

# BESANT EVENING COLLEGE



## Anti-Sexual Harassment Committee

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(Managed by: Women's National education Society Mangaluru)

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## **Anti-Sexual Harassment Complaints Committee**

### **Preamble**

With regard to the Supreme Court Judgement and guidelines issued in 1997 to provide for the effective enforcement of the basic human right of gender equality and guarantee against sexual harassment and abuse, more particularly against sexual harassment at work places, the University Grants Commission (UGC) has issued circulars since 1998, to all the universities, advising them to establish a permanent cell and a committee; to develop guidelines to combat sexual harassment, violence against women and ragging at the universities and colleges. Keeping the above guidelines in view Besant Evening College has constituted Committee against Sexual Harassment.

### **Policy on Sexual Harassment**

Besant Evening College, Mangaluru has committed itself to provide a congenial and conducive atmosphere in which students, teachers and non-teaching staff can work together in an environment free of violence, harassment, exploitation, and intimidation. This includes all forms of gender violence, sexual harassment, and discrimination on the basis of gender. Every member is expected to be aware of the commitment to the right to freedom of expression and association; it strongly supports gender equality and opposes any form of gender discrimination and violence.

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 Articles 14, 15, and 21 of the Constitution of India, and amounts to a violation of the “Right to Freedom” under Article 19 (1)(g). Another Supreme Court Judgment in January 1999 (Apparel Export Promotion Council vs. Chopra) has stated that sexually harassing behavior “needs to be eliminated as there is no compromise on such violations”. The Supreme Court further reiterated that sexual harassment “is a violation of the fundamental right to gender equality and the right to life and liberty”.

Based on these, it mandatory for the affiliated and constituent colleges to adhere to the following from the year 2002:

1. An anti – sexual harassment cell to be made functional with at least two senior women faculty on the committee
2. An anti – sexual harassment policy to be adopted and publicized
3. An affidavit to be submitted by each college declaring that such a policy is adopted and the anti – sexual harassment cell is operative.

The Supreme Court judgment of 1997 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. Following this, Besant Evening College, Mangaluru being committed to uphold the Constitutional mandate ensuring the above mentioned human rights, adopted the following policy.

### **Declaration of Policy**

Besant Evening College, Mangaluru shall value the dignity of every individual, enhance the development of its human resources, guarantee full respect for human rights, ensures the full enforcement of “Fundamental Rights” under articles 14, 15, 19(1) (g) and 21 of the Constitution of India, and uphold the dignity of workers, employees, applicants for employment, students or those undergoing training, instruction or education. Towards this end, all forms of sexual harassment in the employment, education or training environment are hereby declared unlawful.

### **OBJECTIVES OF THE POLICY**

1. To fulfill the directive of the Supreme Court, as per UGC directives in respect of implementing a policy against sexual harassment in the institution.
2. To evolve a mechanism for the prevention and redressal of sexual harassment cases and other acts of gender based violence in the institution.
3. To ensure the implementation of the policy in letter and spirit through proper reporting of the complaints and their follow-up procedures.
4. To provide an environment free of gender-based discrimination.
5. To ensure equal access of all facilities and participation in activities of the college

6. To create a secure physical and social environment that will deter acts of sexual harassment
7. To promote a social and psychological environment that will raise awareness about sexual harassment in its various forms.

### **DEFINITION OF SEXUAL HARASSMENT**

For this purpose, sexual harassment includes such unwelcome sexually determined behaviour (whether directly or by implication) as:

1. Physical contact and advances;
2. A demand or request for sexual favours;
3. Sexually coloured remarks;
4. Showing pornography;
5. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

Where any of these acts is committed in circumstances where -under the victim of such conduct has a reasonable apprehension that in relation to the victim's employment or enrolment in the institution whether she is drawing salary, or honorarium or otherwise, such conduct can be humiliating and may constitute a health and safety problem. It is discriminatory for instance when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment or work or studentship including recruiting or promotion or academics when it creates a hostile work environment. Adverse consequences might be visited if the victim does not consent to the conduct in question or raises any objection thereto.

### **JURISDICTION**

The rules and regulations outlined in this policy shall be applicable to all complaints of sexual harassment made:

1. By a member of the institution against any other member irrespective of whether the harassment is alleged to have taken place within or outside the campus.
2. By an outsider against a member of the college or by a member of the college against an outsider if the sexual harassment is alleged to have taken place within the campus.

3. By a member of the college against an outsider if the sexual harassment is alleged to have taken place outside the campus. In such cases the Committee shall recommend that the college authorities initiate action by making a complaint with the appropriate authority. Further, the committee will actively assist and provide available resources to the complainant in pursuing the complaint.

**Composition of the Anti – Sexual Harassment Committee**

- (a) A Presiding Officer who shall be a woman faculty member employed at a senior level at the educational institution;
- (b) Not less than two teaching employees and two non-teaching employees, preferably committed to the cause of women or who have had experience in social work or have legal knowledge;
- (c) Not less than three students, who shall be enrolled at the undergraduate, masters, and research scholar levels respectively.
- (d) One member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.

The structure of the committee is such that at least one-half of the total Members so nominated shall be women.

The Committee consists of members of the faculty, administration, service staff and students' representatives. The members of the committee for the academic year 2021-22 are:

- |   |                                      |
|---|--------------------------------------|
| 1. Mrs. Thara Shetty                        | Chair Person                         |
| 2. Dr. Shalini Ayyappa (HOD Psychology SAC) | Member                               |
| 3. Dr Lakshminarayana Bhat A                | Member                               |
| 4. Dr Vasappa Gowda                         | Member                               |
| 5. Mrs. Srividya                            | Member                               |
| 6. Mrs. Sathvika Shetty                     | Member                               |
| 7. Mrs Vidya Hegde                          | Member                               |
| 8. Ms. Bhavana                              | Student Representative (M.Com Final) |