A demand or request for sexual favours.
- Sexually coloured remarks.
- Showing of pornography.
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- Eve-teasing.
- Unsavory 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 the like.
- Displaying of pornographic or other offensive or derogatory pictures, cartoons, pamphlets or sayings.
- Forcible physical touch or molestation.
- Physical confinement against one's will and any other act likely to violate one's privacy.

Composition of the Anti – Sexual Harassment Committee.

A Presiding Officer who shall be a woman faculty member employed at a senior level at the educational institution;

Not less than two teaching employees and two non-teaching employees, preferably committed to the cause of women or who have had experience in social work or have legal knowledge;

Not less than three students, who shall be enrolled at the undergraduate, masters, and research scholar levels respectively.

One member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment. Provided that at least one-half of the total Members so nominated shall be women.

Activities of the Committee

The Anti-Sexual Harassment committee has been established to provide a healthy and congenial atmosphere for all the staff members and students. The Cell creates awareness on sexual harassment redressal mechanisms through brochures, posters, and speeches about sexual harassment in the campus. . The Committee has actively been involved in resolving the complaints through proper enquiry.

Procedure:

- The Committee deals with issues relating to sexual harassment of the college.
- 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 party.
- A written complaint may be addressed to the Coordinator of the Committee. Informal methods would be first adopted to resolve the problems amicably.
- If necessary, the Committee will conduct detailed enquiry.

- Humanistic approach will be adopted while dealing with the complaint. Safe and fearless environment will be created to speak openly about the harassment.

PROCEDURE TO BE FOLLOWED BY THE COMMITTEE:

The Committee shall meet as and when any complaint is received by it. Complaint may be received by any member of the committee.

The Committee may direct the complainant to prepare and submit a detailed statement of incidents if the written complaint lacks exactness and required particulars, within a period of two (2) days from such direction or such other time period that the Committee may decide.

The Committee shall direct the accused employee(s) to prepare and submit a written response to the complaint / allegations within a period of four (4) days from such direction or such other time period as the Committee may decide.

Each party shall be provided with a copy of the written statement(s) submitted by the other.

The Committee shall conduct the proceedings in accordance with the principles of natural justice. It shall allow both parties reasonable opportunity of presenting their case. However, should the accused choose not to participate in the proceedings, the Committee shall continue ex parte.

The Committee shall allow both parties to produce relevant documents and witnesses to support their case. Documents produced by either party shall be affixed with that party's signature to certify the document as original / true copy.

The party against whom the document / witness is produced shall be entitled to challenge / cross-examine the same.

The Committee shall sit on a day-to-day basis to record and consider the evidence produced by both parties.

As far as practicable, all proceedings of the Committee shall take place in the presence of both parties.

Minutes of all proceedings of the Committee shall be prepared and duly signed by the members of the Committee.

The Committee shall make all endeavour to complete its proceedings within a period of fifteen (15) days from the date of receipt of complaint.

The Committee shall record its findings in writing supported with reasons and shall forward the same with its recommendations, to the Principal/Management, within a period of five (5) days from completion of the proceedings before it. In case the Committee finds that the facts disclose the commission of a criminal offence by the accused person, this shall be specifically mentioned in the Committee's report.

If, in the course of the proceedings before it, the Committee is satisfied that a

prima facie case of sexual harassment is made out against the accused employee(s)/student and that there is any chance of the recurrence of any such action, or that it is required to do so in the interests of justice, it may, on the request of the complainant or otherwise, disciplinary action could be initiated in the form of:- *Warning/Written apology/Bond of good behavior/Adverse remarks in the confidential report/Debarring from supervisory duties/Denial of membership of statutory bodies/Denial of re-employment/re – admission/Stopping of increments / promotion/denying admission ticket/Reverting, demotion/Suspension/Dismissal/Any other relevant mechanism.*

Ensure that complaints processes:

Are clearly documented;

Are explained to all employees;

Offer both informal and formal options for resolution;

Address complaints in a manner which is fair, timely and confidential;

are based on the principles of natural justice;

Provide clear guidance on internal investigation procedures and record keeping;

Give an undertaking that no employee will be victimized or disadvantaged for making a complaint.

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