



Mula Education Society's
ARTS, COMMERCE AND SCIENCE COLLEGE, SONAI
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Affiliated to Savitribai Phule Pune University, Pune (I.D.PU/AN/ASC/031/1989)

NAAC Re-accredited with 'A' Grade, DBT Star College Scheme, ISO 9001: 2015 Certified, AISHE Code – C-42096

Mechanism of College Sexual Harassment Committee



Mula Education Society's
Arts, Commerce & Science College, Sonai.
Committee Against Sexual Harassment

Mechanism for Prevention, Prohibition and Redressal of Sexual Harassment

The MES Arts, Commerce & Science College, Sonai in pursuance to the regulations published by UGC "University Grants Commission (Prevention, prohibition and redressal of sexual harassment of women employees and students in higher educational institutions) Regulations, 2015" has constituted the Internal Complaints Committee (ICC) Named as "Committee Against Sexual Harassment" for Prevention, Prohibition and Redressal of Sexual Harassment of Women employees and students in the MES Arts, Commerce & Science College, Sonai.

Definition of Sexual Harassment

Sexual harassment means-

- (i) An unwanted conduct with sexual undertones if it occurs or which is persistent and which demeans, humiliates or creates a hostile and intimidating environment or is calculated to induce submission by actual or threatened adverse consequences and includes any one or more or all of the following unwelcome acts or behavior (whether directly or by implication), namely:
 - (a) Any unwelcome physical, verbal or non verbal conduct of sexual nature
 - (b) Demand or request for sexual favours
 - (c) Making sexually colored remarks
 - (d) Physical contact and advances; or
 - (e) Showing pornography
- (ii) Any one (or more than one or all) of the following circumstances, if it occurs or is present in relation or connected with any behavior that has explicit or implicit sexual undertones:
 - (a) implied or explicit promise of preferential treatment as quid pro quo for sexual favours;
 - (b) implied or explicit threat of detrimental treatment in the conduct of work;
 - (c) implied or explicit threat about the present or future status of the person concerned;
 - (d) creating an intimidating offensive or hostile learning environment;
 - (e) humiliating treatment likely to affect the health, safety dignity or physical integrity of the person concerned;

Procedure for Approaching Committee

An aggrieved person is required to submit a written complaint to the ICC within three months from the date of the incident and in case of a series of incidents within a period of three months from the date of the last incident. Provided that where such complaint cannot be made in writing, the Chairperson or any member of the ICC shall render all reasonable assistance to the person for making the complaint in writing.

Provided further that the ICC may, for the reasons to be accorded in the writing, extend the time limit not exceeding three months if it is satisfied that the circumstances were



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such which prevented the person from filing a complaint within the said period. Friends, relatives, colleagues, co-students, psychologist or any other associate of the victim may file the complaint in situation where the aggrieved person is unable to make a complaint on account of physical or mental in capacity or death.

ICC/LCC Known as Committee Against Sexual Harassment

- Members to hold office for a term not exceeding three years
- ICC for each branch, offices if there are multiple
- Functions
 - To educate and sensitize employee about the issue
 - To address the compliant, conduct enquiry etc.
- Operates as a Quasi Judicial Body with powers to
 - Summon and enforce attendance
 - Call for evidence, documents
 -

COMMITTEE AGAINST SEXUAL HARASSMENT

Chairman	Principal
Member	From amongst NGO/ associations, Doctor Advocate, Incharge of Ladies Hostel
Member	01 Girl & 01 Boy as a Student representative
Convener	Women Working at senior level as employee
* 50% shall always be women	

Complaint Committee should -

- I. Be thoroughly prepared
- II. Know the Act, Policy and/or relevant Service Rules
- III. Gather and record all relevant information
- IV. Determine the main issues in the complaint
- V. Prepare relevant interview questions
- VI. Conduct necessary interviews
- VII. Ensure parties are made aware of the process and their rights/responsibilities within it
- VIII. Analyze information gathered
- IX. Prepare the report with findings/recommendations
- X. Maintain Confidentiality
- XI. Be impartial, non retaliation
- XII. Clinical

The Complaint mechanism

- Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the Complaints Committee, within a period of three months from the



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date of incident and in case of a series of incidents, within a period of three months from the date of last incident.

- The time limit may be extended for another three months if the CC is satisfied with the reasons for non non-filing
- If woman is unable to make a complaint in writing, CC to provide assistance

Who can make the complaint?

- The woman herself
- In case of mental incapacity
 - Her relative
 - Friend
 - Special educator
 - Qualified psychiatrist/ psychologist
 - Guardian under whom she is receiving care
 - Any person who has information about incident with written consent of any of the above
- In case of Physical incapacity
 - Her relative
 - Friend
 - Co-worker
 - Officer of the National / State commission for women
 - Any person who has information about incident with the written consent of woman
 - In case of death any person who has information about incident with the written consent of legal heir
 - In any other case, by any person Any person who has information about incident with the written consent of woman
 - is unable to make complaint due to death or physically or mentally incapacity, her legal heir or a person authorized by her may make the complaint

The Complaint

- The complaint by the aggrieved person should contain all the material and relevant details concerning the alleged sexual harassment which includes
 - the name of contravener
 - the complainant
 - Date
 - Time
 - Location
 - Working Relationship between parties
 - Names and addresses of witnesses, if any

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- On receiving such a complaint, the chairperson will inform other members of Committee at the earliest possible and Committee will take further steps in the matter as required. The first meeting is to be held immediately within reasonable time but not later than 07 working days of receiving the written complaint of the Aggrieved .
- The ICC shall investigate the Complaint and submit its Report containing the findings/ recommendations along with relevant documents
- In conducting inquiry, a minimum of three members of CC including chairperson to be present

Upon Receipt of Complaint

- Review the Complaint to ensure
 - It has all the information
 - The conduct of respondent was towards complainant and
 - is improper and may form SH at Workplace
 - The incident occurred in workplace or at any location/any event related to work
- Send complaint to Respondent within seven days of receipt to respond within 10 days
- Meet up with complainant for any settlement/conciliation

Conciliation

- Initiate conciliation process in the form of
 - Verbal warning
 - Counseling
 - Educating
 - Appoint neutral conciliator to resolve
- Forward the findings/ conciliation resolution to employer
- The choice is of the complainant

Inquiry

- Initiate enquiry
- Interview the Complainant, Respondent, Witnesses
- Listing of the Events
- Fact Finding
- Confidentiality and Impartiality is the key
- Inquiry Process
- Follow the Principles of natural Justice
 - Order Ex-parte or terminate the proceedings if the complainant or Respondent fail to be present for three consecutive hearings
- Legal Practitioners are not permitted
- Confidentiality to be maintained
- Committee must adhere to the Rules of Natural Justice



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There are three important rules to be observed by the Committee:

- Hearing - Nobody can be condemned without being heard
- Fair Play - The judge must be impartial and act fairly and in good faith
- Reasoned Orders

Interim Measure

- To prevent ongoing SH at the written request of the woman or event otherwise, CC may recommend
 - Restrain the respondent from
 - reporting on work performance of the Aggrieved woman
 - Writing her Confidential Report, appraisal
 - Supervising her academic activities
 - Transfer the Complainant or Respondent
 - Place Complainant or Respondent on Leave

Recommendations

- In case allegations are Proven
 - Service Rules to be followed as for “misconduct”
 - Disciplinary Actions like Written Apology; Warning;
 - Reprimand
 - With-holding of promotion
 - With-holding of pay increase or increments
 - Counseling Sessions
 - Community Service
 - Termination from services
 - Financial Damages
 - Additional recommendations to address underlying factors

False or malicious complaint

- 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, as the case may be, in accordance with the provisions applicable to her or him. Provided further that the malicious intent on part of the complainant has been established after an inquiry in accordance with the procedure prescribed, before any action is recommended.
- If the ICC comes to the conclusion that any witness has given wrong statement or evidence, it may recommend the employer to take action against such employee as well



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Timelines as per the Act

Submission of Complaint	Within 3 months of the last incident
Notice to the Respondent	Within 7 days of receiving copy of the complaint
Completion of Inquiry	Within 90 days of complaint
Submission of Report by ICC/LCC to employer/DO	Within 10 days of completion of the inquiry
Implementation of Recommendations	Within 60 days Appeal Within 90 days of the recommendations

Confidentiality

The Act prohibits the disclosure of:

- Contents of the complaint;
- Identity and address of complainant, respondent and witnesses;
- Information pertaining to conciliatory/inquiry proceedings or recommendations of the ICC/LCC;
- Action taken by the employer/DO.

Monitoring:

- **Monitoring Process**
- Submission of Annual Report
 - No of cases received
 - No of cases disposed of
 - No of case pending more than 90 days
 - No of workshops/awareness sessions carried out
 - Nature of action taken by employer
- Inspection
 - Make available any information, records or document including physical inspection of workplace
- Mention in the Directors Report

Non compliance – penal consequences

- Fails to constitute an Complaint Committee (CC)
- Fails to act on the recommendation of the CC
- Fails to file Annual report
- Contravenes or abets the contravention of the provisions of the Act
- In the event of repeat of a breach
 - Twice or higher the punishment prescribed
 - Cancellation/ withdrawal/ non renewal of license/ registration for carrying out the business



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Appeal

- A person Aggrieved by the orders of the CC or in the case of non-implementation of the orders may file an Appeal with appropriate authority
- Either party can chose to seek justice through the regular court of justice

Principal

Dr. S.L. Laware

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Pin - 414 105

Convener,

Committee against sexual harassment
S.B. Choudhare

IQAC Coordinator

Dr. J.C. Sonawane

Vice Principal

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Vice Principal
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