

Policy for Internal Complaint and Sexual Harassment



**Jorhat Kendriya
Mahavidyalaya**

PREAMBLE:

Jorhat Kendriya Mahavidyalaya is dedicated towards building a community which provides a healthy environment which believes in gender equality and is free of any kind of violence, harassment, bullying, discrimination, or mishandling. This includes all forms of gender violence, sexual harassment, and discrimination based on 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.

OBJECTIVES OF THE POLICY:

- I. To evolve a mechanism for the prevention and redressal of sexual harassment cases and other acts of gender-based violence in the institution.
- II. To ensure the implementation of the policy in letter and spirit through proper reporting of the complaints and their follow-up procedures.
- III. To provide an environment free of gender-based discrimination.
- IV. To ensure equal access of all facilities and participation in activities of the college.
- V. To create a secure physical and social environment which will deter acts of *sexual harassment*.

DEFINITION OF SEXUAL HARASSMENT:

Sexual harassment includes 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 campus.
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.

MEMBERS OF ANTI-SEXUAL HARASSMENT COMMITTEE:

1. One chairperson or presiding officer.
2. Two members amongst the employees.
3. One external member- lawyer.

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 can furnish 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 / regarding 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.

FUNCTIONS OF THE COMMITTEE:

1. PREVENTIVE STEPS.

It will be the endeavour of the committee:

1. To facilitate a safe environment that is free of sexual harassment;
2. To promote behaviours that create an atmosphere that ensures gender equality and equal opportunities

2. 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, aid 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 counselling, security and other assistance) to the victim if so desires.