

Raj Narain College, Hajipur

Policy on

**Prevention, Prohibition and Redressal of Sexual
Harassment of Women at Workplace**



Raj Narain College, Hajipur, being a co-education institution, is sensitively committed to the duties and responsibilities of ensuring an academic environment free from any form/instance of gender discrimination and sexual harassment. The College recognizes the inherent worth and dignity of each and every person and, as such, follows a policy of zero tolerance of instances of sexual harassment of women at workplace.

The Policy under reference complies to the judgement of the Supreme Court of India, in August 1997 viz., Vishaka & others vs. the state of Rajasthan & others that every instance of sexual harassment is a violation of “Fundamental Rights” under articles 14, 15 and 21 of the Constitution of India, and amounts to a violation of the “Right to Freedom” under article 19 (1)(g). This also intends to meet the obligation as mandated by the UGC Gazette Notification dated 2nd May, 2016 of “Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Girl students in Higher Institutions Regulation Act, 2015”.

Policy Statement

1. Scope:

The Policy shall apply without any discrimination to all students, faculty, staff/employee of the Raj Narain College, Hajipur, or third parties whosoever has been found/ reported to have indulged on this College Campus in conduct/ behaviour perceived to be outrageous/ indecent/ inappropriate to the dignity of a female student/ female faculty/ female employee/ a female visitor (parent/ alumna, etc.)

2. Within the ambit of this Policy, the following terms are defined as follows:

“**Sexual harassment**” will mean any unwanted/ unsolicited conduct/ behaviour with perceived sexual undertones/ gestures/ intentions. It will include:

- i. physical/ verbal/ non-verbal (textual, electronic, visual or graphic) conduct of sexual nature.
- ii. sexually coloured remarks/ demands or requests for sexual favours.
- iii. physical contact/ advances/ showing indecent photographs or videos which are perceived to be humiliating, intimidating or embarrassing.
- iv. any single or repeated sexually coloured behaviour or conduct that appears intimidating or a hostile

‘**Complainant**’ shall mean any person reporting an incident of sexual harassment, or on whose behalf such complaint has been filed.

‘**Respondent**’ shall mean any person against whom a complaint of sexual harassment has been filed.

Staff or employee of Raj Narain College shall mean anyone employed by Raj Narain College, Hajipur (B. R. A. Bihar University, Muzaffarpur) in any of the Sections including full-time, part-time, casual temporary or contractual staff, researchers and trainees.

Third party shall refer to any person who is not part of the Raj Narain College community.

Raj Narain College community shall include students, faculties, and staff of the University.

Raj Narain College Campus shall include the premises of the encircled College premises.

Prohibition of Sexual Harassment- All instances of sexual harassment at workplace are prohibited and shall be dealt with as per the UGC Regulations and this Policy.

Internal Complaints Committee is the one constituted and notified by the Principal of the College in consultation with the IQAC to look into the incidents of sexual harassment on the Campus of Raj Narain College, Hajipur

3. Constitution of the Internal Complaints Committee (ICC): The Committee shall consist of the following members to be nominated by the Principal:

- i.) a Convener who shall be a senior level Female Faculty member-not below the rank of Professor;
- ii.) two members out of the faculty members who have legal knowledge or expertise in the subject;
- iii.) two members out of the staff/non-teaching employees who have knowledge or experience in the subject;
- iv.) one or two external member(s), preferably a lawyer, familiar with the issues of sexual harassment from governmental/semi-governmental or non-governmental organization;
- v.) two students' representatives (one male and the other female), preferably from postgraduate and research streams respectively;
- vi.) In case, a particular complaint relates to a faculty, representatives from non-teaching employees and students will not be the part of ICC during the resolution of complaint or during inquiry proceedings;
- vii.) In case a complaint relates to a non-teaching employee, representatives from students will not be the part of ICC during the resolution of complaint or during inquiry proceedings;
- viii.) At least half of the members of the ICC shall be women.

4. Who can file the complaint- Any female student, female faculty or female employee, either a member of Raj Narain College community or visitor to this College, may submit in writing (as per the Format given in Annexure-A) a complaint of sexual harassment at workplace to the ICC.

If the complainant is unable to submit the complaint in writing by herself or himself, the ICC may allow any other person to file a complaint on her behalf if found reasonable and appropriate.

5. Filing of Complaint:

- i.) The complainant shall file a complaint in writing before ICC in the given format at the earliest but within 3 months from the date of the incident.
In exceptional cases, the ICC may extend the time limit not exceeding three months by recording the reason.
- ii.) The complaint may be submitted personally or by post to the Convener of ICC
- iii.) In case, the complaint has been submitted online, its hard copy must reach to the office of ICC within 7 working days.
- iv.) ICC shall extend all reasonable assistance to the complainant in drafting the complaint, if needed.

- v.) The complaint should be specific, including the list of witnesses, if any.
- vi.) Before initiating the inquiry, the ICC at the request of the complainant, may take steps to amicably settle the matter between the complainant and the respondent.

6. Inquiry into the complaint:

- i.) On receipt of the complaint, the ICC shall serve notice to the respondent within 7 working days enclosing a copy of the complaint.
- ii.) The respondent shall be required to reply to the notice in writing, along with a list of witnesses, if any, within 10 working days from the date of receiving the notice.
- iii.) During the process of the enquiry, the complainant may be called and heard by ICC and a record of statement may be prepared for future reference.
- iv.) On receipt of the reply of the respondent, the ICC shall provide a copy of the same to the complainant within 5 working days.
- v.) The ICC shall comply with the basic principles of natural justice with regard to the parties concerned during the inquiry.
- vi.) The ICC may try to settle the matter between the parties amicably, subject to the request made by the complainant.
 - i.) The complainant and the respondent shall not be made to face each other during the enquiry.
 - ii.) The ICC, if it so requires, may call upon any person to be a witness, and record his/ her statements on oath.
 - iii.) If the complainant or respondent wishes to cross-examine any witness(s), ICC shall facilitate the same and records the statement(s).
 - iv.) The ICC shall maintain utmost confidentiality of the proceedings in all possible ways.
 - v.) Only the members of the ICC shall be given the confidential documents for perusal during the inquiry meetings.
 - vi.) The proceedings and the statements of witnesses shall be endorsed and authenticated by the persons concerned as well as by the members of ICC present in that meeting.
 - vii.) However, neither the complainant nor the respondent shall be allowed to carry camera or mobile to record the proceedings.
 - viii.) Minutes of the proceedings shall be prepared and authenticated on the same day as far as possible.
 - ix.) After the completion of the inquiry, the ICC shall submit a detailed report of its findings, along with reasons to the Principal, along with copy of the report to the complainant as well as respondent.
 - x.) Complaints of sexual harassment must be addressed sensitively to avoid causing embarrassment and distress to the Complainants. Hence, proceedings must be held in a closed place.
 - xi.) Utmost care must be taken to prevent any disadvantage to or victimization of either the complainant or to the respondent.
 - xii.) The inquiry could be terminated or an ex-parte decision may be given, if complainant or respondent remains absent for 3 consecutive hearings, without reason.
 - xiii.) 15 days written notice may be given to the party, before termination or ex-parte order.
 - xiv.) The identity of complainant as well as respondent must be kept confidential.

7 Interim Relief:

- i.) During process of the inquiry, the committee may recommend to the employer to the Principal to transfer the complainant or the respondent to any other department or section, if feasible.

- ii.) Grant appropriate leave to the aggrieved, subject to rules of leave.
- iii.) Grant such other relief as may be appropriate

8 Appeals:

- i.) ICC shall have no jurisdiction to entertain any request for re-enquiry from any side, i.e. the Complainant, Respondent or any of the witnesses after the submission of the Report.
- ii.) The Appeal may be filed only in the office of the Principal within 90 days of the receipt of the decision of ICC.
- iii.) The Principal, the Convener of the IQAC, and two senior most Professors will form an Appellate, of which two must be female members.

9. Confidentiality of Proceedings:

- i.) The ICC as well as the College shall take utmost care to maintain confidentiality of the identity of both the parties.
- ii.) If any member of the ICC is a witness/related to either party, he/she shall not participate in the inquiry.
- iii.) The identity of the complainant, respondent, witnesses and proceedings of ICC and its decision shall not be published nor shall be released to the press or media, **and it will be outside the purview of the Right to Information Act, 2005.**
- iv.) Legal practitioner will not be allowed to represent either the complainant or the respondent in proceedings before the ICC.
- v.) No decision under this Policy, except the final decision in form of Report of the Inquiry Committee or the Appellate Committee shall be made public.

10. Obligations of College Authorities:

In order to ensure effective implementation of this Policy, the College Administration shall:

- i.) forward all complaints of sexual harassment to the ICC.
- ii.) provide all necessary facilities and other possible assistance to the ICC for smooth conduct of inquiry.
- iii.) provide assistance to the complainant in getting professional counselling and medical services, if required.
- iv.) pay appropriate reasonable amount as honorarium to the external member for attending the ICC meetings
- (5) monitor the timely submissions of the Report(s) by the ICC

11. Punishments, if held guilty of 'sexual harassment'

The ICC shall recommend any or a combination of the following penalties for sexual harassment, which shall be entered in the permanent Service Book of the respondent:

A. In case of students: Depending upon the severity of the violation of code of conduct, one or more than one punishment may be ordered for the erring student, out of the following:

- i.) Warning, reprimand or censure; oral or in writing.
- ii.) Withholding certain privileges from the students such as access to the library, scholarships, identity card.
- iii.) Debarring from the examination.
- iv.) Suspension from the College or restrict entry for a specified period.
- v.) Denial of readmission, in case of serious offence.

- vi.) Public Apology in writing.
- vii.) Withholding of degree.
- viii.) Mandatory counselling.
- ix.) Mandatory attendance in a gender-sensitization workshop.
- x.) Mandatory performance of community service.
- xi.) Debarment from holding any position of responsibility in the College.

B. In case of employee:

In case the offence is proved against the respondent or it is found that the complaint was either frivolous or vexatious, action may be taken against anyone of them under the service rules or other rules, regulations, guidelines of the University. Some of these are as follows:

- i.) May be censured or reprimanded or warned.
- ii.) May be asked to submit written apology.
- iii.) Salary increment be withheld or promotion deferred for specified period.
- iv.) Suspension.
- v.) Termination, in severe case.

C. Penalties for Third Parties:

Any or a combination of the following penalties could be imposed for sexual harassment:

- i.) Bar from entering the Raj Narain Campus.
- ii.) Withdrawal of certificate for successful completion of, or participation in, any conference, seminar, programme or competition organized by the College.
- iii.) Warning or Reprimand in writing.
- iv.) Any other appropriate action as per the applicable rules of Raj Narain College.

12. Annual Reports:

The ICC shall prepare an Annual Report containing details of the cases filed, if any and their disposal etc. and forward a copy thereof to the Principal of the College.

14) False, Frivolous or Vexatious Complaints

13. Strict disciplinary action shall be taken by the College Administration in case any complaint is proved to be false or found to be lacking seriousness or sound basis or intending to harass someone or filed to settle the score unrelated to complaint filed. to be taken in this matter.

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Professor (Dr.) Ravi Kumar Sinha
Principal
Raj Narain College, Hajipur



Raj Narain College, Hajipur
(Anti-sexual Harassment Cell)

1. Name of the Complainant:
2. Designation (student/ faculty/ employee):
3. Qualification/ details:
3. Contact Details
(complete postal address, mobile no., landline no., email id):

4. Name of the Employer / Name of the Department (for student):
5. Designation of the Employer:
6. Date & Time of Incident alleged:
7. Brief Details of the incident (s):

8. Name of the Respondent:
9. Power Relation with Respondent:
10. Designation/ class details of Respondent:
11. Employer of Respondent:
12. First reaction after/during the alleged Incident:
13. Representation/Complaint before any other fora/agency:
If yes, brief details and copies:

14. List of Witnesses, if any:
15. Witnesses' details, addresses, contact No.:
16. Relationship with the witnesses, if any:
17. Any previous grievance/incident caused by Respondent:
If yes, give details:

18. Whether complaining within 3 months of incident:
If not, give reasons:
Complaint: Hand-written _____ Typed _____ Handed-over _____
Mailed _____ Posted _____
Give details of mode of filing the complaint:

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