

POLICY DOCUMENT ON SEXUAL HARRASEMENT AGAINST WOMEN

PREFACE

Naipunnya School of Management, Cherthala (NSMC) is committed to creating and maintaining an environment where every individual feels safe, respected, and valued. The College's Policy Document on Sexual Harassment Against Women reflects our dedication to upholding the highest standards of dignity and respect within our institution. Sexual harassment is a serious issue that undermines the principles of equality and respect that we hold dear. It is crucial that we address and prevent such behaviour through clear, effective policies and procedures. This document serves as a comprehensive guide to understanding, preventing, and addressing sexual harassment, ensuring that all members of our college community—students, faculty, and staff—are aware of their rights and responsibilities. The primary objective of this policy is to provide a safe and supportive environment for all individuals by establishing a zero-tolerance stance toward sexual harassment. It outlines the definitions, procedures, and mechanisms for reporting and resolving complaints, emphasizing our commitment to a fair and transparent process. By implementing this policy, Naipunnya School of Management reaffirms its dedication to promoting an inclusive and respectful academic environment. Naipunnya aims to empower individuals to speak up and seek justice without fear of retaliation, and to foster a culture where inappropriate behaviour is neither tolerated nor condoned. This document is an essential component of our broader commitment to ensuring a respectful and supportive learning and working environment. We encourage all members of our community to familiarize themselves with this policy and contribute to our collective effort to uphold the highest standards of conduct.



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1. SEXUAL HARASSMENT

The following shall constitute sexual harassment of women;

- i. When submission to unwelcome sexually determined behaviour such as sexual advances, requests for sexual favours, and verbal or physical conduct of a sexual nature, are explicitly or implicitly made a term or condition of teaching/guidance, education, employment, participation or evaluation of a woman's engagement in any Institute activity.
- ii. When unwelcome sexually determined behaviour, including but not limited to, sexual advances, physical and /or verbal or non-verbal or conduct, such as loaded comments, remarks or jokes, letters, phone calls, messages or emails, gestures, exhibition of pornography, lurid stares, physical contact, stalking, sounds or display of a derogatory nature have the purpose and /or effect of interfering with a woman's work or academic performance or of creating an intimidating, hostile or offensive employment, educational or living environment.
- iii. When a man uses with a sexual purpose, the body or any part of it or any object as an extension of the body in relation to a woman without her consent or against her will, such conduct will amount to sexual assault.
 - a) It is clarified that it is the reasonable perception of the woman that would be relevant in determining whether any conduct was sexually determined and, if so, whether such conduct was unwelcome or not and that her objection would disadvantage her in connection with her education or employment, including evaluation, grading, recruitment or promotion, or when it creates a hostile working, educational or living environment.
 - b) "Hostile Environment" is said to be created when any act of Sexual Harassment has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive employment, educational or living environment.

2. POLICY STATEMENT

NSMC shall value the dignity of women & guarantee full respect for the Fundamental Rights under Article 14,15,19 & 21 of the Constitution of India. To achieve Gender Equality amongst the employees & students, all forms of sexual



harassment in the employment, education, or training environment are declared as unlawful under the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 & UGC Regulations as well as under the Sexual Harassment of Women at Workplace Act, 2013.

Objectives;

- i. To fulfill the requirements of the Sexual Harassment of Women at Workplace At, 2013 (POSH Act).
- ii. To ensure that the in-house Grievance Redressal Mechanism as mentioned under the Act is implemented
- iii. To constitute Internal Complaint Committee
- iv. To provide an environment free of gender discrimination.
- v. To assist in drafting the complaint relating to Sexual Harassment of Women at Workplace.
- vi. To create a secure physical and social environment that will deter acts of sexual harassment

3. COMPOSITION OF COMMITTEE

- i. A presiding officer who shall be a woman employed at a senior level at the workplace from amongst the employees: provided that in case a senior level woman employee is not available, the presiding officer shall be nominated from other offices or administrative units of the workplace
- ii. Not less than two members from faculty members and two non-teaching employees preferably committed to the cause of women or who have had experience in social work or have the legal knowledge
- iii. At least one-half of the total members so nominated shall be women.
- iv. If the case involves against the student at the college, then two members of the committee shall be taken from the student community.

The term of each member shall be twelve months. One third of the members may be retained to the maximum period of 3 years for each member.



4. FUNCTIONS

- i. To ensure the prominent publicity of the Policy. The Policy will also be available on the institution's website.
- ii. To organize programmes for the gender sensitization of the campus community through workshops, seminars, posters, film shows, debates, skits etc.
- iii. Responsible for the formal redressal of complaints of sexual harassment. It shall receive complaints, conduct time-bound enquiries and recommend disciplinary action, if any, in accordance with the rules and procedures laid down herein.
- iv. Time-bound submission of enquiry reports and minutes.
- v. In all cases of sexual harassment, the cell shall provide its resources to ensure the complainant's safety.

5. PROCEDURE FOR INVESTIGATION OF COMPLAINTS

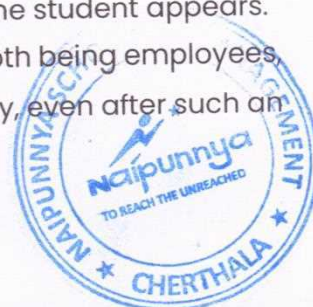
- i. Any women employee/female student of the institute shall have the right to lodge a complaint with any of the members of the cell.
- ii. Any complaint in writing shall be signed by the person making the complaint. If the complaint is oral the same shall be documented in writing in detail by the cell member to whom the complaint is made and shall not be acted upon till signed by the complainant.
- iii. A complaint Register/file shall be maintained by the Committee members. It should be confidential.
- iv. In the event of the complaint being made to any member of the cell, immediately upon receipt of the complaint, and within not more than two working days, the member of the cell to whom the complaint is made, shall communicate the same to the Chairperson of the Cell. However, if the complainant so desires, her name shall be kept confidential and shall not be divulged except to the Cell.
- v. The presiding officer/chairperson shall convene its meeting immediately with the members of the cell to discuss about the complaint. ICC shall designate from within the members the Chief Enquiry Officer who shall be a woman.



- vi. At the first meeting, which shall be held within a week of the receipt of the complaint, the complainant or at her request her representative, shall be heard. The Cell shall then decide whether the complaint deserves to be proceeded with. The complaint shall stand dropped, if according to the Cell, the complainant has not been able to disclose prima facie, an offence of sexual harassment.
- vii. In case the Cell decides to proceed with the complaint, the wishes of the complainant shall be ascertained and if the complainant wishes that a warning would suffice, the alleged offender shall be called for the meeting of the Cell, heard and if so satisfied that the warning is just and proper, it will be recommended to Principal that he may be warned about his behaviour. The matter shall then be treated as concluded with recording, to that effect, made in the complaint register. With acceptance of the recommendation by the Principal, he will be warned about his behaviour and necessary note be made into the Service book of the employee/Record of the student. The Cell should verify compliance of the action taken.
- viii. However, before proceeding with the enquiry, the Cell shall decide whether the delinquent deserves to be placed under suspension or prohibited from entering the premises pending enquiry, keeping in mind the nature and gravity of the misdemeanour complained of. In case the Cell comes to the conclusion that such an action is necessary, it shall recommend to the Principal accordingly.
- ix. The Cell shall accord fair and reasonable opportunity to the delinquent to defend himself and shall ensure observance of the principles of natural justice.

6. PROTECTION AGAINST VICTIMIZATION

- i. In the event of the complainant being a student and the accused being a teacher, during the pendency of the investigation and inquiry and even after such an enquiry if the teacher is found guilty, the accused shall not act as an examiner for any examination for which the student appears.
- ii. In the event of the complainant and the accused both being employees, during the pendency of the investigation and inquiry, even after such an



enquiry, if the accused is found guilty, the accused shall not write the Confidential Reports of the complaint, if he is otherwise so authorized.

7. PENALTIES & PUNISHMENT (*For the sexual harassment*)

- i. An employee found guilty of sexual harassment shall be liable to receive the following penalties:

Minor Penalties

- a) Warning
- b) Fine
- c) Withholding of increments or promotion
- d) Reduction to a post in the lower pay-scale or to a lower stage of increment in his own pay -scale

Major Penalties

- e) Removal/dismissal from service

- ii. A student found guilty of sexual harassment shall be liable to receive the following penalties:

Minor Penalties

- a) Warning
- b) Written Apology
- c) Bond of good behaviour
- d) Debarring entry into a hostel/ campus / off campus
- e) Suspension for specified period of time

Major Penalties

- f) Debarring from examinations for a specified period of time
- g) Expulsion from institute

The institute shall decide whether the person against whom a complaint of sexual harassment is made should be placed under suspension. The institute may direct that the person against whom a complaint of sexual harassment is made, be



prohibited from entering the premises of the institute during the pendency of the matter before the committee.

8. DUTIES OF THE EMPLOYER

- i. Provide a safe working environment to all women at the workplace which shall include safety from the persons coming into contact at the workplace.
- ii. Display at any conspicuous place in the workplace, the penal consequences of sexual harassment; and the order constituting, the ICC.
- iii. Organize workshops and awareness programmes at regular intervals for sensitising the employees with the provisions of the Act and orientation programmes for the members of the ICC in the manner as may be prescribed.
- iv. Provide necessary facilities to the ICC for dealing with the complaint and conducting an inquiry.
- v. Assist in securing the attendance of respondent and witnesses before the ICC.
- vi. Make available such information to the ICC, as it may require having regard to the complaint.
- vii. Provide assistance to the woman 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.
- viii. Cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place.
- ix. Treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct.
- x. Monitor the timely submission of reports by the ICC.



9. POLICY REVIEW

This policy shall be reviewed annually and may be amended as and when required to retain its contemporary relevance. Any stakeholder of the institution may submit proposal for the improvement of policy to the IQAC. The proposed changes shall be reviewed by IQAC and, if found suitable, shall be forwarded to the higher authorities for consideration. Person in charge: 1) Principal 2) IQAC Coordinator



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