



# MUGBERIA GANGADHAR MAHAVIDYALAYA

P.O.—BHUPATINAGAR, Dist.—PURBA MEDINIPUR, PIN.—721426, WEST BENGAL, INDIA

NAAC Re-Accredited B+Level Govt. aided College

CPE (Under UGC XII Plan) & NCTE Approved Institutions

DBT Star College Scheme Award Recipient

E-mail : mugberia\_college@rediffmail.com // www.mugberiangangadharmahavidyalaya.ac.in

## 1. Implementation of guidelines of statutory/regulatory bodies

### Anti-Sexual Harassment Committee & Internal Complaints Committee (ICC):

**Introduction:** The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("**POSH Act**") was enacted as a comprehensive legislation to provide a safe, secure and enabling environment, free from sexual harassment to every woman. This statute was enacted to fill the legislative void which had been partially addressed by the judiciary in Vishaka and Others v. State of Rajasthan and Others (1997 (7) SCC 323). In this seminal public interest litigation verdict, the Supreme Court of India had framed a set of guidelines ("**Vishaka Guidelines**") for dealing with instances of sexual harassment at the workplace, which has now been codified in the PoSH Act.

Under the POSH Act, an employer is legally required to comply with certain statutory requirements. One of these is the constitution of an Internal Complaints Committee ("**ICC**"), a body envisaged to receive complaints on sexual harassment at the workplace from an aggrieved woman, as well as to inquire into and make recommendations to the employer on the action required pursuant to its inquiry of such complaint made. To give support to any female employee or even girl student, committee has been formed in the college. The Anti-sexual

harassment committee is responsible for any cases that has been registered. The committee also arranges seminars and other awareness programmes under the banner of women's cell to create awareness among the students. The principal looks after all the activities and keep the record for future reference. It is really a proud moment for us that till date, no sexual harassment cases have been registered by any female employee of the college.

## **POLICY AGAINST SEXUAL HARASSMENT IN WORKPLACE:**

The document was drafted by the working Committee on the policy against sexual harassment at the workplace.

**Preamble:** The Parliament of India passed the "**Sexual Harassment at Workplace (Prevention, Prohibition, and Redressal) Act,**" in the year 2013. The ACT provides protection against sexual harassment at workplace and for the prevention and redressal of complaints of sexual harassment.

### **The guidelines state that .....**

"It shall be the duty of the employer or other responsible persons in workplaces 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.

### **Commitment.....**

Educational institutions are the backbone of society and primarily bound by the Supreme Court's directive. Like other educational institutions, Mugberia Gangadhar Mahavidyalaya is committed to create and maintain a safe and secure environment inside the college campus which is free of gender violence, sexual harassment, and discrimination based on sex, / gender for all its students and employees at workplace. The college has significantly contributed in this regard and maintained zero tolerance policy against any form of sexual harassment in the workplace.

## **Sexual Harassment :**

According to THE SEXUAL HARASSMENT OF WOMEN AT THE WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT 2013, sexual harassment includes anyone or the series of the following unwelcome acts or behavior (whether directly or by implication committed in person/ on print or via computer/phone/other media) namely:

1. Physical contact e.g touching, pinching and sexual advances; or
2. A demand or request for sexual favors as a condition of continued employment. job status. promotion, salary increment or career development; or showing pornography or posing sexual pranks.
3. Any other unwelcome physical, verbal, or non- verbal conduct of sexual nature; or
4. Physical conduct such as loaded comments, remarks or jokes, letters, phone calls, SMS, MMS, or e-mails; or
5. Making obscene/ sexually coloured remarks or remarks of a sexual nature about a person's clothing or body; or
6. Stalking, whistling, leering.

## **Jurisdiction:**

The policy and the rules & regulations would apply to all members of the college like students, faculty, and non-teaching staff. The policy would also apply on and off the campus.

**In the above the following definitions will apply.....**

1. **Members-** include faculty (permanent and temporary), staff (permanent and temporary), research scholars /students (full time and part time) and any other visitors like an alumnus etc.
2. **Faculty-** refers to a person or the staff of the institute who is appointed to a faculty position, whether full time/ temporary/ ad-hoc /part-time /visiting /honorary.
3. **Staff-** refers to any person in the Institute who is not included in the category of faculty. It shall also include contract workers and daily wage workers.
4. **Students-** includes all the students of UG and PG of Mugberia Gangadhar Mahavidyalaya, PO+PS- Bhupatinagar, Dist- Purba Medinipur, Pin -721636,

5. **Campus-** refers to all places of work and hostels. It includes all administration section, academic section, Library & different computer labs, research centres, common rooms for both boys and girls, as well as hostel & mess, guest house, staff quarters, public places, etc. To implement the policy, a Committee shall be appointed would be as described below.

## **Internal Complaint Committee**

The above committee is responsible to prevent sexual harassment and to receive and deal with complaints. With due consideration of the GB and the Principal Internal Complaint Committee have been appointed. The committee comprises of

1. Chairman- The Principal
2. Two members from the teaching faculty and one member from non-teaching faculty.
3. One external member from nearby Govt offices/Local Police Station
4. 2 students from UG and PG departments.

## **Objectives of the Internal Complaint Committee:**

1. To develop guidelines and norms which will guide against any sort of sexual harassment in the campus.
2. To develop Principles and guidelines to combat harassment cases.
3. To work out details for the implementation of policy against discrimination and sexual harassment against women and men by promoting gender education among students and employees.
4. To make recommendations to the principal for changes or elaborations of rules for students in the prospectus and by-laws to make policy genders just and to lay down the procedures for the prohibition, resolution, settlement and the prosecution of acts of discrimination and sexual harassment against both men and women by the students and the employees.
5. To deal with cases of discrimination and sexual harassment of men and women in a time bound manner, aiming at ensuring support services to the victimized and termination of the harassment.
6. To recommend appropriate punitive action against the suspect.

## **Roll of ICC:**

1. To create and ensure a safe work environment that is free from any type of sexual harassment, particularly of women employee, students to maintain an atmosphere equality and gender justice.
2. To take note of complaints of sexual harassment of women employees and students and to conduct enquiries and provide assistance.
3. To redress complaint of sexual harassment, recommend penalties and action against the accused, if necessary
4. To recommend to the concerned authority, follow up actions and to maintain the same.

## **Investigation procedures**

Internal Complaint Committee (ICC) follows specific investigation procedures when addressing complaints of sexual harassment, gender based/caste-based discrimination, or any form of misconduct to any student or employee in the workplace. Here's a general outline of the steps involved in the college:

1. The ICC receives the complaint either in writing or through an established reporting channel. After receiving the same, it usually maintains confidentiality and sensitivity throughout the process.
2. The committee conducts an initial assessment of the complaint to determine its validity and seriousness. This may involve interviews with the complainant, collecting evidence, and understanding the nature of the alleged incident.
3. Once the complaint is assessed and deemed credible, the accused party is informed about the allegations against them in a fair and impartial manner.
4. The committee conducts a thorough investigation, which may involve interviewing witnesses, collecting evidence (emails, messages, documents), and gathering any relevant information.

5. It's crucial to maintain confidentiality throughout the investigation to protect the identities of both the complainant and the accused.

6. The collected evidence and testimonies are carefully analyzed to arrive at a conclusion. This analysis requires objectivity and fairness to ensure a just outcome.

7. Based on the investigation findings, the committee makes a decision regarding the complaint. They may recommend disciplinary actions, training, or any necessary measures to address the issue and prevent future occurrences.

8. A detailed report of the investigation, including findings and recommendations, is documented. This documentation is crucial for transparency and compliance purposes.

9. The committee ensures that the recommended actions are implemented, and follow-up measures are taken to monitor the situation and prevent any potential retaliation or recurrence of the issue.

10. Once the investigation is completed and actions are taken, the case is formally closed, and both the complainant and the accused are informed about the resolution.

Disciplinary actions taken by an Internal Complaint Committee (ICC) in response to a verified complaint of harassment, discrimination, or any form of misconduct in the workplace can vary based on the severity of the incident and organizational policies. Here are some potential disciplinary actions:

### **Disciplinary Action taken by ICC:**

1. For minor infractions or as a first step towards sexual harassment, the committee might issue a verbal or written warning to the accused individual, emphasizing the seriousness of the issue and the need for corrective action.

2. Sometimes, the committee may recommend training sessions or counseling for the accused individual to educate them about appropriate workplace behavior and to prevent future occurrences.

4. In more serious cases, the committee might recommend a temporary suspension from work with or without pay while the investigation continues or as a disciplinary action.

5. If the offense is severe and warrants a strong response, the individual might face demotions as a disciplinary consequence.

6. In cases of serious misconduct or repeated sexual offenses, termination of employment or studentship might be the recommended course of action through governing body. This is usually considered the last resort after thorough investigation and consideration of all the facts.

7. The committee might also recommend other corrective measures, such as an apology, restitution, or any specific actions aimed at rectifying the harm caused.

Additionally, it's crucial to ensure that the process remains confidential to protect the privacy of both the complainant and the accused individual while also providing support to both parties throughout the process.

**Reporting Mechanism:** The survivor of the Sexual harassment who wishes to pursue a formal complaint against the accused regarding sexual harassment has multiple options. He or she can make written complaints to the authority or ICC, can go through the website for an online complaint or may submit a written complaint in the grievance redressal box placed inside the campus. The procedures of the mechanism can be divided into two sections, one is informal complaint and the one is formal complaint. In case of informal complaint, the survivor intends to lodge a complaint to a teacher or any well wisher and in the case of formal complaint, the survivor directly opt for a regular complaint against the accused and submit a complaint to the ICC.



  
30.7.2018  
Dr. Swapan Kumar Misra  
Principal  
Mugberia Gangadhar Mahavidyalaya  
**Principal**  
Mugberia Gangadhar Mahavidyalaya