

RAJA PEARY MOHAN COLLEGE

UTTARPARA HOOGHLY

POLICY ON PREVENTION OF SEXUAL HARASSMENT



RAJA PEARY MOHAN COLLEGE

1, Acharya Dhruba Pal Road,

Uttarpada, Hooghly, West Bengal, Pin- 712 258.

Tel No.: (033)2663-0191, Mob: 7074292263

Website: <https://www.website.rpmcollege.edu.in/>, e-mail: rajapearymohancollege@gmail.com

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POLICY ON PREVENTION OF SEXUAL HARASSMENT

Sexual harassment is gender-based verbal or physical conduct (male/female, female/male, or same sex) that has the purpose or effect of either unreasonably interfering with an individual's dignity, work or academic performance or creates an intimidating, hostile, or offensive working or educational environment.

Sexual harassment constitutes a gross violation of the right to equality and dignity for any gender. The Supreme Court of India, in a landmark judgment in August 1997 (Vishaka & Others vs. the State of Rajasthan & others) stated that every instance of sexual harassment is a violation of "Fundamental rights" under Article 14, 15 and 21 of the Constitution of India, and amount to a violation of the "Right to Freedom" under Article 19(1) (g). In 2013 the Government of India notified the "SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION PROHIBITION AND REDRESSAL) ACT, 2013" from April 2013 published in "THE GAZETTE OF INDIA" -NEW DELHI, TUESDAY, APRIL, 23, 2013/ VAISAKHA 3, 1935 (SAKA).

Policy Statement: "Raja Peary Mohan College is committed to providing a place of work and study that is free of sexual harassment. Everybody has the right to be treated with dignity and respect and a right to safe and healthy work environment. Sexual harassment is a violation of an individual's right to work and live with dignity. The college will maintain a Zero Tolerance Policy on any such instances". Instances of sexual harassment will be taken seriously and dealt with promptly.

- Disciplinary action will be taken according to the nature and gravity of the behavior reported.
- The College will respect the confidentiality and privacy of individuals reporting and the accused of sexual harassment to the extent possible.
- Care will be taken to see that complainant, witnesses and the harasser does not face victimization and discrimination during the process of enquiry.
- Intentionally providing false information is a ground for disciplinary action. In case of a false complaint a penalty will be levied on the complainant.
- The members of Raja Peary Mohan College – students, teaching faculty, administrative staff, both contractual and temporary will come under the purview of this policy.

The Internal Complaint Committee (ICC) of Raja Peary Mohan College was reformed in the year **2018** as per the **guidelines of POSH Act, 2013 and UGC**. The **Internal Complaint Committee** has been formed in order to provide protection to the students and employees against sexual harassment at workplace and thereafter for the prevention and redressal of complaints of sexual harassment.



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Encompassment Under Sexual Harassment:

Sexual harassment is unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal and non-verbal. Examples of conduct or behavior which constitute sexual harassment include mainly three broad types – however the following examples are **not exhaustive**:

Physical conduct:

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching
- Physical violence, including sexual assault
- Physical contact, e.g. touching, pinching
- The use of job-related threats or rewards to solicit sexual favours

Verbal conduct:

- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories and joke
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex of the worker
- Condescending or paternalistic remarks
- Sending sexually explicit messages (by phone or by email)

Non-verbal conduct:

- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures
- Whistling
- Leering

Responsibilities of the College:

- Wherever required, appropriately subsume the spirit of the above definition in its policy and regulations on prevention and prohibition of sexual harassment against the employees and the students and modify its ordinance and rules in consonance with the requirements of the Regulations;
- Publicly notify the provisions against sexual harassment and ensure their wide dissemination and sensitize the students, faculty members and employees regarding the sexual harassment




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guidelines

- Organize training programs or as the case may be, workshops for the officers, functionaries, faculty and students, as indicated in the SAKSHAM Report (Measures for Ensuring the Safety of Women and Programs for Gender Sensitization on Campuses) of the University, to sensitize them and ensure knowledge and awareness of their rights, entitlements and responsibilities enriched in the Act and under these regulations;
- Act decisively against gender-based violence perpetrated against employees and students of all sexes recognizing that primarily women employees and students and some male students and students of third gender are vulnerable to many forms of sexual harassment and humiliation and exploitation;
- Publicly commit itself to a zero-tolerance policy towards sexual harassment;
- Reinforce its commitment to creating its campus free from discrimination, harassment, retaliation or sexual assault at all levels;
- Create awareness about what constitutes sexual harassment including hostile environment harassment and quid pro harassment.
- Include in its prospectus and display prominently in conspicuous places or Notice Boards the penalty and consequences of sexual harassment and make all sections of the institutional community aware of the information on the mechanism put in place for redressal of complaints pertaining to sexual harassment, contact details of the members of Internal Complaints Committee, complaints procedures on. Any existing body already functioning with the same objective (like the Gender Sensitization Committee Against Sexual Harassment (GSCASH) should be reconstituted as the ICC/ UCC.
- Provide counseling service to the complainant through Psychological Counselling Cell

Redressal Process/ Student Grievance Procedure:

- Any student/staff of the College aggrieved by any acts of sexual harassment, misconduct or ragging as defined and summarized herein above can approach the ICC of the College. Further, any student who is aware of any violations must report the same to the Cell. The Cell shall consist of members as appointed by the Principal.
- Said grievance must be in writing and should be made within 60 days from the day of the alleged violation. The Cell shall take cognizance of the grievance and inform the Committee formed to enforce this Code or the Internal Complaints Committee, in cases of any sexual harassment complaints.



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Work of Committee:

- The Committee maintains a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.
- The Committee will hold a meeting with the complainant within five days of the receipt of the complaint, but not later than a week in any case.
- At the first meeting, the Committee members shall hear the complainant and record her allegations. The complainant can also submit any corroborative material with documentary proof, oral or written material etc. to substantiate her/his complaint.
- Thereafter, the person against whom complaint is made may be called for a deposition before the Committee and an opportunity will be given to him/her to give an explanation, thereafter, an "Enquiry" shall be conducted.
- In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.
- In case the complaint is found to be false, the complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.




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