



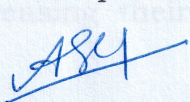
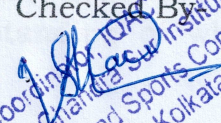
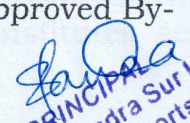
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Policy for Zero tolerance towards sexual harassment of women employees and students

DR. SUDHIR CHANDRA SUR INSTITUTE OF TECHNOLOGY AND SPORTS COMPLEX

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Policy for Zero tolerance towards sexual harassment of women employees and students (W.E. F 2021-22)

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Policy for Zero tolerance towards sexual harassment of women employees and students

✚ INTRODUCTION:

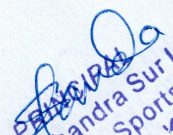
All women experience sexual harassment in one way or another. Any woman's life includes lewd comments, caressing, wolf whistles, and gazing looks, to the point that they are accepted as usual. Sexual harassment creates a climate of menace and horror because it is exploitative and violent in everyday life.

In our male-dominated society, sexual harassment is a manifestation of male authority over women that upholds patriarchal relationships. It serves as a reminder of women's fragility and status as property. The biggest obstacle to resolving and preventing sexual harassment is the patriarchal values and attitudes of both men and women.

According to the Indian Constitution, sexual harassment is a sort of human rights violation and a violation of someone's life and liberty. Such conduct is thought to violate fundamental rights, gender equality, and common decency. *Article 15: "Prohibition of discrimination on grounds of religion, race, caste, sex, or place of birth" and Article 19(1)(g): Freedom to Freedom, which supports a woman's right "to practice any profession or to carry out any occupation, trade, or business," both prohibit sexual harassment.

Therefore, preventing sexual harassment requires changing people's attitudes—be they employees, coworkers, friends, administrators, employers, or lawmakers—and increasing their understanding of what constitutes sexual harassment.

✚ WHAT IS SEXUAL HARASSMENT?


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Any unwanted attention or physical contact that is sexual in character is sexual harassment. Victims may be subjected to remarks about how they look, sexist jokes, gender-specific insults, or other language that is intended to denigrate, intimidate, or threaten. Spreading false information about someone's sexual orientation or appearance is also considered harassment, as is sending someone's photo by text or email. Nonverbal harassment might take the form of provocative eye contact, giving someone sexual imagery, or acting in any other way that is meant to make someone feel uncomfortable. Hugging, patting, or other physical touching are examples of sexual harassment's physical expressions. Harassment can also include following someone or otherwise invading their personal space.

Both strangers and those who know one another well, such as friends or partners, are capable of being harassed. Both the harasser and the victim do not have to be of the same gender. Additionally, the one who has been subjected to abuse need simply be impacted by harassment; they do not need to be the target of it.

a) Sexual Harassment: The Law

The issue of sexual harassment is not covered by any laws. However, there are laws already in place that include options for challenging sexual harassment. The Indian Penal Code, for instance, has sections 354 (outraging a woman's modesty), 375 (dealing with rape), and 509 (dealing with an act intended to offend a woman's modesty), but does not specifically address sexual harassment. Acts like the Delhi Prohibition of Eve Teasing Act of 1988 and the Indecent Representation of Women (Prohibition) Act of 1987 are examples.

Since a long time, sexual harassment has been acknowledged as one of the most threatening and violent types of violence. Countries like the UK, USA, and many others have not only recognized how humiliating sexual harassment can be for both employers and employees, but they have also developed legislation measures to address the issue.

In India, it has barely been more than ten years since the Supreme Court first recognized sexual harassment as a breach of human rights and a form of systemic gender discrimination that undermines women's right to life and livelihood.

The Court gave extremely explicit criteria for students to follow to report and stop sexual harassment at colleges.

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SEXUAL HARASSMENT PREVENTION POLICY :

a) Objectives of the Policy

The DSCSITSC Sexual Harassment Prevention Policy was created with the following goals in mind:

1. To create a permanent system for the college's prevention and resolution of sexual harassment cases and other instances of gender-based violence.
2. Using adequate complaint reporting and follow-up procedures to ensure that the policy is implemented in text and spirit.
3. To foster an atmosphere that is socially and psychologically supportive to sexual harassment in all its forms.
4. To mobilize opposition to sexual assault and all other types of gender-based violence.
5. To commit to making sure there is no gender bias or gender-based discrimination on college campuses.

While sexual harassment violates a woman's fundamental right to gender equality under Article 14 of the Indian Constitution and her right to life and a dignified existence under Article 21, which includes a right to a secure workplace free from sexual harassment.

And Whereas, in the following judgements, the Supreme Court established norms to handle sexual harassment at the workplace and in educational institutions.

DEFINITIONS :

a) Sexual Harassment

- The term "Sexual Harassment" as used in this policy shall include, but not be limited to, the following: unwanted sexual advances, requests for sexual favors, and/or verbal or physical conduct of a sexual nature made in exchange for a term or condition of teaching/guidance, employment, participation in, or evaluation of a person's engagement in any college activity.
- When unwanted sexual advances and/or verbal, non-verbal, or physical behavior, such as loaded remarks, jokes, or comments, letters, phone calls, emails, or other forms of communication, gestures, the display of pornography, glaring stares, physical contact or molestation, stalking, sounds, or other displays of a derogatory nature, have the intention or

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effect of impeding a person's performance or of creating an intimidating, hostile, or offensive environment.

- Forced physical contact or molestation; mocking; insults; being physically restrained against one's will; and any other action that invades one's privacy.
- Any action or behavior by a person in a position of authority who is of one sex that prevents or would deny the other sex the chance to pursue education or career advancement, or that generally creates a hostile or intimidating atmosphere at the Institute.
- Any such behavior by an outsider or third party toward a student, teacher, or non-teaching employee, or vice versa, while that person is involved with the institution.
- Stopping a car and asking a female passenger, who is a stranger, if she wants to be taken anywhere in the car.
- Speaking to a stranger's woman and touching a woman from a passing car.
- Driving around in search of women to harass.
- Asking a woman for directions after stopping to annoy her.
- Stalking and pursuing ex-girlfriends
- Spreading rumors and gossip about a woman's personal life
- Insulting a woman because of her skin tone, ethnicity, fashion sense, or outward attractiveness.

✚ PREVENTION OF SEXUAL HARASSMENT :

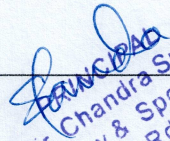
A thorough sexual harassment policy is necessary for the prevention of sexual harassment.

The institutions will develop, adopt, and revise a thorough sexual harassment policy to bring their regulations into compliance with the Honorable Supreme Court's recommendations.

It will be disseminated widely.

a) Duties of the College Authorities

1. To constitute Control Room.


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2. To Constitute Internal Complaints Committee for complaints of sexual harassment of women.

b) Internal Complaint Committee of POSH cell.

The formation of an internal complaints committee includes senior female professors and female students as members. Two members of society who work to prevent crimes against women make up the committee. Any Committee member is open to receiving complaints.

✚ PROCEDURE FOR LODGING A COMPLAINT :

a) Dealing with the complaint

- Every student is aware of the ICC's members, which also include female students. Any sexual harassment-related matters can be brought up to the ICC members, who will then treat them appropriately.

By leaving recommendations in the Suggestion Boxes placed at various locations, the Principal and members of the ICC can also be made aware of the subject of sexual harassment.

- Any woman reporting sexual harassment should choose to file a complaint with the following authorities as soon as possible, but no later than 30 days after the claimed incidence.

- The complaint must be addressed to the complaint committee and include all pertinent information on the alleged sexual harassment, including the offender's identity.

- The complainant should address the complaint to the institution's head or principal and deliver it up in person or in a sealed cover if she feels unable to reveal her identify for whatever reason.

- After receiving the complaint, the institution's head must keep the original complaint with him and send the complaint committee a summary of the complaint that includes all pertinent information aside from the complainant's name and any other information that could reveal the complainant's identity.

✚ PROCEDURE IN DEALING WITH COMPLAINTS :

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a) Dispute Resolution prior to Enquiry

To provide a platform to settle the complaint or to stop the harassing behavior before the issue escalates into a full-blown official complaint, the informal method of addressing complaints shall be a part of the complaint system.

After filing a sexual harassment complaint, the victim may ask the internal complaints committee to mediate a settlement between the parties prior to the start of the inquiry proceedings.

Before the start of the inquiry processes, the Internal Complaints Committee should mediate a resolution between the parties.

Before the complaint is handled through the formal channels of the complaints committee, the first point of contact and any other authorized subcommittee members, whether they are committee members or not, are required to attempt an informal resolution.

Any resolution reached through this Dispute Resolution must be acceptable to both the victimized woman and the defendant.

The Internal Complaints Committee shall keep a record of the Dispute Resolution process and the settlement reached and shall send it to the Principal, who shall carry out the terms of the settlement to the extent specified therein, whenever a settlement between the aggrieved woman and the defendant is reached. The offended woman and the defendant will both receive a copy of the same document.

The right to withdraw from any dispute resolution process or to contest any settlement on the grounds that the aggrieved woman's consent for the settlement was obtained through coercion, fraud, force, or undue influence, or on the grounds that the terms of the settlement have been violated within a week, shall apply notwithstanding the resolution reached in the dispute resolution process.

Any dispute resolution handled by the internal complaints committee must be finished within two weeks of the date the complaint was received.

When a mutually accepted settlement cannot be reached within the dispute resolution process, the Internal Complaints Committee will proceed to undertake the investigation in accordance with the established protocol.

b) The Disciplinary action may be taken in the form of:



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- o Warning.
- o Written apology & bond of good behavior.
- o Debarring entry into hostel/ campus.
- o Supervision for a specified period.

- o Debarring from exam or withholding results.
- o Debarring from holding posts.
- o Denial of admission.
- o Declaring the harasser as a (Person Non-Gratia for a stipulated period.
- o Suspension.
- o Permanent expulsion from the institution.
- o Any other punishment as may be warranted by the case.

c) Punishment for false complaints

If an inquiry reveals that a complaint is false, it will be punished by a variety of disciplinary procedures taken against the complainant.

d) Documentation

The findings of any investigation into a sexual harassment complaint, as well as any sanctions or corrective actions that the committee asks the Principal or other disciplinary authority to take, will all be documented.

✚ REVIEW OF SEXUAL HARASSMENT PREVENTION POLICY :

The policy will be reviewed on a regular basis or as needed.

✚ COMMUNICATING POLICY

- Explain the rules to the kids.
- The highest authority will give stern directives against sexual harassment with a zero-tolerance policy.
- Students shall be informed of the sexual harassment policy upon entrance to the college and on occasion thereafter.
- Explain to all employees that they have a responsibility to report any instances of sexual harassment that they may encounter or witness.

✚ ENFORCING POLICY

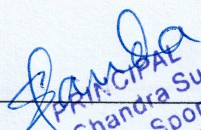


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1. The institution must treat allegations of sexual harassment seriously and conduct prompt, thorough, and professional investigations into all such claims.
2. Exact records of the investigations and conclusions will be kept.
3. The institution must ensure that no reprisals are meted out to the complainant, witnesses, members of the sexual harassment complaint committee, joint control room members, or anyone else who is helping to implement the policy for gender sensitization along with the process for receiving complaints and for inquiries, etc.
4. The institution must guarantee the complaint's confidentiality and timely resolution.
5. The establishment must act right away if sexual harassment is found or suspected.
6. Any student found to have engaged in sexual harassment will face appropriate disciplinary action from the university.
7. The school must protect students from workplace sexual harassment by third parties.

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