

POMPEI COLLEGE AIKALA

Aikala Post, Mangalore, Karnataka – 574 141

Re-Accredited by NAAC with ‘A’ Grade (CGPA 3.31) in 3rd Cycle

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INTERNAL QUALITY ASSURANCE CELL (IQAC)

Policy Document for Anti-Sexual Harassment Cell



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place and for the prevention and redressal of complaints of sexual harassment. College operates with zero tolerance policy for any form of sexual harassment in the work place. The institution is bound by the duty to prevent the sexual harassment and to provide the procedures for solutions, settlement, or prosecution of acts, of sexual harassment by taking all steps require. The College is also committed to create and maintain a safe and secure environment which is free of gender violence, sexual harassment, and discrimination on the basis of sex/ gender for all its employees at workplace.

What is Sexual Harassment?

The Sexual Harassment of Women at the Work Place (Prevention, Prohibition and Redressal) Act 2013 states that sexual harassment includes any or series of the following unwelcome acts or behavior (whether directly or by implication committed in person/ on print or via computer/phone/other media).

Any type of unwelcome sexual conduct: hostile, humiliating or scaring; unwelcome sexual advances, requests for sexual favours: verbal or physical conduct of a sexual nature; if submission or rejection affects an individual's employment decisions, employee's term or conditions of employment or interferes with an employee's work environment then it is classed as sexual harassment. It can be verbal, written or even physical. It can happen in person or online. Furthermore, any gender can be a victim of sexual harassment.

The rules and regulations would apply to all students and faculty members and non-teaching staff. It would apply on and off the campus.

A Few Acts of Sexual Harassment Caused to Students in College

- ⊙ Making sexually suggestive remarks or innuendos.
- ⊙ Serious or repeated offensive remarks, such as teasing related to a person's body or appearance.
- ⊙ Offensive comments or jokes.
- ⊙ Eve-teasing
- ⊙ Inappropriate questions, suggestions or remarks about a person's sex life.
- ⊙ Displaying sexist or other offensive pictures, posters, mms, SMS, WhatsApp, or e-mails.
- ⊙ Intimidation, threats, blackmail around sexual favours.
- ⊙ Displaying of pornographic or other offensive or derogatory pictures, cartoons,

pamphlets or sayings.

- ⊙ Threats, intimidation or retaliation against a student who speaks up about unwelcome behaviour with sexual overtones.
- ⊙ Unwelcome social invitations, with sexual overtones commonly understood as flirting.
- ⊙ Unwelcome sexual advances which may or may not be accompanied by promises or threats, explicit or implicit.
- ⊙ Physical contact such as touching or pinching.
- ⊙ Caressing, kissing or fondling someone against her will (could be considered assault).
- ⊙ Invasion of personal space (getting too close for no reason, brushing against or cornering someone).
- ⊙ Persistently asking someone out, despite being turned down.
- ⊙ Stalking an individual.
- ⊙ Abuse of authority or power to undermine her performance against sexual favours.
- ⊙ Falsely accusing and undermining a person behind closed doors for sexual favours.
- ⊙ Control a person's reputation by rumour-mongering about her private life.

VISION

To provide a gender equal safe teaching and learning environment debarred from all act of sexual harassment.

MISSION

- ♣ To conduct awareness programmes to create gender just harmonious coexistence campus living.
- ♣ To work for the redressal of grievances relating to sexual harassment.

OBJECTIVES

- ↻ To safeguard the rights of female students and to protect against any sort of violence against them.
- ↻ To effectively implement sexual harassment policy.
- ↻ To provide platform for listening to complaints and redressal of grievances.
- ↻ To make the students aware of their rights by carrying out awareness and orientation programmes.

Composition of Anti-Sexual Harassment Committee

Chairman	-	Principal
Coordinator	-	A Senior Lady Faculty Member
Asst Coordinator	-	Faculty Member
Members	-	1. Director of Students Welfare Council 2. Staff Member (non-teaching employ) 3. A Police Personnel (Mulki Police Station) woman
Student Members	-	Five student members representing from five classes, at least three representatives from lady students

Note: At least one-half of the total members so nominated shall be women.

POWERS OF THE COMMITTEE

- ❖ The Committee shall have the power to summon witnesses and call for documents or any information from any employee/student.
- ❖ If the Committee has reason to believe that an employee/student is capable of furnishing relevant documents or information, it may direct such person to produce such documents or information by serving a notice in writing on that

person, summoning the person, or calling for such documents or information at such place and within such time as may be specified in the written notice.

- ❖ Where any relevant document or information is recorded or stored by means of a mechanical, electronic or other device, the Committee shall have the power to direct that the same be produced, or that a clear reproduction in writing of the same be produced.
- ❖ Upon production of documents / information called for by it, the Committee shall have the power to (i) make copies of such documents / information or extracts there from; or (ii) retain such documents / information for such period as may be deemed necessary for purposes of the proceedings before it.
- ❖ The Committee shall have the power to issue interim directions to / with regard to any person participating in the proceedings before it.
- ❖ The Committee shall have the power to recommend the action to be taken against any person found guilty of (a) sexually harassing the complainant; (b) retaliating against / victimizing the complainant or any other person before it; and (c) making false charges of sexual harassment against the accused person.

Duties of the Anti-Sexual Harassment Committee

- ❖ Sexual Harassment Committee shall take cognizance of complaints about sexual harassment, conduct enquiries, provide assistance and redressal to the victims, recommend penalties and take action against the harasser, if necessary.
- ❖ The members of the Committee shall meet at least two times in a year.
- ❖ The members should thoroughly prepare themselves by being known the Act, Policy and relevant Service Rules.
- ❖ Gather and record all relevant information to determine the main issues

in the complaint.

- ❖ Prepare relevant interview questions to conduct necessary interviews.
- ❖ Ensure parties are made aware of the process and their rights/responsibilities within it.
- ❖ Analyse information gathered.
- ❖ Prepare the report with findings/recommendations

TIMELINE OF ENQUIRY

- ❖ An aggrieved person shall submit a written complaint of sexual harassment within 3 months of the occurrence.
- ❖ The proceedings shall be complete within a period of 30 days of appeal.
- ❖ Upon receiving the Complaint, it shall be examined within 7 working days and report shall be prepared by stating clearly the reasons that has led to its decision.
- ❖ If the Complaint is to be further enquired notice shall be sent to the respondent with a copy of the Complaint seeking his/her appearance before the sexual harassment Committee with his/her response in writing on a specified date which shall not be earlier than 7 working days from date of the Notice. Notice will also be sent to the Complainant for his/her presence on the specified date. If the case needs urgent attention the Notice period may be reduced at the discretion of the Presiding Officer.

FUNCTIONS OF THE COMMITTEE

The committee shall take the following steps:

- ✓ It shall facilitate a safe environment that is free of sexual harassment.

- ✓ The committee shall promote behaviours that create an atmosphere that ensures gender equality and equal opportunities.
- ✓ It shall ensure that the mechanism for registering complaints is safe, accessible and sensitive.
- ✓ The committee shall take cognizance of complaints about sexual harassment, conduct enquiries, provide assistance and redressal to the victims, recommend penalties and take action against the harasser, if necessary.
- ✓ To advise the competent authority to issue warnings or take the help of the law to stop the harasser, if the complainant consents.
- ✓ It shall seek medical, police and legal intervention with the consent of the complainant.
- ✓ It shall make arrangements for appropriate psychological, emotional and physical support (in form of counseling, security and other assistance) to the victim if so desires.
- ✓ Enable sensitisation through Counselling.
- ✓ Orientation sessions shall be provided for students and staff on gender sensitization and sexual harassment issues.

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)/student(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 endeavor 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 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 behaviour
- ❖ 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

- ♣ If, in the course of the proceedings before it, the Committee is satisfied that any person has retaliated against / victimized the complainant or any person assisting the complainant as a result of the complaint having been made or such assistance having been offered, the Committee shall report the same in writing, to the Principal/Management, with reasons and with recommendations of the action to be taken against such person.
- ♣ If, at the culmination of the proceedings before it, the Committee is satisfied that the complainant has knowingly brought false charges of sexual harassment against any person, it shall report the same in writing to the Principal/Management, with reasons and with recommendations of the action to be taken against such person.

- ♣ The convenor will prepare an Annual Report at the end of each academic year, giving a full account of the activities of the Committee during the year.

Frivolous Complaint

If any Complaint filed under this Regulation on its scrutiny/independent enquiry is found to be false, untrue or malicious and is so concluded based on its enquiry proceedings the Complainant shall be liable to be punished.

CONFIDENTIALITY RESPONSIBILITY

The identities details of the aggrieved party or the offender shall be kept strictly confidential by every member of the ICC and shall never be kept in the public domain either during or after the process of the enquiry.

The Section 16 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 states that no personal or other information with regard to any complaint received and enquired and/or disposed of by the ICC shall be furnished or shared under the Right to Information Act 2005.

