

GOVERNMENT DEGREE COLLEGE BHADARWAH COMMITTEE AGAINST SEXUAL HARASSMENT (CASH) POLICY AT WORKPLACE



“ Inclusion and fairness in the workplace . . . is not simply the right thing to do; it's the smart thing to do.
-Alexis Herman

Government Degree College Bhadarwah stands committed to provide a safe, gender-inclusive, and empowering environment to all those who fall in its jurisdiction including its academic, non-academic staff, and students at the workplace in compliance with the provisions of “The Government of India Sexual Harassment of Women at Workplace Prevention, Prohibition and Redressal Act, 2013”. Sexual harassment of women at workplace maligns the overall work culture of the institution. Government Degree College Bhadarwah will not accept any form of sexual harassment in the college, and intends to protect women from sexual harassment at the workplace, thus preventing a serious violation of the basic rights of a woman under Article 19 (1) (g) of the Constitution of India. Sexual harassment of women at workplace also hinders the exercise of Article 14 and 15n and her right to life and live with dignity as mentioned under article 21.

OBJECTIVE

- i. To work in compliance to The Government of India Sexual Harassment of Women at Workplace Prevention, Prohibition and Redressal Act, 2013.
- ii. To defend and uphold the Women’s and Girl students’ right, provide protection against all forms of sexual harassment and uphold their right to livelihood.
- iii. To actively promote a gender sensitive work culture in the institution that will raise awareness about rights and duties of all and will dissuade acts of sexual harassment in college.
- iv. To ensure the proper implementation and functioning of CASH policy in college in letter and spirit in undertaking all essential and judicious steps including composition of CASH committee, procedures for enquiry committee, etc.
- v. To uphold the professional ethics of our institution by providing and enabling a gender inclusive environment free from all kinds of exploitation of women and girls.

DEFINITION



Sexual harassment refers to any unwelcome—directly or by implication—sexually determined behaviour, requests for sexual favours, or other verbal or physical conduct which is authorised as sexual nature. It also encompasses behaviours like direct or indirect threats or bribes for sexual activity, sexual innuendos and comments, unsolicited flirting, sexually suggestive jokes, inappropriate touching or brushing against a person, pervasive displays of materials with sexually illicit or graphic content, persistent stalking, following, contacting, and attempted or completed sexual assault.

It will not only include but also be not limited to the following:

- When participation or evaluation in any academic or campus activity is contingent upon making unwanted sexual approaches, demands for sexual favours, or verbal or physical behaviour of a sexual character, either overtly or implicitly.
- When unwanted sexual advances, verbal, nonverbal, or physical conduct, such as loaded remarks, slander, jokes, letters, phone calls, or emails, gestures, showing of pornography, obscene stares, physical contact or molestation, stalking, sounds, or displays of a derogatory nature, have the intention or effect of interfering with a person's performance or creating an intimidating, hostile, or offensive campus environment.

COMPOSITION OF CASH

CASH shall have a membership of ten persons, of which at least half the members shall be women, and furthermore the representative members shall be drawn from different categories. All the members of CASH should be neutral and unbiased. The committee shall comprise of:

- i. Four faculty members (at least two woman) specially elected to serve on CASH.
- ii. Two students (at least one woman) specially elected to serve on CASH.
- iii. Two employees from non-teaching staff (at least two woman) specially elected to serve CASH.

- iv. One woman officer specially to serve CASH.
- v. One woman representative of an NGO.
- vi. One woman counsellor.

ROLES AND RESPONSIBILITIES OF GDC BHADARWAH AND CASH

- i. Ensure a safe environment by encouraging all workers to be aware of their own behaviour in addition to reporting any undesirable behaviour observed in the workplace. All the college employees are personally responsible for ensuring that their conduct does not violate this policy. All employees are urged to support the effective functioning of a sexual harassment-free workplace.
- ii. Employees, especially those on higher positions in hierarchy, must guarantee that everyone is treated with due regard, transparency, and professionalism. This is intended to deter a hostile work environment.
- iii. Prominent publicity of the Policy in all Centres, Hostels, offices of administration, as well as in all public places on the campus such as the library, health centre, residential areas, canteens, shopping centres, etc. CASH shall ensure the widespread publicity of the contact details (both official and personal) of all its members and volunteers.
- iv. College shall organize programmes for the orientation of the University community through workshops, seminars, posters, film shows, debates skits, etc. It may enlist the help of specialized NGO's and any campus body to carry out these programmes.
- v. Complaints which are formally lodged, will be resolved in an impartial, non-aligned, and time bound manner.
- vi. Ensure that the complainant, the defendant, and the witnesses are not reprimanded or victimized in any way post resolution.

PROCEDURE FOR COMPLAINT FILING AND ENQUIRY

- i. Any aggrieved woman, girl student, or a member of the academic or non-teaching staff may lodge a complaint of sexual harassment within three months from the date of incident and in case of a series of events, within a period of three months from the last incident. The mechanism of filing complaint should be safe, accessible and hassle free for the complainant.
- ii. The complainant shall lodge a written complaint of the incident including a detailed account of the episode with supporting evidence including photos, videos, audios, text messages along with a list of eye witnesses submitted alongside.
- iii. The CASH shall inform the defendant of the formal complaint, and will share the complete details of the complaint with the defendant. The defendant shall be given a maximum of five days to respond with a written reply and the response must also include any substantiating evidence including photos, videos, audios, text messages along with a list of eye witnesses must be submitted.
- iv. During the procedure of the enquiry, if the parties involved wish to find a resolution to the incident in a mutually satisfactory manner, the CASH will facilitate such a process.
- v. If the formal process is to continue without finding a mutually acceptable solution, the next step will involve the examination of the two accounts including all the evidences submitted, and witnesses presented.

- vi. During the proceedings of inquiry, the complainant and the defendant shall be called separately to ensure freedom of expression and an atmosphere free of intimidation.
- vii. The identities of the victim, witnesses, the accused person and others who may report incidents of sexual harassment shall be kept protected and confidential throughout the investigation.
- viii. The complainant and the defendant shall have the right of cross-examination of all witnesses, if that be needed.
- ix. All proceedings of the committee shall be recorded in writing. All records of complaints, including contents of meetings, results of investigations and other relevant material shall be kept confidential by committee except where disclosure is required under disciplinary or other remedial processes.
- x. The CASH will strive to complete the investigation in shortest possible time, preferably within three months, and shall prepare a document delineating the details of the charges against the defendant, the statements made, and evidences presented in the enquiry.
- xi. Upon the completion of enquiry, the committee may dismiss the complaint by preparing and submitting a report to competent authority, mentioning the valid arguments and reasons for doing the same. If the committee finds the defendant guilty of sexual harassment, the disciplinary authority shall jointly take decision on the corrective action based on the recommendations of the CASH and keep the complainant informed of the same. The disciplinary committee shall take action within one month of receipt of report from the committee.



PUNISHMENT

Corrective action may include any of the following:

- i. Warning to the alleged harasser.
- ii. Formal apology to the victim.
- iii. Counselling of the alleged harasser.
- iv. Written warning to the alleged harasser and a copy of it maintained in the employee's file.
- v. Transfer to other place for either the victim or alleged harasser.
- vi. Termination of increments/promotions.
- vii. Debarring from supervisory positions.
- viii. Denial of re-employment.

- ix. Prohibition from entry into the campus.
- x. Suspension or termination of services of the employee found guilty of the offence.
- xi. In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

COMMITTEE MEMBERS

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