

# JECRC UNIVERSITY, JAIPUR

## **RECONSTITUTION OF COMMITTEE FOR PROTECTION AGAINST SEXUAL HARASSMENT**

### 1.0 PURPOSE

1.1 JECRC University Jaipur (JECRCU) is an equal employment opportunity University and is

committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment.

1.2 The University also believes that all employees of the University, have the right to be treated with dignity, Sexual harassment at the work place or other than work place if involving an employee is a grave offence and is, therefore, punishable.

1.3 To provide a procedure for redressal of complaints pertaining to sexual harassment under the guidelines given by the Supreme Court.

### 2.0 SCOPE AND EFFECTIVE DATE

2.1 This Policy is applicable to all employees of JECRCU and its constituent units.

2.2 Where sexual harassment occurs to an employee as a result of an act by a third Party or outsider while on official duty, JECRCU or its constituent units will take all necessary and reasonable steps to assist the affected employee in terms of support and preventive action.

2.3 It is deemed to be incorporated in the service conditions of all employees and comes into effect immediately.

### 3.0 DEFINITION

3.1 Sexual harassment would mean and include any of the following:

i) unwelcome sexual advances, requests or demand for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any University activity;

ii) unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individual's sensibilities and affect her/his performance;

iii) eve teasing, innuendos and taunts, physical confinement against one's will and likely intrude upon one's privacy;

iv) act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person belonging to the other sex;

v) conduct of such an act at work place or outside in relation to an Employee of JECRCU or its constituent units, or vice versa during the course of employment; and

vi) any unwelcome gesture by an employee having sexual overtones.

3.2 "Employee" means any person on the rolls of the JECRCU or its constituent units including those on deputation, contract, temporary, part time or working as consultants.

#### 4.0 COMPLAINT REDRESSAL COMMITTEE:

4.1 The Committee has been reconstituted by the Management to consider and redress complaints of Sexual Harassment. The committee is responsible for hearing and disposing all complaints regarding Sexual Harassment. The Chairman and Members of the Committee is as follows:

Committee:

- |    |   |   |                   |
|----|---|---|-------------------|
| 1. | Prof.Manisha Gupta, Dept. of Physics                        | - | Presiding Officer |
| 2. | Dr.Narendra Singh Yadav, Dept. of Computer Science & Engg.- |   | Member            |
| 3. | Dr.Megha Acharya, Asst. Professor, Dept. of Law             | - | Member            |
| 4. | Ms.Anju Kalwar, Lab Assistant, Non-Teaching Staff           | - | Member            |
| 5. | Mr.Vimal Bhardwaj, Lab Asstt., Non-Teaching Staff           | - | Member            |
| 6. | Ms.Ritu Sisodia, Student, MCA V Semester                    | - | Student Rep.      |
| 7. | Ms.Mansi Manchanda, Student, B.Tech, CSE                    | - | Student Rep.      |
| 8. | Mr Kartik Saini, Student, MBA                               | - | Student Rep.      |
| 9. | Ms Smriti Singh   | - | NGO Rep.          |

4.2 The names and contact numbers of the Grievance Committee members shall be available to employees via communication channels i.e, notice board, intranet , mail communication etc.

4.3 The members of the Grievance Committee shall hold office till any member resigns or where applicable ceases to be an employee of JECRCU or its constituent units.

4.4 The management of JECRCU or its constituent units (President) will have the right to reappoint all or any of the said members for a fresh term and appoint new members and / or constitute a new committee. The management of JECRCU or its constituent units (President) shall have the right to fill any vacancy, howsoever caused.

4.5 A quorum of 2 members is required to be present for the proceedings to take place.

#### 5.0 REDRESSAL PROCESS:

5.1 Any employee who feels and is being sexually harassed directly or indirectly may submit a complaint of the alleged incident in writing with his / her signature within 7 working days of occurrence of incident. The complaints can be sent via email at [manisha.gupta@jecrcu.edu.in](mailto:manisha.gupta@jecrcu.edu.in) or dropped in the sealed envelope to the President.

5.2 The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.

5.3 The Committee will hold a meeting with the Complainant within five working days of the receipt of the complaint, but not later than seven working days in any case.

5.4 At the first meeting, the Committee members shall hear the Complainant and record her/his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate his / her complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a lady officer for lady employees involved and a male officer for male employees, involved shall meet and record the statement. All proceedings of the Grievance Committee shall be recorded in writing and will have to be signed off by the Chairperson, complainant and the accused.

5.5 Thereafter, the person against whom complaint is made may be called for a deposition before the Committee and an opportunity will be given to him / her to give an explanation, where after, an "Inquiry" shall be conducted and concluded.

5.6 In the event, the complaint does not fall under the purview of Sexual harassment or the complaint does not mean an offence of Sexual harassment, the same would be dropped after recording the reasons thereof.

5.7 In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the management.

5.8 In the event the complaint of Sexual Harassment is made against any member of the Grievance Committee, that member shall, till the said complaint is disposed off by the Grievance Committee, cease to be a member of the Grievance Committee and if found guilty will automatically and with immediate effect be removed from the Grievance Committee and the procedures administered.

## 6.0 INQUIRY PROCESS

6.1 The Committee shall immediately proceed with the Inquiry and communicate the same to the complainant and person against whom complaint is made.

6.2 The Committee shall prepare and hand over the Statement of Allegation to the person against whom complaint is made and give him / her an opportunity to submit a written explanation if he / she so desires within 10 days of receipt of the same.

6.3 The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.

6.4 If the Complainant or the person against whom complaint is made desires any witness /es to be called, they shall communicate in writing to the Committee the names of witness / es whom they propose to call.

6.5 If the Complainant desires to tender any documents by way of evidence before the Committee, he / she shall supply original copies of such documents. Similarly, if the person against whom complaint is made desires to tender any documents in evidence before the Committee he / she shall supply original copies of such documents. Both shall affix his / her signature on the respective documents to certify these to be original copies.

6.6 The Committee shall call upon all witnesses mentioned by both the parties.

6.7 The Committee shall provide every reasonable opportunity to the Complainant and to the person against whom complaint is made, for putting forward and defending their respective case.

6.8 The Committee shall complete the "Inquiry" within reasonable period but not beyond three months and communicate its findings and its recommendations for action to the President. The report of the committee shall be treated as an inquiry report on the basis of which an erring employee can be awarded appropriate punishment straightaway.

6.9 The President will direct appropriate action in accordance with the recommendation proposed by the Committee.

6.10 The Committee shall be governed by such rules as may be framed by the Supreme Court orders or any other legislation enacted later on. The same shall be incorporated in this Policy by reference and to that extent this Policy shall stand modified.

## 7.0 MISCELLANEOUS

7.1 The Committee may recommend to the President action which may include transfer or any of the other appropriate disciplinary action.

7.2 The management shall provide all necessary assistance for the purpose of ensuring full effective and speedy implementation of this policy.

7.3 Where sexual harassment occurs as a result of an act or omission by any third party or outsider, JECRCU or its constituent units shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

7.4 The Committee shall analyse and put up report on all complaints of this nature at the end of the year for submission to the President.

7.5 In case the Committee finds the degree of offence coverable under the India Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police Complaint.