



St. Paul Institute of Professional Studies

Affiliated to Devi Ahilya Vishwavidyalaya, Indore

7/1, Boundary Road,
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Anti Sexual Harassment Committee (Established – 2013) Policy on Prevention of Sexual Harassment

With regard to 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; to develop guidelines to combat sexual harassment, violence against women and ragging at the universities and colleges. Keeping the above guidelines in view St. Paul Institute of Professional Studies, Indore, has constituted a Committee against Sexual Harassment. St. Paul Institute of Professional Studies, Indore, since its inception in 2010 has been providing a very congenial and conducive atmosphere to the students, teachers and non-teaching staff to work together in an environment free of violence, harassment, exploitation, and intimidation. This includes all forms of gender violence, sexual harassment, and discrimination on the basis of gender. Every member is expected to be aware of the commitment to the right to freedom of expression and association, it strongly supports gender equality and opposes any form of gender discrimination and violence.

1. An anti – sexual harassment cell to be made functional with at least two senior women faculty on the committee
2. An anti – sexual harassment policy to be adopted and publicized
3. An affidavit to be submitted by each college declaring that such a policy is adopted and the anti – sexual harassment cell is operative.

Declaration of Policy

St. Paul Institute of Professional Studies, Indore, shall value the dignity of every individual, enhance the development of its human resources, guarantee full respect for human rights, ensures the full enforcement of “Fundamental Rights” under articles 14, 15, 19(1) (g) and 21 of the Constitution of India, and uphold the dignity of workers, employees, applicants for employment, students or those undergoing training, instruction or education. Towards this end, all forms of sexual harassment in the employment, education or training environment are hereby declared unlawful.

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OBJECTIVES OF THE POLICY

1. To fulfill the directive of the Supreme Court, as per UGC directives and the Bangalore University in respect of implementing a policy against sexual harassment in the institution.
2. To evolve a mechanism for the prevention and redressal of sexual harassment cases and other acts of gender based violence in the institution.
3. To ensure the implementation of the policy in letter and spirit through proper reporting of the complaints and their follow-up procedures.
4. To provide an environment free of gender-based discrimination.
5. To ensure equal access of all facilities and participation in activities of the college
6. To create a secure physical and social environment which will deter acts of sexual harassment
7. To promote a social and psychological environment that will raise awareness about sexual harassment in its various forms.

DEFINITION OF SEXUAL HARASSMENT

For this purpose, sexual harassment includes such unwelcome sexually determined behaviour (whether directly or by implication) as:

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

Where any of these acts is committed in circumstances where-under the victim of such conduct has a reasonable apprehension that in relation to the victim's employment or enrolment in the institution whether she is drawing salary, or honorarium or otherwise, such conduct can be humiliating and may constitute a health and safety problem. It is discriminatory for instance when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment or work or studentship including recruiting or promotion or academics when it creates a hostile work environment. Adverse consequences might be visited if the victim does not consent to the conduct in question or raises any objection thereto.

JURISDICTION

The rules and regulations outlined in this policy shall be applicable to all complaints of sexual harassment made:

1. By a member of the institution against any other member irrespective of whether the harassment is alleged to have taken place within or outside the

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2. By an outsider against a member of the college or by a member of the college against an outsider if the sexual harassment is alleged to have taken place within the campus.
3. By a member of the college against an outsider if the sexual harassment is alleged to have taken place outside the campus. In such cases the Committee shall recommend that the college authorities initiate action by making a complaint with the appropriate authority. Further, the committee will actively assist and provide available resources to the complainant in pursuing the complaint.

Composition of the Anti – Sexual Harassment Committee.

- (a) A Presiding Officer who shall be a woman faculty member employed at a senior level at the educational institution;
- (b) 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;
- (c) Not less than three students, who shall be enrolled at the undergraduate, masters, and research scholar levels respectively.
- (d) 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.

The members of the committee for the academic year 2017- 18

The Committee consists of members of the faculty, administration, service staff and students' representatives. The members of the committee for the current academic year are:

Role and responsibility of Anti-sexual harassment committee:

1. To ensure provision of a work and educational environment that is free from sexual harassment (Sexual harassment is defined by law from the perspective of the person who feels they have been harassed and it occurs if the person who feels they have been harassed feels offended, humiliated, or intimidated by the conduct and it is reasonable, in all the circumstances that the person who feels they have been harassed would feel offended, humiliated or intimidated).
2. To take all reasonable steps (active and preventive in nature) to prevent the harassment occurring; To address any oral/written complaint about: unwelcome sexual advances, unsolicited acts of physical intimacy, unwelcome requests for sexual favors or other unwelcome conduct of asexual nature.

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Unwelcome conduct of a sexual nature includes oral or written statements of a sexual nature to a person, or in a person's presence.

3. Obtain high level support from the chief executive officer and Principal & Director for implementing a comprehensive strategy:

- Providing information to all staff and students about what constitutes sexual harassment and about their responsibility not to sexually harass other staff and students
- Providing information and training to managers, supervisors and staff conducting teaching and learning activities on meeting their responsibilities in relation to maintaining a work and study environment free from sexual harassment.

4. Develop a written policy which prohibits sexual harassment. The Institution shall have a Sexual Harassment Policy. The policy outlines the Institute's key commitments and legal responsibilities and provides a definition of sexual harassment and behaviors that are not acceptable.

5. Regularly distribute and promote the policy at all levels of the organization; Ensure that managers and supervisors discuss and reinforce the policy at staff meetings; Provide the policy and other relevant information on sexual harassment to new staff as a standard part of induction; Periodically review the policy to ensure it is operating effectively and contains up to date information.

6. Display anti-sexual harassment posters on notice boards in common work areas and distribute relevant brochures; Conduct regular awareness raising sessions for all staff on sexual harassment issues.

7. 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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Internal Complaints Committee (ICC)

Selection of the Internal Complaint Committee members is extremely important as in most cases the committee members, if in sub-ordinate position of power at workplace to that of accused, find it very difficult to diligently carry out the responsibilities bestowed on them as heads or members of the Committee, against the superiors.

The Internal Complaints Committee must remember:

It needs extensive orientation for effective functioning.

It cannot function like a criminal court.

The complainant, when she complains, has at stake her personal life and career.

The impact sexual harassment has on a woman

It is difficult for a woman to talk about anything sexual. Hence there can be long time interval between the harassment and the actual complaint.

It needs to handle complaints in a confidential manner and within a time-bound framework

It needs to submit an annual report on sexual harassment to the appropriate government authority.

POWERS OF THE COMMITTEE

1. The Committee shall have the power to summon witnesses and call for documents or any information from any employee/student.
2. 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.
3. 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.
4. 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.
5. The Committee shall have the power to issue interim directions to / with



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regard to any person participating in the proceedings before it.

6. 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.

REMEDIAL STEPS.

1. To ensure that the mechanism for registering complaints is safe, accessible and sensitive.
2. To 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.
3. To advise the competent authority to issue warnings or take the help of the law to stop the harasser, if the complainant consents.
4. To seek medical, police and legal intervention with the consent of the complainant.
5. To make arrangements for appropriate psychological, emotional and physical support (in form of counseling, security and other assistance) to the victim if so desires.

PROCEDURE TO BE FOLLOWED BY THE COMMITTEE

1. The Committee shall meet as and when any complaint is received by it. Complaint may be received by any member of the committee.
2. 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.
3. 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.


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4. Each party shall be provided with a copy of the written statement(s) submitted by the other.
5. 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
6. 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.
7. The party against whom the document / witness is produced shall be entitled to challenge / cross-examine the same.
8. The Committee shall sit on a day-to-day basis to record and consider the evidence produced by both parties.
9. As far as practicable, all proceedings of the Committee shall take place in the presence of both parties.
10. Minutes of all proceedings of the Committee shall be prepared and duly signed by the members of the Committee.
11. The Committee shall make all endeavour to complete its proceedings within a period of fifteen (15) days from the date of receipt of complaint.
12. 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

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commission of a criminal offence by the accused person, this shall be specifically mentioned in the Committee's report.

13. 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:-

1. Warning
2. Written apology
3. Bond of good behavior
4. Adverse remarks in the confidential report
5. Debarring from supervisory duties
6. Denial of membership of statutory bodies
7. Denial of re-employment/re - admission
8. Stopping of increments / promotion/denying admission ticket
9. Reverting, demotion
10. Suspension
11. Dismissal
12. 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.



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Sixty (60) days. In case of delay an interim reply with reasons for delay is required to be given.

5. How can a Faculty/Staff/Student lodge the grievance?

The grievances can be lodged online. In cases where internet facility is not available or even otherwise, the citizen is free to send her/his grievance by Post. There is no prescribed format.

The grievance may be written on any plain sheet of paper addressed to the Department Head/Institutional Head/Official Heads

6. What are the contact details of the Department of Administrative Reforms and Public Grievances?

The Department of State is committed to providing a workplace that is free from sexual harassment. Sexual harassment in the workplace is against the law and will not be tolerated. When the Department determines that an allegation of sexual harassment is credible, it will take prompt and appropriate corrective action

What Is Sexual Harassment?

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. An employment decision affecting that individual is made because the individual submitted to or rejected the unwelcome conduct; or
2. The unwelcome conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or abusive work environment.
3. Certain behaviors, such as conditioning promotions, awards, training or other job benefits upon acceptance of unwelcome actions of a sexual nature, are always wrong.

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4. Unwelcome actions such as the following are inappropriate and, depending on the circumstances, may in and of themselves meet the definition of sexual harassment or contribute to a hostile work environment:

- i. Sexual pranks, or repeated sexual teasing, jokes, or innuendo, in person or via e-mail;
- ii. Verbal abuse of a sexual nature;
- iii. Touching or grabbing of a sexual nature;
- iv. Repeatedly standing too close to or brushing up against a person;
- v. Repeatedly asking a person to socialize during off-duty hours when the person has said no or has indicated he or she is not interested (supervisors in particular should be careful not to pressure their employees to socialize);
- vi. Giving gifts or leaving objects that are sexually suggestive;
- vii. Repeatedly making sexually suggestive gestures;
- viii. Making or posting sexually demeaning or offensive pictures, cartoons or other materials in the workplace;
- ix. Off-duty, unwelcome conduct of a sexual nature that affects the work environment. A victim of sexual harassment can be a man or a woman. The victim can be of the same sex as the harasser. The harasser can be a supervisor, co-worker, other Department employee, or a non-employee who has a business relationship with the Department.

The Department's Responsibilities Under This Policy

If the Department receives an allegation of sexual harassment, or has reason to believe sexual harassment is occurring, it will take the necessary steps to ensure that the matter is promptly investigated and addressed. If the allegation is determined to be credible, the Department will take immediate and effective measures to end the unwelcome behavior. The Department is committed to take action if it learns of possible sexual harassment, even if the individual does not wish to file a formal complaint.

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The Department will seek to protect the identities of the alleged victim and harasser, except as reasonably necessary (for example, to complete an investigation successfully). The Department will also take the necessary steps to protect from retaliation those employees who in good faith report incidents of potential sexual harassment. It is a violation of both federal law and this policy to retaliate against someone who has reported possible sexual harassment. Violators may be subject to discipline.

Employees' Rights and Responsibilities Under This Policy

1. Any person who believes that he or she has been the target of sexual harassment is encouraged to inform the offending person orally or in writing that such conduct is unwelcome and offensive and must be stopped.
2. If the employee does not wish to communicate directly to the concerned official person. He / she can send the complaint through email,.
3. Employees are encouraged to report the unwelcome conduct as soon as possible to the concerned official person or committee members. They can also intimate by:
 - i. By intimating his/her friend
 - ii. Informing the faculty
 - iii. Informing any HOD.
 - iv. Higher Officials/ Management
 - v. Through Suggestion Box

Convener: Prof. Rahat Ahmed

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