



Indira Gandhi National College, Ladwa-Dhanora Distt. Kurukshetra

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ANTI SEXUAL HARASSMENT CELL
POLICY AND PROCEDURES

Introduction:

As per the Sexual Harassment of Women at 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
4. Showing pornography; or
5. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

In addition, following circumstances have also been considered as Sexual Harassment:

1. Implied or explicit promise of preferential treatment in her employment; or
2. Implied or explicit threat of detrimental treatment in her employment; or
3. Implied or explicit threat about her present or future employment status; or
4. Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
5. Humiliating treatment likely to affect her health or safety.

The same Act includes Indira Gandhi National College, Ladwa as a "workplace" under scope of its definition, thereby making it a prior responsibility of the management of the institution to proactively endeavour for successful implementation of the provisions of the Act, in letter and spirit.

This document is an attempt to spell out the policy and procedures of the institute towards prevention and redressal of any incident of sexual harassment in the institute, thereby underlining its commitment of ensuring a gender-neutral environment free from any form of sexual harassment.

Scope of Coverage:

The contents of the document shall cover all the constituents under the jurisdiction of the institute including faculty, staff (academic / non-academic) and students.

Institute's Policy on Sexual Harassment:

Indira Gandhi National College, Ladwa stands committed in complete prohibition of the sexual harassment in any form; by any of its constituents; in its jurisdiction. Institute also encourages reporting of any activity of sexual harassment, in slightest of its form, by any of its constituents without any fear, while ensuring proper safeguards towards any retaliatory incident towards the



complainant. Institute also assures confidentiality to the maximum extent possible to the complainant, so as to address and resolve the harassment. Institute also assures that each complaint shall receive adequate, free and fair investigation, whilst providing for necessary corrective action.

Institute's Endeavours for tackling Sexual Harassment:

Indira Gandhi National College, Ladwa, in its endeavours to ensure an environment free from Sexual Harassment, commits to following measures:

1. Safe access to all its constituents to any relevant premises to be frequented / visited.
2. Wide publicity regarding penal consequences of indulging in acts of sexual harassment.
3. Wide publicity regarding the Internal Complaints Committee (ICC) and contact details of its members
4. Organise workshops / seminars / awareness programmes at periodic intervals for sensitisation of all its constituents regarding Sexual Harassment and its penal consequences.
5. Treatment of sexual harassment as a "misconduct" under service rules; thereby provisioning for initiating disciplinary action against this misconduct.
6. Enhancing the coverage of CCTV surveillance in the campus.
7. Provision of separate amenities for its women constituents.
8. Ensuring counselling to the constituents who may need it.
9. Continual improvement of safety and security provisions in the institute's premises.

Internal Complaints Committee (ICC):

In accordance with Section 4(1) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, an Internal Complaints Committee (ICC) has been constituted by the Institute, IGN College, Ladwa which comprises of as follows:

1. Presiding Officer : 1 (Seniormost lady faculty member)
2. Members - Internal : 3 (2 Male and 1 female faculty member)
3. Member - External : 1 (1 Member social activist)

The tenure of the members of ICC shall be of three years in one instance, from date of their nomination, or till superseding nominations. Their nomination is to be terminated and the vacancy so created to be filled by fresh nomination, in accordance with the provisions of Section 4 (5) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

It shall be the duty of the ICC to resolve the complaint within the prescribed timeline, and to maintain the records detailing all the cases of sexual harassment reported to the Committee and their redressal by the Committee.



Making Complaints to the ICC:

The written complaints to the ICC can be made by the aggrieved in any of the following ways:

- a. In person to any member of the ICC
- b. In the complaint boxes at locations, as prescribed by the ICC through notice / circular
- c. Through e-mail to any member of the ICC.

In case the complaints can not be made in writing, the ICC shall render all reasonable assistance to the aggrieved in making the complaint in writing..

The complaint shall normally be made within three months of the date of incident (three months from date of last incident, in case of series of incidents). Though ICC may extend the time limit of the complaint, if it is satisfied that circumstances were such that prevented the aggrieved from filing the complaint within the said period (i.e. three months). The reasons for the same need to be recorded in writing.

The complaint with an enclosed list of witnesses and / or supporting documents shall be fruitful in speedy redressal of the case, and is to be encouraged.

Complaints can also be filed on behalf of the aggrieved.

Complaints without name may be rejected by the ICC.

Identity of the complainant / victim to be kept confidential to the maximum possible extent.

Conciliation before making inquiries into the complaints:

1. Before initiating any enquiry, ICC may opt to settle the matter between the aggrieved and the respondent through conciliation, subject to written consent of the aggrieved.
2. No monetary compensation shall be made as a basis of conciliation.
3. The proceedings of settlement are to be recorded by the ICC.
4. If settlement has been arrived at, the same shall be recorded by the ICC and forwarded to the Institute to take action specified in the recommendation.
5. The ICC shall ensure provisioning of the copies of settlement for the aggrieved and the respondent.
6. No further enquiry to be carried out after the settlement, and the case is deemed to be closed.

Making inquiries into the complaints:

1. If the conciliation route is not opted by the aggrieved, the ICC shall proceed for constituting an inquiry.
2. Proceedings of the inquiry to be kept confidential, and the ICC may opt for any procedure it deems fit to this effect..
3. Any complaint of sexual harassment received should be immediately forwarded to the Presiding Officer, and the same must be notified to other members of the ICC not later



than three working days of receipt of complaint followed by convening a meeting in this regard within six working days of receipt of complaint.

4. A notice shall be issued to the respondent within six working days of the meeting convened and further ten working days' time shall be given to the respondent for submission of reply with evidence / witnesses in this regard.
5. The ICC shall have the powers vested in a civil court under Code of Civil Procedures, 1908 while trying a suit in respect of the following matters, namely-
 - a. Summoning and enforcing the attendance of any person and examining him on oath;
 - b. Requiring the discovery and production of documents;
 - c. Any other matter which may be prescribed.

The ICC shall follow Principles of Natural Justice while undertaking the enquiry proceedings, providing reasonable opportunity to both the aggrieved and the respondent for presenting and defending her/his case, respectively.

The inquiry shall be completed within fifty working days of issue of notice to the respondent and shall provide a report of its findings to the Institute within ten working days from the date of completion of the inquiry. The report shall be made available to the concerned parties, free of cost.

In the event the Committee finds that the allegation(s) against the respondent have been proved, it shall recommend the nature of action to be taken by the Institute. The following actions may be recommended:

- a. A written apology
- b. Warning
- c. Reprimand or censure
- d. Withholding of promotion
- e. Withholding of pay rise or increments for any number of years / times
- f. Undergoing a counseling session
- g. Carrying out of community service
- h. Terminating the respondent from service

Any other punishment according to the service rules applicable to the respondent.

If the allegation(s) is/are proved against the respondent, the ICC may direct the Institute to ensure the payment of compensation to the aggrieved woman by the respondent. The determination of compensation to the aggrieved woman shall be decided based on the following facts:

- a. The mental trauma, pain, suffering and emotional distress caused to the aggrieved woman.
- b. The loss of career opportunity due to the incident of sexual harassment.
- c. Medical expenses incurred by the victim for physical or psychiatric treatment
- d. The income and financial status of the respondent



e. Feasibility of such payment in lump-sum or in installments.

Where the ICC arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the Institute that no action is required to be taken in this matter.

Institute shall take action against falsification, if the ICC arrives at the conclusion that the aggrieved woman or any other person has made the complaint knowing it to be false and has produced a forged or misleading document with malicious intention against the respondent.

The Institute shall act upon the recommendations of the ICC within thirty working days of the receipt of the recommendations by him.

The identity of the aggrieved woman, respondent, witnesses and proceedings of the ICC and its recommendations and the action taken by the Institute shall not be published, communicated or made known to the public, press or media in any manner and it will be outside the purview of the Right to Information Act, 2005.

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5/5