

POLICY DOCUMENT  
INTERNAL COMPLAINT COMMITTEE (ICC)



**SUKANTA MAHAVIDYALAYA**  
**DHUPGURI, JALPAIGURI**  
**WEST BENGAL**

**Purpose of ICC**

Preamble The Parliament of India passed the "Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal ) Act." in the year 2013. The Act. provides protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for the matters connected therewith or incidental thereto. The guidelines explicitly state the following: "It shall be the duty of the employer or other responsible persons in workplaces or other institutions to prevent or deter the commission of acts of sexual harassment and to provide the procedures for the resolutions, settlement, or prosecution of acts, of sexual harassment by taking all steps require." Educational institutions are also bound by the Supreme Court's directive and the Act. The Sukanta Mahavidyalaya, Dhupguri, Jalpaiguri is committed to creating and maintaining an environment which is free of all forms of gender violence, sexual harassment, and discrimination on the basis of sex/gender. Following this, the institute is committed to uphold the Constitutional mandate ensuring the above mentioned human rights of all those who fall within its jurisdiction. As directed by the act IIPS has constituted a committee called "Internal Complaint Committee to Prevent Sexual Harassment of Women at the Workplace." The following policy has been made keeping in mind the above facts.

**Definition**

The Definition of Sexual Harassment According to THE SEXUAL HARASSMENT OF WOMEN AT THE WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT 2013, sexual harassment includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:

1. Physical contact and advances;  
Or,
2. A demand or request for sexual favors;  
Or,
3. Making sexually colored remarks;  
Or,
4. Showing pornography; or any other unwelcome physical, verbal or non-verbal conduct of sexual nature. Any act falling under the purview of following cases will be considered as an incident of sexual harassment (Clarification of Unwelcome acts or behavior):
  - a) When submission to unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature are, implicitly or explicitly, made a term or condition of teaching/guidance, employment, participation, or evaluation of a person's engagement in any activity.

- b) When unwelcome sexual advances, and verbal, non-verbal and/or physical conduct such as loaded comments, remarks or jokes, letters, phone calls or e-mails, gestures, exhibition of pornography, lurid stares, physical contact, stalking, sounds or display of a derogatory nature.
- c) Interfering with her work or creating an intimidating, offensive, or hostile environment for her.
- d) When a person uses the body or any part of it or any object as an extension of the body with a sexual purpose in relation to another person without the latter's consent or against that Person's will, such conduct will amount to sexual assault.
- e) When deprecatory comments, conduct or any such behavior is based on the gender identity/sexual orientation of the person and/or when the premises or any public forum of the institute is used to denigrate/discriminate against person(s), or create a hostile environment on the basis of a person's gender identity/sexual orientation.
- f) When a person shows any humiliating treatment to woman that is likely to affect her health and safety.
- g) Teaching activities or explanation of various issues related to fertility, reproductive health and other research topics in a scientific manner will not be considered as harassment.

### **Objectives**

It is decided that the committee constituted would meet the following objectives:

- To develop guidelines and norms for a policy against sexual harassment.
- To develop principles and procedures for combating sexual harassment.
- To work out details for the implementation of the policy event discrimination and sexual harassment against women, by promoting gender amity among students and employees.
- To make recommendations to the principal for changes/elaborations in the rules for students in the prospectus and the bye-Laws, to make them gender just and to lay down procedures for the prohibition, resolution, settlement and prosecution of acts of discrimination and sexual harassment against women, by the students and the employees.
- To deal with cases of discrimination and sexual harassment against women, in a time bound manner, aiming at ensuring support services to the victimized and termination of the harassment.
- To recommend appropriate punitive action against the guilty person.

### **Key Functions/ Members Roles/ Responsibilities of all officers**

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 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 widely, especially through notice boards and distribution of pamphlets
3. To publicize the names and phone numbers of members of the Committee.

#### **B. Awareness**

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. 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.

#### **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 counseling, security and other assistance) to the victim if she so desires.

### **Meetings or Reviews**

The members of the Committee shall meet at least four times in a year. The Chairperson shall preside over the meeting. In the absence of the Chairperson, the second senior female Faculty member shall preside over the meeting. The Chairperson may upon the request of not less than one third of the total members of the Committee, call a meeting on a date not later than fifteen days after the receipt of such requisition.

1. The quorum of the meeting of the Committee shall be five of its members. If the quorum is not complete in any meeting, it shall be adjourned for half an hour and thereafter, the meeting shall precede with those members who are present in the meeting.
2. All decision in the meeting will be taken through mutual consent from the members of the Committee present in the meeting. In the case of any disagreement among the members regarding any decision, Chairperson of the Committee shall hold the authority to take the final decision and her decision would be considered as final.

### **How to Complain**

- The aggrieved need to file a complaint within three months of the incident.
- Click on the link- <https://forms.gle/TJZQgfxE5tpp6UW2A> or scan the QR code



- Write your name, phone no. and email.
- Write exactly what happened with details, dates, names of witnesses & documents if any. Be honest as false complaints can invite penalties.
- You can also contact with the ICC members of Sukanta Mahavidyalaya.

### **The following is also sexual harassment and is covered by the committee:**

- Eve-teasing,
- Unsavory remarks,
- Jokes causing or likely to cause awkwardness or embarrassment,
- Innuendos and taunts,
- Gender based insults or sexist remarks,
- Unwelcome sexual overtone in any manner such as over telephone (obnoxious telephone calls) and the like touching or brushing against any part of the body and displaying pornographic or other offensive or derogatory pictures, cartoons, pamphlets or sayings forcible physical touch or molestation and Physical confinement against one's will and any other act likely to violate one's privacy.

### **Investigation procedures:**

Upon receiving a report on sexual harassment, the receiving authority shall refer the matter to the anti-sexual harassment committee to investigate. The receiving authority shall also inform the principal for necessary interim action especially in cases where the perpetrator is in higher authority than the survivor and is likely to interfere with investigations. Interviews will be confidential and discreet. Persons with information on the incidence will also be interviewed.

**Disciplinary measure:**

Disciplinary committee shall then submit its recommendation to the principal for action. This policy document states the college commitment to providing an environment free from sexual harassment and any employee or student who violates the policy shall be subject to serious disciplinary action which could include:

1. Termination of services
2. Suspension or expulsion of the student from the college.
3. Barring such persons from accessing the college premises.
4. Conciliation

The college recognizes that persons may make false reports and therefore prohibits this.

Persons who make false allegations are subject to disciplinary action.

Cases beyond the college jurisdiction will be forwarded to the appropriate authorities outside the campus. .

**Confidentiality:**



All complaints of sexual harassment shall be treated confidential to the extent practicable.

Only those individuals who may have received informal complaints or are necessarily involved in an investigatory process and in the making of decisions regarding resolution of the complaint should ordinarily be provided access to information regarding any allegation of sexual harassment.

**Support for victims of Sexual Harassment:**

There is usually stigma and undue pressure associated with SH and most survivors and especially female survivors who experience this with their lecturer to keep quiet for fear of victimization.

Once there is evidence that one is undergoing SH, the college shall provide appropriate counseling for the survivors and any other member of the survivor's family where appropriate.

  
  
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## GRIEVANCE REDRESSAL POLICY DOCUMENT

SUKANATA MAHAVIDYALAYA

DHUPGURI, JALPAIGURI

WEST BENGAL, INDIA

### Introduction and Objective:

Grievance is a formal complaint regarding academic and non-academic matters. Grievance-Redressal Cell (GARC) of the College, have constituted to look into the complaint lodged by any student/students/faculty and staff members of this college regarding the academic and non-academic matters through e-mail, grievance box and direct contact to the members of the cell. The purpose of GARC is to develop a transparent, responsive attitude among the stakeholders in order to maintain the pleasant educational environment and to solve the grievances lodged by the stakeholder/stakeholders within a stipulated time. The Policy of Grievance Redressal Cell (GARC) aims to reinforce this college commitment towards providing a fair and equitable work environment to all stakeholder(s).

The objective of this policy is to lay down the procedure/mechanism for redressing of grievances of Sukanta Mahavidyalaya stakeholders of the nature described below and to create an internal standing sub-committee named as Grievance Redressal Cell to investigate into the complaints lodged by the stakeholders about all such grievances and make recommendations for the necessary corrective action, if any. In view this, below are the objectives of this Policy:

- To provide an effective and efficient grievance redressal mechanism of unsatisfactory academic policies for the stakeholders of the college.
- To create and promote a culture of fairness and trust within the college.
- To promote collaboration among stakeholders by addressing and resolving the grievances lodged by the stakeholders below:
  1. Availability of books and library facilities
  2. Facilities regarding sports
  3. Teaching-learning environment
  4. Process of continuous evaluation and internal examination related issues.

The cell members conduct regular meetings to check if any complaints have been lodged by any stakeholder(s) of the college as Sukanta Mahavidyalaya is a disciplined general degree college.

**Scope:** The Cell organizes awareness programme among the stakeholders so that they can lodged a complaint related to the following issues: 1) Certain misgiving about condition of sanitization, preparation of food and hygiene in Canteen and academic related issues 2) Library related issues 3) Infrastructure of classroom 4) Sports related issues 5) Continuous teaching-learning evaluation process 6) Coordination among students and teachers

**Roles and Responsibilities of GARC:** The GARC shall be responsible for ensuring that any grievances from stakeholder resolved properly and effectively by consulting with the members of the cell and other academic stakeholders of the college.

**GARC shall adhere to the following principles**

- The Committee shall strictly adhere to the principles of natural justice while conducting an investigation of a complaint lodged by stakeholder(s).
- Ensure that the stakeholder(s) receive effective counseling and actively seeks a solution that addresses the stakeholder's grievances.
- Provide feedback to the stakeholder(s) on the action that has been taken to redress his/her Grievance.



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## ANTIRAGGING POLICY DOCUMENT

SUKANATA MAHAVIDYALAYA

DHUPGURI, JALPAIGURI

WEST BENGAL, INDIA

There is no ragging allowed in the college campus. Students must refrain from engaging in any form of ragging, and those who do so will be immediately suspended from the college, at least for one week. If any cases received by the Cell, the situation will review incident before taking any appropriate legal action. Students should be aware that engaging in any form of ragging may result in expulsion from the College. The students are made aware that according to the Circular of the Directorate of Higher Education, issued by the Government of West Bengal and University Grants Commission (UGC), guidelines notified via no. F.1-16/2009 (CPP-II) dated October 21, 2009 it is mandatory for the institution to file a complaint with the Police Authority, with all associated consequences on Curbing the Threat of Ragging in Higher Educational Institutions, 2009 (Under Section 26(1) (g) of the University Grants Commission Act, 1956).

In addition to the above, students are made aware about the acts of ragging, which include any one or combination of the following:

- Mental Abuse
- Physical Abuse
- Verbal Abuse
- Indecent Behaviour
- Criminal Intimidation
- Un-determining Human Dignity
- Use of Force
- Financial Exploitation

Every case involving disciplinary action will be brought before the Committee, which will hear it and submit its findings to the Governing body, which will then decide how to proceed after following the proper legal procedures. According to the UGC notification, the affected student is expected to file an anti-ragging affidavit. The College will maintain a constant watch and vigil against ragging and will respond quickly to any reported incidences. The University will immediately punish or rebuke the offending student, either on its own or in

accordance with administrative or other procedures, by forming a special inquiry committee and presenting its findings or recommendations to the appropriate decision-maker.

The College administration, faculty, Anti-Ragging Committee, Grievance Redressal Cell, or any other staff member with whom the student may feel comfortable is encouraged to receive reports of any racial harassment that students witness or experience. The College assures the student's disclosure is kept private.



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## ANTI-WOMEN HARASSMENT POLICY DOCUMENT

SUKANATA MAHAVIDYALAYA

DHUPGURI, JALPAIGURI

WEST BENGAL, INDIA

### Anti-Women Harassment Policy

The college is committed to equal opportunities and to providing an environment in which all Faculties, staff and students are treated with dignity and respect and in which they can work and study free from any type of discrimination, harassment, or victimization. All members of College are responsible for upholding this policy and should act in accordance with the policy guidance in the course of their day-to-day work. Offensive behavior will not be tolerated.

Harassment is a serious offence which is punishable under the College's disciplinary procedures. This Policy, and the Code of Practice which accompanies it, apply to the academic and office staff of the College, and all others for whom the College is responsible. References to 'academic staff' include Principal, Full time and Part time teachers and Guest lecturers, who teach the students of the College. The College is committed to making all staff and students aware of this policy and the accompanying guidance and to providing effective guidance and briefing on it. The College takes steps to ensure that both the policy and guidance are fully understood and implemented. The policy and guidance will be brought to the attention of all staff and students and are available on the College web-site. Management of the College and all including students who fall into these categories, have specific responsibilities. These include setting a good personal example, making it clear that harassment will not be tolerated, being familiar with, explaining, and offering guidance on this policy and the consequences of breaching it, investigating reports of harassment, taking corrective action if appropriate, and ensuring that victimization does not occur as a result of a complaint.

1. Definition of Harassment is unwanted conduct on the grounds of sex, marital status, gender reassignment, race, disability, religion/belief, sexual orientation or age that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. Harassment on grounds of sex, race, religion, disability, sexual orientation or age may amount to

unlawful discrimination. Harassment may also breach other legislation and may in some circumstances be a criminal offence. Harassment may occur through the use of internet, email, or telephone. The other person's motives are not the main factor in deciding if behaviour amounts to harassment. Just because certain behaviour may be acceptable to the alleged harasser or another person does not mean it is not harassment. Being under the influence of alcohol or otherwise intoxicated will not be admitted as an excuse for harassment, and may be regarded as an aggravating feature. Bullying may be characterized by offensive, intimidating, malicious or insulting behaviour, or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. It includes any behavior which makes someone else feel threatened, frightened, humiliated or taken advantage of.

Some common forms of verbal abuse include verbal abuse; taunting; setting impossible deadlines or objectives; withholding key information or giving false information. Victimization occurs specifically when a person is treated less favourably because he/she has asserted his/her rights under this guidance, either in making a complaint or in assisting a complainant in an investigation. The College will protect any member of staff, student, or visitor from victimisation for bringing a complaint or assisting in an investigation. Victimization is a form of misconduct which may itself result in a disciplinary process, regardless of the outcome of the original complaint of harassment. Sexual harassment has been characterised as a particularly degrading and unacceptable form of treatment, and is unacceptable to the College, as well as a unlawful, such that a victim may bring legal proceedings. If the conduct amounts to assault it may also constitute a criminal offence. All those to whom this Policy and the accompanying Code of Practice apply are under a duty not to engage in sexual harassment.

Complaints that sexual harassment has occurred between persons to whom this Policy and the accompanying Code of Practice apply will be taken seriously by the College, and where appropriate may result in disciplinary proceedings. The College will monitor the incidence of sexual harassment in the College, and the resolution of complaints, by means of an annual statistical report to Governing Body from the appointed Advisors. Sexual harassment is a form of sex discrimination. Direct sex discrimination is less favourable treatment on the grounds of sex. Sexual harassment is direct sex discrimination by way of uninvited conduct based on the sex of the recipient which is intimidating, hostile or offensive to the recipient. It can include harassment which has not been directed at them specifically, but that they have witnessed and which violated

their dignity. It may include unwelcome behaviour of a sexual nature which the recipient finds intimidating, hostile or offensive, ranging from unwelcome sexual advances, unpleasant or denigratory remarks, to the display of offensive material of an explicitly sexual nature. Such conduct may be physical, verbal or nonverbal. An aggravating feature of some cases of sexual harassment may be the abuse of a position of authority or trust. In general, the starting point for the determination of what is intimidating, hostile or offensive to the recipient will be the perceptions of the recipient of the alleged conduct. The College's policy dictates that the provisions of the Sex Discrimination Act and the Equality Act cover homosexual as well as heterosexual harassment. Reasonable and proper management instructions administered in a fair and proper way, or reasonable and proper review of a member of staff's or a student's work and/or performance will not constitute harassment. Behaviour will not amount to harassment if the conduct complained of could not reasonably be perceived as offensive.

In summary, examples of behaviour that may constitute harassment are:

- verbal or physical threats;
- insulting, abusive, embarrassing or patronising behaviour or comments;
- offensive gestures, language, rumours, gossip or jokes;
- humiliating, intimidating, demeaning and/or persistent criticism;
- open hostility;
- suggestive comments or body language;
- isolation or exclusion from normal work or study place,
- publishing, circulating or displaying pornographic, racist, sexually suggestive or otherwise offensive pictures or other materials;
- unwanted physical contact, ranging from an invasion of space to a serious assault (The above list is not intended to be exhaustive.)

2. Advice to individuals who may be suffering one or more forms of harassment Individuals may be unsure whether certain behaviour amounts to harassment.

The first step may be to discuss the matter in confidence with a friend or colleague who is familiar with the College setting. Faculties or staff may want to discuss the matter with immediate superiors, College Management or colleagues. Students may want to discuss the matter with the teacher or any other college officials with pastoral responsibilities.

### 3. Written Complaints

3.1 Format of Complaints Written complaints may take the form of a letter or memorandum describing the conduct on which the complaint is based. It should include: the date(s) and place(s) on which the offensive conduct occurred, the names of any witnesses, and the name of the respondent any efforts to resolve the complaint and the results of these efforts if appropriate, the specific outcome the complainant seeks

3.2 Filing of Complaints Students: As noted above, complaints against another student should be filed to the Principal or the Head of the Department. Employees: Complaints against employees should be filed to the principal.

4. Notification of Respondent Within fifteen (15) working days of the receipt of the complaint, Principal will ask the Harassment committee to investigate into the matter. The co-ordinator of the committee will notify the respondent in writing, advise the respondent of the name of the complainant, the nature of the allegations, refer the respondent to this policy, and provide a copy of the complaint. The Harassment Coordinator will receive a copy of this correspondence, and, upon its receipt, will confer with the complainant and the respondent independently to review options for resolution of the complaint. The complainant, with the assistance of the Harassment Coordinator, will choose the option he or she prefers, subject to the right of the respondent to request mediation or the right of the respondent or the G.B.

Authorised signatories to request the appointment of a Harassment Hearing Committee (see Hearing Committee, below). The respondent will also be advised that any speech or conduct threatening or constituting retaliation against the complainant will be regarded as a serious and separate infraction options for Resolving Written Complaints Mediation Either the complainant or the respondent may request the Harassment Coordinator to attempt resolution of the complaint through mediation. Either party may decline to participate, or the Harassment Coordinator/Principal reserves the right to decline mediation if the Harassment Coordinator deems that it is not appropriate as to the particular complaint. If the parties agree to mediate and good faith efforts to mediate the complaint are ongoing, the Harassment Coordinator may suspend other complaint resolution options. If, through mediation, a settlement is agreed to by both parties and approved by the Harassment Coordinator, no further option for resolution will be available. The case will be recorded in the institutional tally and institutional memory file. If

no settlement is reached, the complainant may choose either the Administrative Resolution or the Hearing Committee option.

5. Administrative Resolution The complainant has the exclusive prerogative of choosing the administrative resolution option, subject to the right of the Harassment Coordinator to determine that administrative resolution is not appropriate in the given case or the right of the respondent or the Principal to request the appointment of a Harassment Hearing Committee (see Hearing Committee, below). In an Administrative Resolution, the Principal with whom the complaint is filed will review the complaint with the Harassment Coordinator and the complainant and will also meet with the respondent. The Coordinator will then seek to resolve any factual disputes by interviewing witnesses and reviewing documents in order to establish the credibility of the parties. The Coordinator will ordinarily complete this investigation within fourteen (14) working days of notification of the respondent and determine whether the preponderance of evidence indicates that harassment occurred. After completing the investigation, the Principal will meet with the complainant and respondent, either together or separately, to discuss an appropriate resolution of the complaint. After this meeting(s), the Principal will prepare a statement of the facts and a conclusion.

6. Possible Findings If harassment is the finding, the Harassment Coordinator will find any prior history of infractions in the institutional memory file. The Harassment Coordinator will then recommend a resolution in writing and deliver the recommendation to the Principal. Principal will review and accept or reject the Coordinator's recommendation. Decision is ordinarily made within fifteen (15) working days of the receipt of the coordinator's recommendation. The decision will be intimated in writing to the complainant, the respondent and the Harassment Coordinator. If it is determined that there are insufficient grounds to support the claim of harassment, the parties will be so informed in writing and the complaint will be dismissed.

7. ICC or Internal Complain Committee under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 Principal will decide whether the whole matter and the proceedings are forwarded to the Internal Complain Committee under The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

- The Committee is required to complete the inquiry within a time period of 90 days.
- On completion of the inquiry, the report will be sent to the employer or the District Officer, as the case may be, they are mandated to take action on the report within 60 days.
- The college is required to constitute an Internal Complaints Committee at each office or branch with 10 or more employees. The District Officer is required to constitute a Local Complaints Committee at each district, and if required at the block level.
- The Complaints Committees have the powers of civil courts for gathering evidence.
- The Complaints Committees are required to provide for conciliation before initiating an inquiry, if requested by the complainant.
- Penalties have been prescribed for employers. Noncompliance with the provisions of the Act shall be punishable with a fine of up to 50,000. Repeated violations may lead to higher penalties and cancellation of licence or registration to conduct business.

8. Process for Complaint and Inquiry Please refer to the following flowchart which provides, in brief, the process to be followed by the aggrieved employee to make the complaint and by the employer to inquire into the complaint. The law allows female employees to request for conciliation in order to settle the matter although a monetary settlement should not be made as a basis of conciliation.

9. Action against Frivolous Complaints So as to ensure that the protections contemplated under the Sexual Harassment Act do not get misused, provisions for action against "false or malicious" complainants have been made. Before appealing to the court, if the situation demands college authority can refer the case to the Women's commission.

10. Employer's Obligations In addition to ensuring compliance with the other provisions stipulated, the Sexual Harassment Act casts certain obligations upon the employer to, inter alia,

- provide a safe working environment
- Display conspicuously at the workplace, the penal consequences of indulging in acts that may constitute sexual harassment and the composition of the Internal Complaints Committee

- organize workshops and awareness programmes at regular intervals for sensitizing employees on the issues and implications of workplace sexual harassment and organizing orientation programmes for members of the Internal Complaints Committee
- treat sexual harassment as misconduct under the service rules and initiate action for misconduct.

11. Hearing Committee If the Principal decide that the situation is not so grave to forward to the Internal Complain Committee, principal will appoint a Harassment Hearing Committee to review the case and, after determining the facts, to make a recommendation.

11.1 Composition of Hearing Committee- The Principal will appoint a five member committee to hear the case. The members will be Principal, the harassment coordinator and three members selected from the Governing body members (Preferably external members).

11.2 Committee Procedures

- The Harassment Coordinator will provide Committee members with copies of the complete policy on Discriminatory Harassment; deliver to the Chairperson of the Hearing Committee a complete set of documents in the case; assist the Chairperson in scheduling a hearing, ordinarily within fourteen (14) days of the request for a hearing; assist the Chairperson in identifying the witnesses whom the complainant and respondent intend to call; and identify other persons who might assist the Committee. by the Committee and by both parties. Once the Committee is satisfied that all relevant information has been presented, both parties may present summary statements and/or briefs to the Committee
- The Committee will meet privately to determine the facts and the extent to which they constitute discriminatory harassment under a preponderance of evidence standard.

11.3 Possible Findings If the Committee determines that discriminatory harassment has occurred, they will be given access to the record of any prior infractions by the respondent. The Committee will then assess the seriousness of the case based on the severity of the harassment, the extent to which it was a single or repeated incident, and any record of past infractions. The Committee will communicate its report and recommendation to the Governing Body. If the Governing Body accepts the report, it will determine and impose the sanctions. Where appropriate, the necessary steps will also be taken to reverse actions which the respondent may have taken in the harassment of the complainant (e.g., restoration of rights or privileges, review of academic or

personnel evaluations). The Principal will send written notice of the resolution of the complaint to the respondent, within ten (10) working days after the decision of Governing Body. If it is determined that there are insufficient grounds to support the claim of harassment, the parties will be so informed in writing and the complaint will be dismissed. If it is determined that a claim of harassment is knowingly false, the Hearing Committee will recommend appropriate sanctions to the complainant's area and a notation will be made in the complainant's file.

12. Procedures for Appeal Respondent or complainant can appeal to the Governing Body in the following grounds

- The decision lacked a factual basis
  - it did not conform to the procedural requirements of this policy
  - it was based on bias
  - it violated the respondent's academic freedom
- A formal appeal must be filed in writing within fourteen (14) working days after the respondent is informed of the decision. Students: Students may appeal to the Harassment coordinator who will either sustain or reverse the decision, or refer the case back to the Principal/Governing Body. Faculty: For a sanction other than dismissal, faculty may appeal to the Principal. If the sanction is dismissal by the Principal during the term of a contract, faculty may appeal to the Governing Body. Non-Teaching Staff: Employees may appeal to the Principal, who will either sustain or reverse the decision, or refer the case back to the Governing Body for further review and resubmission.



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