



INTERNAL COMPLAINTS COMMITTEE (ICC)

COMPOSITION; ROLE AND STATUS REPORT

In compliance with the provisions of the Sexual Harassment at Workplace (Prevention, Prohibition and Redressal), Act, 2013, the Government College of Commerce and Economics has constituted the Internal Complaints Committee (ICC).....

COMPOSITION OF THE INTERNAL COMPLAINTS COMMITTEE (2021-2022)



GOVERNMENT OF GOA
COLLEGE OF COMMERCE AND ECONOMICS,
BORDA, MARGAO-GOA.

Ref. No. GCCEM/Adm/Sexual Harassment/2021-22/ 549

Date:-23/10/2021

OFFICE ORDER

The Internal Complaints Committee (ICC) is hereby reconstituted for the College till the next Order is issued with change, if any u/s 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

1	Dr. Elizabeth J. Henriques	-----	Convenor
2	Ms. Lily Endro	-----	Member
3	Ms. Sonia Shirodkar(External)	-----	Member
4	Ms. Bindiya Naik	-----	Member
5	Ms. Nayana D Shanbhag,	-----	Member
6	L.R. of Student's Council*	-----	Member

The Committee shall perform the following functions:

- General Functions of the ICC :** (i) Creation of a widespread, confident and preventive atmosphere amongst our students and staff, that our women have dignity and they have to be treated as such with dignity and due respect; (ii) Encouraging the women students and staff to be bold enough to complain if there are problems, in this regard; (iii) Taking up such issues, immediately and appropriately; (iv) Taking up complaints if any on sexual harassment of women at workplace i.e. in the College as per Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and (v) To perform all such functions as enshrined in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
 - Prevention :** (i) Creation of awareness through Seminars/Workshops, discussions, etc.; (ii) Group and individual counseling; and (iii) recommending improvements in physical facilities, security arrangements and other related areas for preventing instances of sexual harassment.
 - Crisis Management and Mediation:** (i) Dealing with emergencies; and (ii) Providing provisional relief – medical, psychological.
 - Redressal:** (i) Dealing fact finding inquiries, and (ii) Recommending suitable action through criminal proceeding and /or disciplinary action as dictated by the facts of the case.
 - Reporting :** (i) The Committee shall give a report on its functioning; and (ii) The number of cases dealt with the steps taken and the type of action recommended in each case to the Principal at the end of every term of the academic year.
- The tenure of the Members will be for three years, if No change in appointment during the tenure.
 - * The L.R. of the Student's Council is subject to change from year to year.

To,


(Prof. Gajanan V. Madiwal)
PRINCIPAL
PRINCIPAL
College Of Commerce & Economics
BORDA, MARGAO, GOA

POLICY AGAINST SEXUAL HARASSMENT

Preamble

The Policy Against Sexual Harassment and Redressal Mechanism through committee system is based on the guidelines issued in the case of Vishaka & others V/S State of Rajasthan & other. (Ref. Writ petition (Criminal) No.660-70 of 1992 [1997 (7) SCC.323] Dt. 13.8.1997).

This policy is adopted to prevent, prohibit and punish sexual harassment of women and female students at the work place and campus. The policy aims to provide to all the bonafide female staff members of college a healthy working environment free from any form of harassment.

Objectives

The Policy against Sexual Harassment of Government College of Commerce, Borda, Margao has been framed keeping the following objectives in:-

- 1 To fulfill the directives of the Hon'ble Supreme Court enjoining all employers to develop and implements a Policy Against Sexual Harassment at the work place and campus.
- 2 To evolve a permanent mechanism for the prevention and redressal of sexual harassment cases and other acts of gender based violence at the college.
- 3 To ensure the implementations of the policy in letter and spirit through proper reporting of complaints and their follow up procedures.
- 4 To promote a social and psychological environment, which would increase awareness about sexual harassment in its various forms.
- 5 To generate public opinion against sexual harassment and all forms of gender-based violence.
- 6 To make the commitment to ensure environment without gender bias or gender-based discrimination in the college campus.

What Constitutes Sexual Harassment of Women & Female Students?

- a) Submission to unwelcomed sexually determined behaviour such as sexually advances, request for sexual favours, and verbal or physical conduct of a sexual nature, are explicitly or implicitly made in terms of condition of teaching/guidance, education, employment, participation or evaluation of a women's engagement in any activity.
- b) 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, mobile call, SMS 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 women's work or academic performance or of creating an intimidating hostile or offensive employment education or living environment.
- c) When deprecatory comments, conduct or any such behaviour is based on the gender identity/sexual orientation of the woman and/or when the classroom or other public forum of

the university is used to denigrate/discriminate against woman or create a hostile environment on the bases of a woman's gender identity/sexual orientation.

d) When a male uses with a sexual purpose, the body or any part of it or any object as an extension of body in relation to a woman without her consent or against her will, such conduct will amount to sexual assault.

Procedure for Lodging a Complaint

a) Any woman/female student subject to sexual harassment shall file a written complaint within 30 working days from the occurrence of the alleged incident. The committee shall dispose the complaint with in a period of 90 days from the receipt of the complaint.

b) The complaint shall contain all the relevant details concerning the alleged sexual harassment contravener and the complaint shall be addressed to the Internal Complaint Committee.

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

d) Upon receipt of such complaint, Head of the Institution shall retain the original complaint with him and send to the complaint committee a gist of the complaint containing all material and relevant details other than the name of the complainant and other details which might disclose the identity of the complainant.

Redressal

1. The college shall suspend the alleged harasser after a prima facie case has been established.

2. The Head of the institution upon receipt of the inquiry report, institute disciplinary action on the basis of the recommendations of the CPSHW under relevant service rules.

3. The disciplinary action will be commensurate with the nature of the violation.

In the case of college employees, disciplinary action could be in the form of:

- i. Warning
- ii. Written apology
- iii. Bond of good behaviour
- iv. Adverse remarks in the confidential report
- v. Debarring from supervisory duties
- vi. Denial of membership of statutory bodies
- vii. Denial of re-employment
- viii. Stopping of increments/promotion
- ix. Reverting, demotion
- x. Suspension
- xi. Dismissal
- xii. Any other relevant mechanism

In case of college students, disciplinary action could be in the form of:

- i. Warning
- ii. Written apology

- iii. Bond of good behaviour
- iv. Debarring entry into hostel/ canteen
- v. Suspension for a specific period of time
- vi. Withholding results
- vii. Debarring from exams
- viii. Debarring from contesting elections
- ix. Debarring from holding posts such as member of committee of courses,, membership of college union, etc.
- x. Expulsion
- xi. Denial of admission
- xii. Declaring the harasser as “persona non grata” for a stipulated period of time.
- xiii. Any other relevant mechanism.

C. In the case of third-party harassment/outsider harassment, the university/college authorities shall intimate action by making a complaint with the appropriate authority.

4. The nature of disciplinary action recommended by the CPSHW could depend on factors such as the nature and extent of injury caused to the complainant, the impact of the violation on the institutions as a whole, the position of the harasser in the power hierarchy, repetition of offence.

5. Non-adversarial modes of redressal and resolution could also be considered in appropriate cases. Examples of this may be verbal warning. Verbal apology, promise of good behaviour etc.

STATUS REPORT

- ✓ Talk on “***Sexual Harassment at Workplace***” organized for students of FYBCOM A and B Divisions in the academic year 2015-2016.
Resource Person: Advocate Rosanne Correia, faculty at the Kare College of Law, Margao.
- ✓ One Day State Level Webinar on “***Prevention of Sexual Harassment at Workplace***” organized on 1st March 2019.
Resource Person: Advocate Albertina Almeida and Ms. Kanan Thandy, India’s first Micro expressions decoding trainer and body language expert.
- ✓ Talk on “***Prevention of Sexual Harassment: Redressal Mechanisms Available.***” on the 13th of August 2019 for First Year Students.
Resource Person: Ms. Sonia Shirodkar, Faculty of Law at Kare College of Law, Margao-Goa.
- ✓ Webinar on “***Sexual Harassment: How to recognize it before it happens***” organized on 10th November 2020.
Resource Person: Ms. Kanan Thandy, India’s first Micro expressions decoding trainer and body language expert.

- ✓ Webinar on ***“Identifying Sexual Harassment and Legal Remedies available”*** organized on 30th November 2021.
Resource Person: Dr. Ranjana Ferrao, Faculty in Law at the VVM Salgaocar’s College of Law, Miramar.
- ✓ Conduct of Regular Committee Meetings.

Number of Complaints Received 2016-2021	Number of Complaints addressed	Action Taken
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