

WOMEN EMPOWERMENT CELL

There is a women empowerment cell in the college to prevent sexual harassment. It also takes care of anti-ragging measures and other sensitive problems faced by girl students. The college takes every care to monitor and curb insulting and worrying act towards girls.

This Cell has been constituted under the POLICY FOR THE PREVENTION, PROHIBITION AND PUNISHMENT OF SEXUAL HARASSMENT OF WOMEN. The Policies have been adopted from the NCERT guidelines and have been modified to the extent applicable as per the size and context of the Institute.

The anti-ragging committee takes all possible measures to prevent ragging activities at the admission time of fresher. Till date, no single girl has experienced any major problem or inconvenience.

The college takes all necessary measures to ensure the safety and the dignity of the female students, teachers and staff. Continuous alertness of the management and faculty members apart from the committee, with heavy punishment prevent sexual harassment of women students.

The women empowerment cell comprise of the following members:

1. Dr. Mona Tawar, Director (Mobile No: 9685475921) (**Chairperson of the Cell**)
2. Dr. CA Pramod Kumar Jain, Principal (Mobile No: 9425322230)
3. Dr. CA Prashant Jain, Executive Director (Mobile No: 9893936045)
4. Ms. Rashmi Farkiya, Faculty Member (Mobile No: 9691895399)
5. Ms. Kumkum Sinha, Faculty Member (Mobile No: 9755808101)
6. Ms. Shweta Mogre, Faculty Member (Mobile No: 9009019699)
7. Ms. Astha Tarey, Faculty Member (Mobile No: 9754472726)
8. Ms. Anamika Pandey, Student Member (MBA III Semester) (Mobile No: 9926634633)

**POLICY FOR THE PREVENTION, PROHIBITION AND PUNISHMENT
OF SEXUAL HARASSMENT OF WOMEN
(Adopted from NCERT Guidelines; Modified by Institute)
(Guidelines are applicable for all students, teachers and staff employed by the Institute)**

PREAMBLE

The Supreme Court of India in its 1977 judgment in Vishakha and others vs. State of Rajasthan and others makes it obligatory for every employer and other responsible persons to follow the guidelines laid down by the Court and to evolve a specific policy to combat sexual harassment in the workplace. Educational institutions are bound by the same directive.

In compliance with the mandate of the aforementioned Supreme Court Judgment, Institute has adopted the NCERT prescribed guidelines & procedures to prevent, prohibit and punish sexual harassment of women at the workplace. Institute is committed to providing for all women who fall within its jurisdiction including its, academic, non-academic staff and students at the place of work and study free from sexual harassment, intimidation and exploitation. Every woman shall have a right to be free from Sexual Harassment and the Right to Work in an environment free from any form of Sexual Harassment.

The right of women to protection from sexual harassment and the right to work with dignity are recognized as universal human rights by international instruments such as the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), which has been ratified by India.

The Supreme Court in the Vishakha judgment has held that each incident of sexual harassment results in the violation of the fundamental rights of Gender Equality and the Right to Life and Liberty. Sexual harassment is a clear violation of woman's right to gender equality as guaranteed under Articles 14 and 15, her right to live with dignity under Article 21 and her right to work with dignity in a safe environment under Article 19 (1) (g) of the Constitution of India.

Institute has adopted the Guidelines laid down by NCERT and has modified to the limited extent.

OBJECTIVES OF THE POLICY

1. To fulfill the directive of the Supreme Court of India enjoining all employers to develop and implement a policy against sexual harassment of women at the work place.
2. To uphold Women's Right to Protection against Sexual Harassment and the Right to Livelihood and towards that end for the prevention and redressal of Sexual Harassment of Women.
3. To evolve a permanent mechanism for the prevention, prohibition and redress of sexual harassment of women at workplace within the jurisdiction of Institute.
4. To actively promote a social, physical and psychological environment that will raise awareness about and deter acts of sexual harassment of girls and women.
5. To ensure the implementation of the policy in letter and spirit by undertaking all necessary and reasonable steps including the constitution of appropriate Committees for purposes of gender sensitization and to conduct enquiries into complaints of sexual harassment.
6. To uphold the commitment of Institute and its constituents to provide an environment free of discrimination and violence against women.
7. To generate public opinion against sexual harassment of women at the workplace.

DEFINITIONS

A. **Sexual harassment:** The following shall constitute sexual harassment of women:

1. When submission to unwelcome sexually determined behaviour such as sexual advances, requests for sexual favours, and verbal or physical conduct of a sexual nature, are explicitly or implicitly made a term or condition of teaching/guidance, education, employment, participation or evaluation of a woman's engagement in any Institute activity.
2. When unwelcome sexually determined behaviour, including but not limited to, sexual advances, physical and /or verbal or non-verbal or conduct, such as loaded comments, remarks or jokes, letters, phone calls, sms or emails, gestures, exhibition of pornography, lurid stares, physical contact, stalking, sounds or display of a derogatory nature have the purpose and /or effect of interfering with a woman's work or academic performance or of creating an intimidating, hostile or offensive employment, educational or living environment.
3. When a man uses with a sexual purpose, the body or any part of it or any object as an extension of the body in relation to a woman without her consent or against her will, such conduct will amount to sexual assault.

(a) It is clarified that it is the **reasonable perception of the woman that would be relevant** in determining whether any conduct was sexually determined and, if so, whether such conduct was unwelcome or not and that her objection would disadvantage her in connection with her education or employment, including evaluation, grading, recruitment or promotion, or when it creates a hostile working, educational or living environment.

(b) "Hostile Environment" is said to be created when any act of Sexual Harassment has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive employment, educational or living environment.

B. **Academic staff** includes Professors, Associate Professor, Assistant Professor and such other persons as may be designated as such for imparting education/instructions or for giving guidance or rendering assistance to students for pursuing any course of study. It includes any person or the staff of the Institute who is appointed to a teaching and/or research post, whether full time, temporary, ad-hoc, part-time, visiting, honorary, consultancy, or on special duty or deputation. It also includes persons employed on a casual or project basis.

C. **Non-Teaching Staff** includes any person on the staff of the Institute & its constituents, who is not included in the category of academic staff. It shall also include administrative staff, technical staff, officers, consultants, support staff, contractual workers and daily wagers only to the extent that they are performing Institute related activities.

D. **Student** includes a student of Institute, and includes any person who has enrolled for pursuing any course of study as offered time to time or research for that duration with Institute.

E. **Director, Joint Director (s) and Principal** includes director, Joint Director (if any), and Principals of Institute.

F. **Campus** includes all places of work at the Institute campus / premises. It includes all places of instruction, research and administration, as well as hostel, health centers, sports grounds, parks, lanes and canteens, etc. on the campus.

G. **Employee** includes a person employed for any work directly whether for remuneration or not, or working on a voluntary basis, whether the terms of employment are express or implied, and includes any person employed as a temporary, casual, piece-rated or contract worker, probationer, trainee, apprentice or by any other name called.

H. **Institute** refers to Pioneer Institute of Professional Studies, Mahalaxmi Nagar, Indore (MP)

SCOPE OF THE POLICY AND RULES AND PROCEDURES

Jurisdiction

These Rules and Procedures shall be applicable to all complaints of sexual harassment made by a woman against a man only by a woman member of Institute against any male member of Institute provided the harassment has taken place at work place.

Responsibilities of Institute

- (a) Ensure a safe environment free from Sexual Harassment for women including prevention and deterrence of Sexual Harassment.
- (b) Prepare and prominently display the policy for the prevention and prohibition of Sexual Harassment.
- (c) Maintain a proactive program to educate all members as to the definition of sexual harassment and procedures for redressal.
- (d) Undertake workshops and training programmes at regular intervals for sensitizing the members.
- (e) Prominently display notices in various places spreading awareness about the issue of "Sexual Harassment at the Workplace" and giving information for the redressal mechanism that has been put in place and encouraging women to file their grievances.
- (f) Facilitate initiation of proceedings under this Policy through the institution of Committee Against Sexual Harassment for redressal of an act/s of sexual harassment. Institute shall constitute committee for this purpose and it shall be named "Women Empowerment Cell"

The Complaints Mechanism and the Scope of its Functions Guiding Principles for Constitution of Committees

a) The Complaints and redressal mechanism at Institute has been formulated in accordance with the following principles:-

- i). A separate Committees against Sexual Harassment will be constitute named "Women Empowerment Cell" which will function as Complaint Committee.
- ii). In order to ensure that the Women Empowerment Cell are gender sensitive, representative members will be drawn from different categories.
- iii). The 1997 Supreme Court judgment makes it mandatory for each Committee to have a woman chairperson. Therefore the Women Empowerment Cell Chairperson shall be a woman.
- iv). Not less than half of the Committee members shall be women.

- v). All members of the Women Empowerment Cell should be neutral and unbiased.
- vi). If in the Women Empowerment Cell the member representing the category of the defendant is junior in the hierarchy of Institute to the defendant, then for that particular enquiry that member shall be substituted on the Cell by another person, senior in rank to the defendant.
- vii). Filing of a complaint shall not adversely affect the complainant's status/job, salary/promotion, grades etc. During the pendency of an enquiry and till the final determination of a complaint of sexual harassment under this Policy the organization shall not alter the conditions of service/study of the Complainant/Supporter/Witness concerned to their prejudice, as a consequence to the filing, participation or holding of an enquiry under this Policy.

b). Women Empowerment Cell upon finding and concluding that complaint is genuine and there are evidences proving sexual harassment will report to the Police and administrative authorities for further action and punishments. The Women Empowerment Cell shall provide its report to the judicial authorities and Police and shall co-operate with them in all matters.

Composition: Women Empowerment Cell

It shall be composed of one chairperson (necessarily women) and following members:-

1. Chairperson necessarily being women (senior most faculty / Director)
2. Principal of the Institute
3. Atleast two to three faculty members.
4. One female student representative

Power and Duties of Women Empowerment Cell

A. Preventive

Gender sensitization and Orientation

1. To work towards creating an atmosphere promoting equality, non discrimination and gender justice
2. To promote and facilitate measures to create a work and study environment that is free of sexual harassment of women.
3. To publicise widely the policy against sexual harassment in Hindi & English especially through the prospectus, programme guide or other appropriate document and display the same on notice boards, website, offices and hostel areas etc.
4. The Cell shall take suo-moto notice of grave violations of the basic principles of gender sensitivity and gender justice on the campus.
5. To create awareness amongst all female staff, students and faculty members about the objectives & powers of the Cell.

B. REMEDIAL

Enquiry

1. To receive and take cognizance of complaints made about sexual harassment of women at the workplace.
2. To conduct enquiries into these complaints, place findings before the higher authority and recommend penalties against the harasser in accordance with the rules and procedures laid down.
3. To ensure the safety of the complainant and witnesses during the pendency of the enquiry and till the final determination of the complaint, by advising the concerned authorities to issue warnings, suspension or any other order, if the harasser harasses or intimidates the complainant or witnesses.

4. To make efforts to ensure that the complainants and the witnesses are not further victimized or discriminated against while it is dealing with the complaint. The Cell shall take action against anyone who threatens or intimidates the complainant or members of the committee. This may be in the nature of issuing a restraining order against the defendant or any other person/s.
5. To seek medical, police and legal intervention with the consent of the complainant.
6. To make arrangements for appropriate legal, psychological / emotional and physical support for the complainant if she so desires in terms of providing referral numbers.
7. In the case of third party/ outsider harassment, with the consent of the aggrieved woman, the Institute shall initiate action by making a complaint with the appropriate authority having jurisdiction over the offence.

Procedure for Registering Complaints

- i. The mechanism for registering complaints should be safe, accessible and sensitive.
- ii. All complaints must be brought by the complainant in person.
- iii. Cell is empowered to take cognizance of matters which are brought to the notice directly / indirectly by any person.
- iv. Cell may Institute suo-moto enquiries if deemed necessary.

Penalties

- 1). Any member of the Institute, non-teaching staff, student, service provider, and resident found guilty of sexual harassment shall be liable for disciplinary action.
- 2). The penalties listed below are indicative, and shall not constrain the Institute from considering others.

A. In the case of academic/administrative/ technical/ non-teaching staff/ management, disciplinary action could be in the form of one or more of the following:

- i. Warning
- ii. Written apology
- iii. Bond of good behavior
- iv. Gender sensitization
- v. Counselling
- vi. Debarring from supervisory duties
- vii. Denial of re-employment
- viii. Stopping of increments/promotion
- ix. Reverting, demotion
- x. Dismissal
- xi. Withdrawal of residential facilities and prohibition from entry on the campus etc.
- xii. Any other relevant mechanism.

B. In case of students, disciplinary action could be in the form of:

- i. Warning
- ii. Written apology
- iii. Bond of good behavior
- iv. Gender sensitization
- v. Counselling
- vi. Debarring entry into a hostel/ campus

- vii. Withholding results
- viii. Debarring from exams
- ix. Debarring from contesting elections
- x. Debarring from holding posts
- xi. Expulsion
- xii. Denial of admission
- xiii. Declaring the harasser as "persona non grata" for a stipulated period of time
- xiv. Any other relevant mechanism.