



Dnyan Prabodhini Mandal's
SHREE MALLIKARJUN
 &
 Shri. Chetan Manju Desai College
 Delem, Canacona-Goa 403702



India Today Ranking
 115 (Arts) 150 (Commerce)

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SEXUAL HARASSMENT OF WOMEN AT THE WORKPLACE (PREVENTIVE AND REMEDIAL)

1. BACKGROUND:

SHREE MALLIKARJUN and Shri. Chetan Manju Desai College is committed to creating and maintaining a community in which students, teachers and non-teaching staff can 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 sex /gender. Every member of this college community should be aware that while this college is committed to the right to freedom of expression and association, it strongly supports gender equality and opposes any form of gender discrimination and violence.

Sexual harassment has come to be widely condemned as a form of human rights violation, and an infringement on life and liberty, as defined by the Constitution of India. Such behaviour is seen to transgress common dignity, gender equality, and fundamental rights. Sexual harassment is contrary to anti-discrimination laws (Article 15: "Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth" and Article 19 (1) (g): Right to freedom which upholds a woman's right "to practice any profession, or to carry on any occupation, trade or business")

The Supreme Court of India, in landmark judgement in August 1997 (Vishaka & other V. State of Rajasthan & Others) stated that every instance of sexual harassment is a violation of "Fundamental Rights" of equality under Article 14, right against sex based discrimination under Article 15, right to work of women under Article 19 (1) (g) and right to life and dignity under Article 21 of the of the Constitution of India. Another Supreme Court Judgement in January 1999 (Apparel Export Promotion Council vs. Chopra) has





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stated that sexually harassing behaviour "needs to be eliminated as there is no compromise on such violation". These judgements confirm India's international commitment to the International Covenant on Economic, Social and Cultural Rights (acceded to in 1979) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) ratified 1993). The SHREE MALLIKARJUN & Shri Chetan Manju Desai College, Canacona Government of India was also a signatory to the Resolution of the Fourth World Conference on Women in Beijing in 1995.

The Supreme Court judgement of 1997 makes it obligatory for every other responsible person to follow the guidelines laid down by the court and to evolve a specific policy to combat sexual harassment at the workplace. Educational institutions are bound by the same directive. Following this, Shree Mallikarjun College and Shri. Chetan Manju Desai College is committed to uphold the Constitutional mandate ensuring the above-mentioned human rights of all those who fall within its jurisdiction.

This Policy having been passed by the committee received the assent of the Principal & came into effect on 22/11/2011.

2. OUR INTENTION:

Our Intention in framing the policy is to provide the students, and staff- teaching and non-teaching with information and mediation strategies aimed to make aware of the conduct which could constitute sexual harassment, the set procedures to follow if one is sexually harassed, and information of the consequences that may follow from violation of the provisions of the Policy.

3. OBJECTIVES OF THE POLICY:

- To prevent sexual harassment, and to ensure a safe environment at the workplace.
- To promote a learned environment that will raise awareness about sexual harassment in its various forms.
- To deal with cases of sexual harassment, in a time bound manner, ensuring support services to the victim and termination of harassment.
- To ensure that both the victim and the accused receives the necessary





rehabilitation.

4. DEFINITION OF SEXUAL HARASSMENT:

Sexual harassment is any unwelcome conduct of sexual nature- it can include verbal, nonverbal and physical conduct that ranges from sexual gestures or teasing to sexual assaults, acts of sexual SHREE MALLIKARJUN & Shri Chetan Manju Desai College, Canacona violence, including domestic and dating violence, sexually motivated stalking and coerced activity.

5. THE FOLLOWING IS ALSO SEXUAL HARASSMENT AND IS COVERED BY THE COMMITTEE:

- ❖ Eve-teasing,
- ❖ Unsavory remarks,
- ❖ Gender based insults or sexist remarks,
- ❖ Threatening to post the contents or posting contents on social media- including Facebook, twitter, Whats App that will violate one's privacy and dignity.

6. PROCEDURE FOR REGISTERING COMPLAINTS:

All complaints must be brought by the complainant in person / sent via email/ post to any member of the committee members. In exceptional cases, third party/ witness complaints may be entertained. In such cases, the respective committee will ascertain whether the person alleged to have been harassed wishes to lodge a formal complaint. Once such a complaint is received, the respective committee shall proceed to investigate it as per the procedure specified.

- ❖ If the complainant wishes, a representative can accompany him/her.
- ❖ The complaint has to be filed by the employee/student within 3 months of the date of the incident.
- ❖ Once a complaint is filed the complainant is allowed to withdraw complain through a written letter to the committee, only in case of mutual understanding between the two parties involved.





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7. PROCEDURE FOR INQUIRY:

1. The inquiry has to be completed within 90 days.
2. The inquiry report has to be issued within 10 days from the date of completion of inquiry.
3. The employee/student is required to act on the recommendations of the committee within 60 days of the receipt of inquiry report.
4. Appeal against the decision of the committee is allowed within 90 days of the date recommendation of SHREE MALLIKARJUN & Shri Chetan Manju Desai College, Canacona
5. In case a complaint is found to be false; the procedure of punishment will be taken against the complainant.

8. THE DISCIPLINARY ACTION:

A. In the case of College employees, disciplinary action could be in the form of:

- a. Warning
- b. Written apology
- c. Bond of good behavior
- d. Adverse remarks in the Confidential Report
- e. Debarring from duties
- f. Denial of membership of statutory bodies
- g. Denial of re-employment
- h. Stopping of increments/promotion
- i. Reverting, demotion
- j. Suspension
- k. Dismissal
- l. Any other relevant mechanism.

B. In case of students, disciplinary action could be in the form of:

- a. Warning
- b. Written apology





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- c. Bond of good behavior
- d. Parents/Mentors involvement. (if the behavior doesn't change with the written apology)
- e. Debarring entry into a hostel/ campus
- f. Suspension for a specific period.
- g. Withholding results.
- h. Debarring from exams
- i. Debarring from contesting elections
- j. Debarring from holding posts such as member of Committee of Courses, membership of College union, etc.
- k. Expulsion (if the committee feels the need) SHREE MALLIKARJUN & Shri Chetan Manju Desai College, Canacona
- l. Denial of admission
- m. Declaring the harasser as "persona non grata" for a stipulated period of time
- n. Any other relevant mechanism.

9. REHABILITATION:

The committees will make an effort to resolve complaints through counselling and mediation if commensurate with the nature of the violation.

- a. It will be mandatory for the accused and the victim to go through the process of
- b. counselling, for as many sessions as the client and counsellor feel necessary.
- c. The victim and accused will have to go through interventions or help if found necessary by the counsellor and the committee.
1. Since we are affiliated to Goa University, the guidelines and policy of prevention of Sexual harassment of Goa University also will be applicable to SHREE MALLIKARJUN and Shri.Chetan Manju Desai College.

