

## Rules And Regulations

### PROCEDURE FOR LODGING A COMPLAINT

**Dealing with the complaint:** Any woman complaining of sexual harassment shall prefer a complaint before the authorities at the earliest point of time and in any case within 15 days from the occurrence of the alleged incident.



The complaint shall contain all the material and relevant details concerning the alleged sexual harassment including the names of the contravener and the complaint shall be addressed to the complaint committee.



If the complainant feels that she cannot disclose her identity for any particular reason, the complainant shall address the complaint to the head of the institution/principal and hand over the same in person or in a sealed cover.



Upon receipt of such complaint, the head of the institution shall retain the original complaint with him/her and send to the complaint committee a gist of the complaint containing all material and relevant details other than the name of the complainant & other details which might disclose the identity of the complainant.

#### **Procedure for oral complaints**

Oral complaints to be reproduced in writing



It shall be duty of the Authority/person before whom an oral complaint is made to reduce the said complaint in writing and read out the complaint to the complainant in the language requested by the complainant and obtain the signature of the complainant.

## REVIEW OF SEXUAL HARASSMENT POLICY

Review of the policy will be done as and when required.

### REFERENCE

1. Vishaka Guidelines of the Supreme Court (JT 1997 (7) SC 384).
2. Sexual Harassment Policy, Complaint Committee against Sexual Harassment (IIT-M)
3. Sexual Harassment Policy, Complaint Committee against Sexual Harassment TISS
4. Sexual Harassment Policy, Dr. RP Govt., Medical College, Kangra at Tanda, Himachal Pradesh
5. Prevention of Sexual Harassment at Work Place – Godrej (<http://www.godrejandboyce.com/godrej/godrejandboyce/pdf/Workplace.pdf>)
6. The Sexual Harassment of Women at Workplace: (Prevention, Prohibition and Redressal) Act, 2013.

may suggest the Head of the institution to take disciplinary action against the complainant if the complaint is found to be false / fake on investigation. The employer shall act upon the recommendation of the committee within sixty days of its receipt.

#### **PREVENTIVE STEPS**

Sexual harassment results in violation of the fundamental rights of women (Articles 14 and 15 of the Indian Constitution) and their right to life and to live with dignity (Article 21 of the Indian Constitution). To prevent such things some preventive steps are needed viz., Prohibition of sexual harassment as defined by the committee should be notified, published and circulated in appropriate ways. The JSSCPT rules also include rules/regulations prohibiting sexual harassment and provide for appropriate penalties in such rules against the offender. Conducive environment should be provided in respect of work, leisure, health and hygiene to ensure safety and protection of women employees/girl students. The committee also encourages the victim of such conduct can communicate her disapproval and objections immediately to the harasser and request the harasser to behave decently. Even if the victim does not feel comfortable to warn the harasser directly she can bring her concern to the attention of the complaint committee for redressal and her grievances. The Head of the institution may provide full cooperation to the committee to function independently without interference to deal such issues. The Head of the institution may ascertain the availability of the counselor (Career Counseling Dept., JSSCPT) to offer counselling to the victims of the sexual harassment. The Head of the Institution may meet the committee at least once in three months to ensure its functioning. The Head of the Institution may permit the committee members to make visits to educational institutions or any Governmental and NGOs who are working / functioning for issues related to sexual harassment. The travel allowance of the committee members may be borne by the JSSCPT.

identity for any particular reason, the complainant shall address the complaint to the head of the institution/principal and hand over the same in person or in a sealed cover. Upon receipt of such complaint, the head of the institution shall retain the original complaint with him/her and send to the complaint committee a gist of the complaint containing all material and relevant details other than the name of the complainant & other details which might disclose the identity of the complainant.

B) Procedure for oral complaints Oral complaints to be reproduced in writing: It shall be duty of the Authority/person before whom an oral complaint is made to reduce the said complaint in writing and read out the complaint to the complainant in the language requested by the complainant and obtain the signature of the complainant.

C) Where sexual Harassment amounts to criminal offence: Where the conduct of Sexual Harassment amounts to a specific offence under the Indian Penal Code (45 of 1860) or under any other law; it shall be the duty of the appropriate authority/Member of the Committee/Local Officer who receives such a complaint to immediately inform the complainant of their Right to initiate action in accordance with law with appropriate authority, and to give advice and guidance regarding the same. Any such action or proceedings initiated shall be in addition to proceedings initiated and/or any action taken. Irrespective of whether the complainant opts to initiate criminal proceedings under the Indian Penal Code (45 of 1860), the complaints committee shall be bound to initiate and conduct its proceedings simultaneously. In particular, it should ensure that victims or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment. The victims of sexual harassment should have the option to seek transfer of the perpetrator or their own transfer.

D) Powers of the committee The committee shall have the power as are vested in a Civil Court under the Code of Civil Procedure, 1908, while trying a suit, in respect of the following matters namely; The summoning and enforcing the attendance of any witness and examining him on oath; Requiring the discovery and producing of any document or any other material which is producible as evidence; The requisitioning of any public or official record from any office. The committee shall conduct such investigations in a timely manner and shall submit a report comprises of findings and recommendations to the Head of the Institution not later than 90 days from the date of receipt of the complaint. Based on the recommendations of the Committee the Head of the Institution may take corrective actions and the complainant shall be informed of the same. The corrective action may include any of the following;

- I. Formal apology
- II. Counseling
- III. Written warning to the perpetrator and a copy of it maintained in the employee's file
- IV. Change of work assignment / transfer for either the perpetrator or the victim
- V. Suspension or termination of services of the employee found guilty of the offence
- VI. The committee

conduct is either an explicit or implicit term or condition of employment and or submission or rejection of the conduct is used as a basis for making employment decisions.

#### **PROCEDURES TO APPROACH THE COMMITTEE**

The committee will deal with the complaints lodged by the victim related to sexual harassment at JSSCPT. It is applicable for all the students and employees of JSSCPT. A written complaint may be addressed to the Chairperson of the committee preferably within 15 days from the date of occurrence of the alleged incident, sent in a sealed envelope. In case if the complaint is addressed to the Head of the institution or any other members of the committee, they may forward it to the Chairperson of the Committee against Sexual Harassment, JSSCPT. The written complaint may be submitted in person by the victim or may be dropped in letter box. The committee will maintain complain register to record such incidences and action taken.

In respect of enquires conducted by a complaint committee, Hon'ble Supreme Court has clarified as follows: The personal life of the complainant is not relevant to any enquiry. Questions of a delicate nature during cross examination may be directed to be put to committee or NGO who will in turn put it to complainant & record the answers. Though it may be preferable to have corroboration, credible evidence given by the complainant along with sufficient records to hold the accused guilty of offence. There is no such rule which says that corroboration is necessary to find the accused guilty. Given the personal nature of the offence of sexual harassment witnesses are rarely available to give evidence on behalf of the victim. The mere fact that criminal proceedings have been instituted in respect of the complaint of Sexual harassment is no reason to stay the proceedings before the complaint committee. Both may proceed simultaneously. Harassment and intimidation of the witnesses and the complainant will be met with severe disciplinary action. If the alleged harasser is found guilty, the complainant, should be transferred.

#### **PROCEDURE FOR LODGING A COMPLAINT**

A) Dealing with the complaint: Any woman complaining of sexual harassment shall prefer a complaint before the following authorities at the earliest point of time and in any case within 15 days from the occurrence of the alleged incident. The complaint shall contain all the material and relevant details concerning the alleged sexual harassment including the names of the contravener and the complaint shall be addressed to the complaint committee. If the complainant feels that she cannot disclose her

## **COMMITTEE AGAINST SEXUAL HARASSMENT – FUNCTIONS AND ROLE**

The committee is responsible for a congenial working environment at JSSCPT to ensure that the women employees and students are not subjected to gender specific discrimination of sexual harassment. The committee will sensitize the employees and students on issues related to sexual harassment and gender discrimination. It will also derive a complaint mechanism to ensure time bound treatment of complaints and holds responsibility to take punitive actions against the offender. It will promote and facilitate measures taken in JSSCPT for the prevention of sexual harassment. The committee is responsible to provide the procedures for the resolution, settlement or prosecution of acts of sexual harassment by taking all steps required. It is responsible for submitting an annual report on sexual harassment to the appropriate government authority.

## **WHAT IS SEXUAL HARASSMENT?**

Sexual Harassment includes such as unwelcome sexually determined behavior (whether directly or by implications) as : Physical contact and advances , Demand or request for sexual favours  
Sexually coloured remarks, Showing pornography and any other unwelcome physical, verbal or non-verbal conduct of the sexual nature

## **ACTIONS VIEWED AS SEXUAL HARASSMENT BY THE COMMITTEE**

- Eve teasing
- Passing comments, jokes and singing songs on women employees and students to cause awkwardness or embarrassment.
- Gossiping and spreading information about a woman/girl student's private life.
- Ridiculing a woman employee/ girl student on the basis of her colour, caste, ethnicity, dress or physical appearance
- Unwelcome sexual overtone in any manner such as over telephone (obnoxious• telephone calls)  
Sending SMS, tracking/hacking email to violate one's privacy.
- Displaying pornographic or other offensive or derogatory pictures, cartoons, pamphlets or sayings.  
Innuendos and taunts
- Stopping vehicle and looking for women employees/girl students to harass
- Any conduct that had intention or the effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment and/or submission to such

JSS College of Physiotherapy

Anti-ragging notification

Ragging constitutes one or more of the following acts

1. Any conduct by any student or students whether by words spoken or written or by an act which has the effect of teasing, treating or handling with rudeness a fresher or any other student
2. Indulging in rowdy or undisciplined activities by any student or students which causes or is likely to cause annoyance, hardship, physical or psychological harm or to raise fear or apprehension thereof if in any fresher or any other student
3. Asking any student to do any act which such student will not in the ordinary course do and which has the effect of causing or generating a sense of shame, or torment or embarrassment so as to adversely affect the physique or psyche of such fresher or any other student.
4. Any act by a senior student that prevents, disrupts or disturbs the regular academic activity of any other student or fresher.
5. Exploiting the services of a fresher or any other student for completing the academic tasks assigned to an individual or group of students.
6. Any act of financial extortion or forceful expenditure burden put on a fresher or any other student by students.
7. Any act of physical abuse including all variants of it: sexual abuse, homosexual assaults, stripping, forcing obscene and lewd acts, gestures, causing bodily harm or any other danger to health or person.
8. Any act or abuse by spoken words, emails, posts, public insults which would also include deriving perverted pleasure, vicarious or sadistic thrill from actively or passively participating in the discomfiture to fresher or any other student
9. Any act that effects the mental health and self confidence of a fresher or any other student with or without an intent to derive a sadistic pleasure or showing off power authority or superiority by a student over any fresher or any other student.

2017 - 2018

## JSS COLLEGE OF PHYSIOTHERAPY

Grievance Redressal committee	
1.COMMITTEE AGAINST SEXUAL HARRASSMENT	2.COMMITTEE AGAINST ANTI RAGGING AND GENERAL

### 1. COMMITTEE AGAINST SEXUAL HARRASSMENT

#### PREAMBLE

This document establishes a policy statement on behalf of JSSCPT ensuring safe and protective environment to women employees and girl students in JSSCPT.

#### INTROUCTION

JSSCPT is an Institute of National Impor<sup>r</sup>tance and aims at youth development through its various programmes viz., training, teaching, documentation, coordination and extension. To function as an Institute of advanced study in the field of Physiotherapy such professional excellence is the mandate of JSSCPT. The grievance readdressal cell of JSS College of Physiotherapy Mysore was constituted on 23/08/2017. It consisted of anti ragging and anti sexual harassment policies There are nearly 200 Students from different parts of the country are studying in this institute. Hence ensuring safe and protective environment to its women employees and girl students is the fundamental duty of JSSCPT. In this regard, a committee against sexual harassment was constituted to make the campus free from sexual harassment, violence against women as per the Vishaka Guidelines of the Supreme Court.

#### MISSION

Through this document the JSSCPT obliged to respect women's right as human rights by ensuring safe and protective environment to the women employees and girl students.

#### OBJECTIVES

1. To ensure affable environment for women employees and students.
2. To treat women's rights as basic human rights
3. To deal with cases of discrimination and sexual harassment against women employees and students
4. To suggest the Head of the institutions for changes and expansions in the procedures and the Bye-laws to ascertain gender justice.



## JSS COLLEGE OF PHYSIOTHERAPY.

### Grievance redressal committee

#### PROCEDURES TO APPROACH THE COMMITTEE

The committee will deal with the complaints lodged by the victim related to sexual harassment at JSSCPT.



It is applicable for all the students and employees of JSSCPT.



A written complaint may be addressed to the Chairperson of the committee preferably within 15 days from the date of occurrence of the alleged incident, sent in a sealed envelope.



In case if the complaint is addressed to the Head of the institution or any other members of the committee, they may forward it to the Chairperson of the Committee against Sexual Harassment, JSSCPT.



The written complaint may be submitted in person by the victim or may be dropped in letter box.



The committee will maintain complain register to record such incidences and action taken.