

CVV Anti-Sexual Harassment Policy

CVV in accordance with UGC Guidelines and The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 considers as Sexual Harassment as a violation of the fundamental rights of a woman to equality under Articles 14 and 15 of the Constitution of India and her right to life and to live with dignity under Article 21 of the Constitution and right to practice to any profession or to carry on any occupation, trade or business, and right to education, which includes a right to a safe environment free from sexual harassment.

What is Sexual Harassment?

(i) An unwanted conduct with sexual undertones if it occurs or which is persistent and which demeans, humiliates or creates a hostile and intimidating environment or is calculated to induce submission by actual or threatened adverse consequences and includes any one or more or all of the following unwelcome acts or behaviour (whether directly or by implication), namely:-

- (a) any unwelcome physical, verbal or non verbal conduct of sexual nature;
- (b) demand or request for sexual favours;
- (c) making sexually coloured remarks
- (d) physical contact and advances; or
- (e) showing pornography

(ii) any one (or more than one or all) of the following circumstances, if it occurs or is present in relation or connected with any behaviour that has explicit or implicit sexual undertones-

- (a) implied or explicit promise of preferential treatment as quid pro quo for sexual favours;
- (b) implied or explicit threat of detrimental treatment in the conduct of work;
- (c) implied or explicit threat about the present or future status of the person concerned;
- (d) creating an intimidating offensive or hostile learning environment;
- (e) humiliating treatment likely to affect the health, safety dignity or physical integrity of the person concerned;

Complaint Mechanism: CVV shall constitute an Internal complaints Committee(ICC) in terms of section 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

Who can file the Complaint and where?

Any aggrieved student, service provider, teaching, non-teaching staff may file a complaint against a student, service provider, teaching, non-teaching staff to Internal Complaints Committee

Friends, relatives, colleagues, co-students, psychologist, or any other associate of the victim may file the complaint in situations where the aggrieved person is unable to make a complaint on account of physical or mental incapacity or death.

If the complaint is against the member of ICC then the aggrieved person may approach the Head of the Institution, which in the case of CVV is the Vice Chancellor.

If the complaint is against the head of the institution itself, the aggrieved person may avail the assistance of Local Complaints Committee constituted under Section 6 of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

Filing a Complaint:

- An aggrieved person is required to submit a written complaint to any of the Internal Complaints Committee members within three months from the date of the incident and in case of a series of incidents within a period of three months from the date of the last incident.
- Complaints made by the complainant through post or email shall also be considered as written complaints.
- ICC may allow a complainant to file a complaint even after 3 months, for reasons recorded in writing, if satisfied circumstances were such which prevented the aggrieved person from filing a complaint.

What ICC will do upon receipt of the complaint?

- The Internal Complaints Committee before initiating the inquiry and at the request of the aggrieved woman may take steps to settle the matter between the parties through conciliation. However, no monetary settlement shall be made as a basis of conciliation.
- Within one week of the institution of the enquiry proceedings by the complainants committee, the ICC shall prepare a summary of the complaint and hand over the same to the complainant and the defendant along with a copy of Rules and Procedures.
- The defendant has to file his reply statement within ten days of the receipt of such complaint from the ICC.
- The ICC shall have the power to summon witnesses and call for documents or any information from any employee.
- The identities of the complainant and all witnesses, shall before during and after the inquiry be protected and kept confidential by the ICC.
- On completion of the inquiry ICC shall provide final report with findings to the Dean, CVV within a period of ten days from the date of completion of the inquiry.

- The process of inquiry and report submission must be completed in 90 days time from date of receipt of complaint.
- ICC shall also recommend to Head of the Institution as the case may require:
 - transfer the aggrieved woman or the respondent to any other workplace
 - grant leave to the aggrieved woman with full protection of status and benefits up to a period of three months
 - restrain the respondent from reporting on or evaluating the work or performance or tests or examinations of the complainant
 - ensure that offenders are warned to keep a distance from the aggrieved, and wherever necessary, if there is a definite threat, restrain their entry into the campus
 - grant such other relief to the aggrieved woman or take strict measures in order to provide a conducive environment of safety and protection to the complainant against retaliation and victimisation as a consequence of making a complaint of sexual harassment
- The Internal Committee as the case may be (subject to the any conciliation settlement), where the respondent is an employee (not student), shall, if prima facie case exist, forward the complaint to the police, within a period of seven days for registering the case under section 509 of the Indian Penal Code, and any other relevant provisions of the said Code where applicable

Sexual Harassment amounts to Criminal offence: Where the conduct of sexual Harassment amounts to a specific offence under the IPC(45 of 1860) or under any law, it shall be the duty of the ICC to immediately inform the complainant of their right to initiate action in accordance with law with the appropriate authority and to give advice and guidance regarding the same. It shall assist in all cases a victim, whether student or not, if she chooses to file a police complaint.

Privacy is of utmost importance

ICC and the functionaries of CVV entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action to be taken under the provisions of this Act, shall take all endeavours to protect the privacy of the parties involved in the case or inquiry, and shall not publish, communicate, and make know public, press and media in any manner the contents of the complaint made under section 9, the identity and addresses of the aggrieved woman, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee or the Local Committee, as the case may be, and the action taken by the employer or the District Officer under the provisions of this Act.



RTI Provisions 2005 shall not apply

It is also hereby made clear that no RTI applications regarding the information mentioned in the above paragraph shall be entertained by the CVV authorities except for the information on the justice secured for the victim of sexual harassment under this Act without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved woman, witnesses, and the offender.

Notwithstanding Clause

In case of any missing information, or in case of any incongruence of this policy document with UGC guidelines, or the 2013 Act, the latter shall prevail. This means 2013 Act shall be the final legal instrument of reference in case of any doubt.