



VISVA-BHARATI

INTERNAL COMPLAINTS COMMITTEE FOR
PREVENTION OF SEXUAL HARASSMENT
AGAINST WOMEN AT WORK PLACE
(ICC-PSHWW)

GENESIS

- Visva-Bharati University constituted a committee to deal with cases of sexual harassment at workplace on June 22, 2000, conforming to the Supreme Court guidelines of Visakha-vs-State of Rajasthan. The committee was then called “Standing Committee”.
- The same has been renamed as the ‘**Internal Complaints Committee**’ after the Act was passed by the Parliament in 2013.


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इस भाग में किन पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 23rd April, 2013/Vaisakha 3, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 22nd April, 2013, and is hereby published for general information:—

THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE
(PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013

(No. 14 of 2013)

[22nd April, 2013.]

An Act to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

WHEREAS sexual harassment results in 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 any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment;

AND WHEREAS the protection against sexual harassment and the right to work with dignity are universally recognised human rights by international conventions and instruments such as Convention on the Elimination of all Forms of Discrimination against Women, which has been ratified on the 25th June, 1993 by the Government of India;

AND WHEREAS it is expedient to make provisions for giving effect to the said Convention for protection of women against sexual harassment at workplace.

VISVA-BHARATI



Policy on Prevention of Sexual Harassment
of Women at Workplace (PSHWW)

(A) PREAMBLE

Visva-Bharati (A Central University founded by Rabindranath Tagore) is an Institution of National Importance, is committed for creating and maintaining a community in which the students, teachers and non-teaching staff can work together in an environment- which is free of violence, harassment, exploitation, and intimidation. This includes all forms of gender violence, sexual harassment, and discrimination on the basis of sex/gender. Every member of the University community should be aware that while the University is committed to the right to freedom of expression and association, it strongly supports gender equality and opposes any form of gender discrimination and violence.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 makes it obligatory for every employer to combat sexual harassment in the workplace. Educational institutions are bound by the same directive. Following this, the Visva Bharati University is committed to uphold the Constitutional mandate ensuring the above mentioned human rights of all those who fall within its jurisdiction.

ORGANOGRAM

CHAIRPERSON-ICC

**MEMBERS FROM BHAVANA
STUDENT REPRESENTATIVES**

NGO

MEMBERS FROM SCHOOLS

CONVENOR

DISTRICT PROTECTION OFFICER

LEGAL EXPERT

OBJECTIVES

- 1) To provide a safe working environment
- 2) To display the penal consequences of sexual harassments and the order constituting the Internal Complaints Committee
- 3) To organise workshops and awareness programmes
- 4) To provide necessary facilities for dealing with the complaint and conducting an inquiry
- 5) To help the woman if she so chooses to file a complaint
- 6) To treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct
- 7) To monitor the timely submission of reports

DISTINCTIVENESS

1. It is an independent body
2. It has the powers of a civil court
3. One of the powerful Committees of the University
4. Guarantees the rights of women at work place
5. Instrumental in preventing gender discrimination
6. Steady Organisational Linkage
7. Instrumental in maintaining dignity of women
8. Provide the legal framework for resolving the problem of sexual harassment as per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, a law enacted by Parliament.

Visva-Bharati (A Central University founded by Rabindranath Tagore) is an Institution of National Importance, is committed for creating and maintaining a community in which the students, teachers and non-teaching staff can work together in an environment - which is free of violence, harassment, exploitation, and intimidation. The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 makes it obligatory for every employer to combat sexual harassment in the workplace.

To uphold the above Constitutional mandate ensuring the above-mentioned right of all those who fall within its jurisdiction, Visva-Bharati has also constituted a ‘Internal Complaints Committee for Prevention of Sexual Harassment of Women at Workplace (ICC-PSHWW)’ on June 22, 2000.

Members:

- Prof. Sakuntala Mishra, Department of Hindi, Bhasha Bhavana - Chairperson
Prof. Manabendra Mukhopadhyay, Department of Bengali, Bhasha Bhavana
Prof. Gopal Chandra Saha, Department of Physical Education & Sports Science, Visva-Bharati
Dr. Mahua Banerjee, Department of Agronomy, Palli Siksha Bhavana
Prof. Sudev Pratim Basu, Department of English, Bhasha Bhavana
Dr. Mohit Saha, Medical Officer, P.M. Hospital
Dr. Paramita Roy, Department of Social Work, Palli Samgathana Vibhaga
Dr. Suhrita Basu, Centre for Journalism & Mass Communication, Vidya Bhavana
Dr. Sudipta Sarkar, Department of Geography, Vidya-Bhavana
Smt. Sangita Hembram, Patha Bhavana
Smt. Anjali Das Pal, Assistant Lecturer, Siksha Satra
Smt. Arpita Chatterjee, Professional Assistant, Palli Siksha Bhavana Library
Smt. Sushmita Basu, Social Worker (District Representative), Bolpur
Sri. Amitabha Ghosal, Advocate, Bolpur Court
Sri. Sandip Mukhopadhyay, NGO Member (Elmhirst Institute)
Dr. Nilanjana Das, Department of Biotechnology, Siksha Bhavana, Member-Convener
- Student representatives from each Bhavana where necessary.

SEXUAL HARASSMENT AGAINST WOMEN AT WORKPLACE

Sexual Harassment of women at workplace is a form of gender-based violence. It not only violates their self-esteem, self-respect and dignity but also takes away their basic human as well as constitutional rights.

It cannot be termed as a new phenomenon but certainly, fast changing workplace equations have brought this dark underground reality to the surface. Like any other sex-based crime, it is about power relationship, domination, and control. The victim is often confused, embarrassed or scared. She may not know how to label her experience and with whom she should share. It appears to be mild but has severe consequences. It has, therefore, to be curbed at the initial stage.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter referred to as the Act) is a law enacted by Parliament providing the legal framework for resolving the problem of sexual harassment.

How does one make a complaint?

All complaints must be made in writing either to the Registrar of the University or to the Chairperson of the Internal Complaints Committee (ICC), VB. Complaints can also be made by email to the following email address – complaints.pshww@visva-bharati.ac.in

DEFINITION OF SEXUAL HARASSMENT

“Sexual harassment” includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely–

- i) physical contact and advances; or**
- ii) a demand or request for sexual favours; or**
- iii) making sexually coloured remarks; or**
- iv) showing pornography; or**
- v) any other unwelcome physical, verbal, or non-verbal conduct of sexual nature**

The following circumstances, may amount to sexual harassment–

- i) implied or explicit promise of preferential treatment in her employment; or**
- ii) implied or explicit threat of detrimental treatment in her employment; or**
- iii) implied or explicit threat about her present or future employment status; or**
- iv) Interferes with her work or creating an intimidating or offensive or hostile work environment for her; or**
- v) Humiliating treatment likely to affect her health or safety.**

PROCEDURE FOR REGISTERING COMPLAINTS

1. Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the Internal Complaints Committee (ICC) within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident:

Provided that the “Internal Complaints Committee” for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period.

2. Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other authorized person may make a complaint.

Contacts

ICCPSHWW-VB; Central Office (at 2nd floor)

E-Mail: complaints.pshww@visva-bharati.ac.in

Mobile Number: 9474727259

Women helpline no: 181

Emergency response support system no: 112