

## **INTERNAL COMPLAINT / WOMEN DEVELOPMENT COMMITTEE**

As per **VISHAKHA GUIDELINES** given by Honorable Supreme Court and with reference to Section 4 All India Council for Technical Education Regulations, 2016 vide no. F AICTE/WH/2016 (Gender sensitization, prevention and prohibition of sexual harassment of women employees and students and Redressal of Grievances in Technical Institutions), Internal Complaint Committee (ICC) has been formed in **SAROJINI COLLEGE OF PHARMACY, KOLHAPUR** to prevent sexual harassment of woman at work place.

Internal Complaint Committee sensitizes the female faculty members and students on the prevention and prohibition of sexual harassment of woman at work place. According to the Supreme Court's order, Sexual Harassment is any unwelcome:

- Physical contact and advances
- Demand or request for sexual favors
- Sexually colored remarks
- Display of pornographic content in any form
- Any other unwelcome physical, verbal and non-verbal conduct of a sexual nature.

### **Objectives**

The objectives of the Internal Complaint Committee to Prevent Sexual Harassment of Women at the Workplace are as follows:

- 1) To evolve a permanent mechanism for the prevention and Redressal of sexual harassment cases and other acts of gender based violence at the Institute.
- 2) To uphold the commitment of the Institute to provide an environment free of gender based discrimination.
- 3) To create a secure physical and social environment to deter any act of sexual harassment.
- 4) To promote a social and psychological environment to raise awareness on sexual harassment in its various forms.
- 5) To encourage participation of NGO's working in the area of women's development.
- 6) To disseminate knowledge about rights and laws related to women.

### **Working Procedure**

- 1) Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the Internal Committee within a period of three months from the date of incident and in case of series of incidents, within a period of three months from the date of last incident.

- 2) The Internal Committee before initiating an enquiry and at the request of the aggrieved woman take steps to settle the matter between her and the respondent through conciliation (provided that no monetary settlement shall be made as a basis of conciliation) Where a settlement has been arrived, the Internal Committee, shall record the settlement so arrived and forward the same to the employer to take action as specified in the recommendation. The Internal Committee shall provide the copies of the settlement as recorded to the aggrieved woman and the respondents. Where a settlement is arrived, no further inquiry shall be conducted by the Internal Committee.
- 3) The Internal Committee, shall, where the respondent is employee, proceed to make inquiry into the complaint in accordance with the provisions of the service rules applicable to the respondents. Where both the parties are employees, the parties shall during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the committee. Notwithstanding anything contained in section 509 of the Indian Penal Code (45 of 1860), the court may, when the respondent is convicted of the offence, order payment of such sums as it may consider appropriate, to the aggrieved woman by the respondent, having regard to the provision of section 15 , determination of compensation. For the purpose of making an inquiry , the Internal Committee shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908) when trying a suit in respect of the following matters:
  - a) Summoning and enforcing the attendance of any person and examining him on oath.
  - b) Requiring the discovery and production of documents, and any other matter which may be prescribed.The inquiry shall be completed within a period of ninety days.
- 4) During the pendency of an inquiry, on a written request made by the aggrieved woman, the Internal Committee may recommend certain action to the employer as per this Act and the employer shall implement the recommendations and send the report of such implementation to the Internal Committee.
- 5) On the completion of an inquiry under this Act, the Internal Committee shall provide a report of its findings to the employer, within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties. Where the Internal Committee arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the employer that no action is required to be taken in this matter. Where the Internal Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend certain action to the employer as per this Act.
- 6) Where the Internal Committee arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading

document, it may recommend to the employer to take action against the woman or the person who has made the complaint in accordance with the provisions of the service rules applicable.

- 7) Where the Internal Committee arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the employer of the witness to take action in accordance with the provisions of the service rules applicable. viii. Any person aggrieved from the recommendations made by Internal Committee or non-implementation of such recommendations may prefer an appeal to the court in accordance with the provisions of the service rules applicable within a period of ninety days of the recommendations.

### **Power and Duties of the Committee**

The committee is NOT to act as a moral police; neither will it intrude on anyone's privacy. The role of the Committee is to create awareness about sexual harassment and to deal with and recommend punishment for non-consensual acts of sexual harassment, and not to curtail sexual expression within the campus. Members are expected to be sensitive to the issue and not let personal biases and prejudices (whether based on gender, caste, class) and stereotypes (e.g., predetermined notions of how a "victim" or "accused" should dress up or behave) affect their functioning as members of the committee.

#### **A. Preventive**

- 1) To create and ensure a safe environment that is free of sexual harassment, including safety from persons/visitors coming into contact at the workplace.
- 2) To publicize the policy in English, Hindi and Marathi widely, especially through notice boards and distribution of pamphlets
- 3) To publicize in English, Hindi and Marathi, the names and phone numbers of members of the Committee.

#### **B. Gender Sensitization**

Gender Sensitization involves creating awareness about issues of gender and sexuality and working towards and creating an enabling environment of gender justice where all can work together with a sense of personal security and dignity. Sensitization and Awareness will be a basic function of the Committee formed. The following is a list of methods in which awareness and sensitization of students, staff and faculty will be conducted:

- 1) An orientation seminar will be organized to discuss the nature and scope of the sexual harassment of women at the workplace (Prevention, Prohibition and Redressal) Act 2013, at the beginning of the academic year.
- 2) One or more workshops/seminars annually where external experts on the subject will interact with all employees and students
- 3) Seminars, performances and discussion forums where gender sensitization and gender awareness will be the focus – these will happen during the academic year.
- 4) Spreading awareness of the policy and implementation of the same through informal sessions, performances, cultural events, etc., about the policy being implemented by IIPS.

### C. Remedial

- 1) The mechanism for registering complaints should be safe, accessible, and sensitive.
- 2) To take cognizance of complaints about sexual harassment, conduct enquiries, provide assistance and redressal to the victims, recommend punitive action or take immediate action against the harasser, if necessary.
- 3) To recommend disciplinary action for any complaint registered with the Committee after the enquiry to the Director/administration/or concerned authorities and to follow-up action and monitor the same.
- 4) To recommend Institute to provide assistance to the complainant if she so chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time-being in force.
- 5) To recommend the Institute to provide the medical intervention with the consent of the complainant or even without consent in such cases where the complainant is physically or mentally incapacitated to give her consent.
- 6) To inform the administration to arrange for appropriate psychological, emotional, and physical support (in the form of counselling, security and other assistance) to the victim if she so desires.

The Internal Complaints Committee (ICC)/ Women Development Committee consist of the following members:

<b>Sr. No.</b>	<b>Name of Member</b>	<b>Designation</b>	<b>Position</b>
1	Ms. Preeti Patil	Assistant Professor (Deg.)	Presiding Officer
2	Mr. Utkarsh Nagavekar	Assistant Professor (Deg.)	Member
3	Mrs. Kousalya Patil	Lecturer (Dip.)	Member
4	Mrs. Sulaxmi Patil	Advocate	Member
5	Dr. Saroj Shinde	Gynecologist	Member
6	Smt. Swati Gaikwad	Deputy Superintendent of Police (Home)	Member
7	Ms. Shraddha Nikam	Representative of Non-teaching staff	Member
8	Ms. Sanyogeeta Jadhav	Student Representative (Deg.)	Member
9	Ms. Namrata Chavan	Student Representative (Dip.)	Member