

## **Policy Against Sexual Harassment at Workplace**

The document was drafted by the Working Committee of Dr B C ROY COLLEGE OF PHARMACY AND ALLIED HEALTH SCIENCES, DURGAPUR on the policy against sexual harassment at the workplace.

### ***Preamble***

The Parliament of India passed the "*Sexual Harassment at Workplace (Prevention, Prohibition, and Redressal) Act,*" in the year 2013. The ACT provides protection against sexual harassment at work place and for the prevention and redressal of complaints of sexual harassment.

***The guidelines state that "It shall be the duty of the employer or other responsible persons in work places to prevent the sexual harassment and to provide the procedures for solutions, settlement, or prosecution of acts, of sexual harassment by taking all steps require. "***

Commitment Educational institutions are bound by the Supreme Court's directives and Dr B C ROY COLLEGE OF PHARMACY AND ALLIED HEALTH SCIENCES, DURGAPUR is committed to create and maintain a safe and secure environment which is free of gender violence, sexual harassment, and discrimination on the basis of sex/ gender for all its employees at workplace.

**College will operate with zero tolerance policy for any form of sexual harassment in the work place.**

### ***Sexual Harassment***

#### **1. DEFINITION OF SEXUAL HARASMMENT**

**1.1.** According to **THE SEXUAL HARASSMENT OF WOMEN AT THE WORK PLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT 2013**, sexual harassment includes any or series of the following unwelcome acts or behavior (whether directly or by implication committed in person/ on print or via computer/phone/other media) namely:

1. Making sexually suggestive remarks or innuendos.

2. Serious or repeated offensive remarks, such as teasing related to a person's body or appearance.
3. Offensive comments or jokes.
4. Inappropriate questions, suggestions or remarks about a person's sex life.
5. Displaying sexist or other offensive pictures, posters, mms, SMS, WhatsApp, or e-mails.
6. Intimidation, threats, blackmail around sexual favours.
7. Threats, intimidation or retaliation against an employee who speaks up about unwelcome behaviour with sexual overtones.
8. Unwelcome social invitations, with sexual overtones commonly understood as flirting.
9. Unwelcome sexual advances which may or may not be accompanied by promises or threats, explicit or implicit.
10. Physical contact such as touching or pinching.
11. Caressing, kissing or fondling someone against her will (could be considered assault).
12. Invasion of personal space (getting too close for no reason, brushing against or cornering someone).
13. Persistently asking someone out, despite being turned down.
14. Stalking an individual.
15. Abuse of authority or power to threaten a person's job or undermine her performance against sexual favours.
16. Falsely accusing and undermining a person behind closed doors for sexual favours.
17. Controlling a person's reputation by rumour-mongering about her private life.

## **1.2. Some examples of behaviour that may indicate underlying workplace sexual harassment and merit inquiry:**

1. Criticizing, insulting, blaming, reprimanding or condemning an employee in public.

2. Exclusion from group activities or assignments without a valid reason.
3. Statements damaging a person's reputation or career.
4. Removing areas of responsibility, unjustifiably.
5. Inappropriately giving too little or too much work.
6. Constantly overruling authority without just cause.
7. Unjustifiably monitoring everything that is done.
8. Blaming an individual constantly for errors without just cause.
9. Repeatedly singling out an employee by assigning her with demeaning and belittling jobs that are not part of her regular duties.
10. Insults or humiliations, repeated attempts to exclude or isolate a person.
11. Systematically interfering with normal work conditions, sabotaging places or instruments of work.
12. Humiliating a person in front of colleagues, engaging in smear campaigns.
13. Arbitrarily taking disciplinary action against an employee.
14. Controlling the person by withholding resources (time, budget, autonomy, and training) necessary to succeed.

**1.3. Generally, workplace sexual harassment refers to two common forms of inappropriate behaviour:**

- *Quid Pro Quo* (literally 'this for that') - Implied or explicit promise of preferential/detrimental treatment in employment - Implied or express threat about her present or future employment status.
- *Hostile Work Environment* - Creating a hostile, intimidating or an offensive work environment - Humiliating treatment likely to affect her health or safety.

## 2. JURISDICTION

The policy and the rules & regulations would apply to all members of college students, faculty and non-teaching staff.

The policy would also apply on off the campus.

In the above the following definitions will apply

- 1. Members- include faculty (permanent and temporary), staff (permanent and temporary), research scholars /students (full time and part time) and any other visitors.**
- 2. Faculty-refers to a person or the staff of the Institute who is appointed to a faculty position, whether full time or temporary or ad-hoc/part-time/visiting/honorary.**
- 3. Staff- refers to any person in the Institute who is not included in the category of faculty. It shall also include contract workers and daily wagers.**
- 4. Students- includes all the students of Diploma, UG and PG degrees.**
- 5. Campus refers to all places of work and residence. It includes all administrative section, academic section, library & computer centre, project offices as well as hostel & mess, guest house, staff quarters and security cabin.**

## 3. CONSTITUTION OF INTERNAL COMPLAIN COMMITTEE OF THE INSTITUTE

3.1. In order to implement the policy, a committee has been constituted as Internal Complaint Committee (ICC) by the Institute to prevent sexual harassment and to receive and deal with complaints. ICC of BCRCP have 70 per cent representation of women.

The committee comprises of

- 1. Chairman- A woman workplace employed at a senior level in the organization at workplace**
- 2. Three members (two) from teaching faculty and one member from non-teaching faculty.**
- 3. One external member – AN ADVOCATE**

4. Three students from PG (*Two/ (three) students from PG or (one from UG (optional)*)

### **3.2. Duties of the Committee**

1. To safeguard the rights of female students and female staff members to protect against any sort of violence against them.
2. Effectively communicate a policy that prohibits unwelcome behaviour that constitutes workplace sexual harassment, and provides a detailed framework for prevention, and redress processes
3. To provide platform for listening to complaints and redressal of grievances.
4. To ensure personality along with academic development of students.
5. To make them aware of their rights.
6. Carry out awareness and orientation for all employees
7. The members of the Committee shall meet at least two time in a year. The Chairperson shall preside over the meeting. In the absence of the Chairperson, the next senior female faculty member shall preside over the meeting.

### **3.3. Key Responsibilities**

To effectively address workplace sexual harassment complaints, a Complaints Committees must first be aware of their key responsibilities, some of which are highlighted below:

1. Be thoroughly prepared
2. Know the Act, Policy and/or relevant Service Rules
3. Gather and record all relevant information
4. Determine the main issues in the complaint
5. Prepare relevant interview questions
6. Conduct necessary interviews
7. Ensure parties are made aware of the process and their rights/responsibilities within it
8. Analyse information gathered



9. Prepare the report with findings/recommendations

### 3.3. Redress

**Mechanism of Redressal of sexual harassment cases as per the guidelines of Sexual Harassment at workplace (prevention, prohibition and redressal) Act 2013**

**During a redress process the Complaints Committee/s are required to assure confidentiality, non-retaliation and recommend interim measures as needed to conduct a fair inquiry.**

The Complaints Committee/s needs to have information on the **six stages** (including fifteen steps), detailed below, for addressing a complaint of workplace sexual harassment (as per the Handbook on Sexual Harassment of Women at Workplace).

#### STAGE 1: RECEIPT OF THE COMPLAINT

STEP 1: Receive and acknowledge receipt of the complaint  
STEP 2: Meet and talk to the complainant to explore options for formal and informal resolution  
STEP 3: Informal mechanism  
STEP 4: Formal mechanism  
STEP 5: Respondent and response

#### STAGE 3: INTERVIEWS

STEP 8: Prepare an interview plan for the hearing  
Complainant, Witness and Respondent.  
STEP 9: Assess the completeness of the information collected

#### STAGE 2: PLANNING CAREFULLY

STEP 6: Prepare the file  
STEP 7: Consideration

#### STAGE 4: REASONING

STEP 10: Analyse and assess the information gathered during the inquiry  
STEP 11: Create a timeline to help establish the sequence of events related to the complaints.  
STEP 12: Compare similarities and differences within each of the statement made by interviewees.

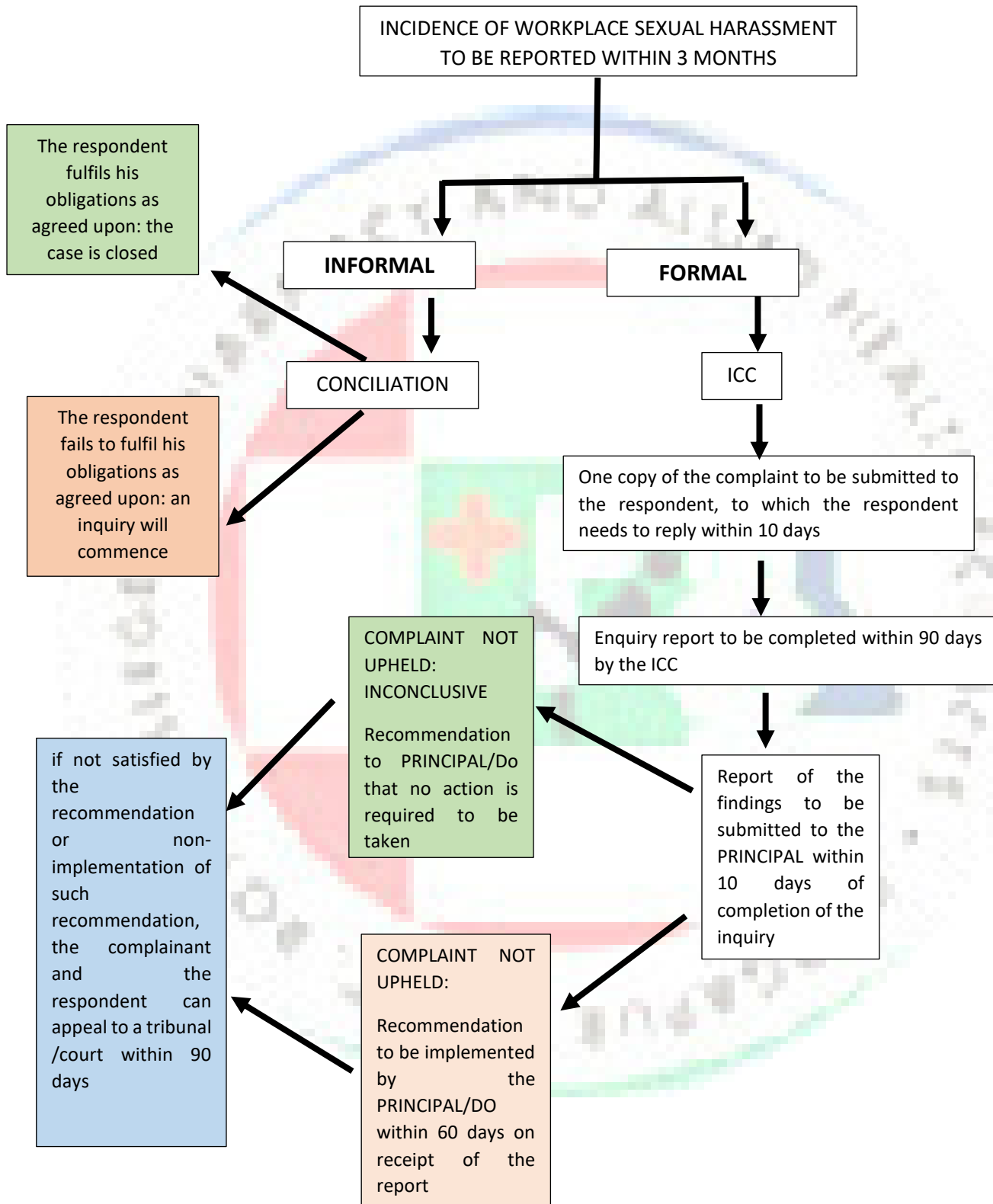
#### STAGE 5: FINDINGS AND RECOMENDATIONS

STEP 13: Findings  
STEP 14: Recommendations

#### STAGE 6: REPORT

STEP 15: Writing the report.

## INQUIRY PROCESS



## Timelines as per the Act

|  |  |
|--|--|
| Submission of Complaint                        | Within 3 months of the last incident             |
| Notice to the Respondent                       | Within 7 days of receiving copy of the complaint |
| Completion of Inquiry                          | Within 90 days                                   |
| Submission of Report by ICC/LCC to employer/DO | Within 10 days of completion of the inquiry      |
| Implementation of Recommendations              | Within 60 days                                   |
| Appeal   | Within 90 days of the recommendations            |

## Confidentiality

The Act prohibits the publication or making known the contents of a complaint and the inquiry proceedings. Any breach of confidentiality will result in specific consequences.

The Act prohibits the disclosure of:

- Contents of the complaint;
- Identity and address of complainant, respondent and witnesses; Information pertaining to conciliatory/inquiry proceedings or recommendations of the ICC/LCC;
- Action taken by the employer/DO. Accountability: Any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action taken under the provisions of this Act.

**Consequences: As per the Service Rules or Rs.5,000/ to be collected by the employer.**

Exception: Dissemination of information regarding the justice secured without disclosure of name, address, identity and particulars of complainant or witnesses



### INTERNAL COMPLAINT COMMITTEE OF BCRCP -2020-2021

| NAME                      | DESIGNATION                  | CONTACT NO | EMAIL-ID                      |
|---------------------------|------------------------------|------------|-------------------------------|
| Dr. Shyamshree S S Manna  | Chairman ICC (Professor)     | 9433430912 | sss.manna@hotmail.com         |
| Mrs Rituparna Chaki Ghosh | Member                       | 9735890930 | rituparna.chaki@gmail.com     |
| Mrs Mithu Choudhury       | Member                       | 6295592948 | mithu.choudhury@bcrp.org      |
| Dr. Sagarika Deepthy T    | Member                       |            | sagarika.everything@gmail.com |
| Mr Shoban Bose            | Member (Assistant Professor) | 9832965302 | shobhanmono@gmail.com         |
| Mr Sagar Sengupta         | Member (Associate Professor) | 7044088244 | registrar@bcrp.com            |
| Ms Payel Laha             | M.pharm Student              | 9046927544 | payellaha16@gmail.com         |
| Ms Ushmita Mukherjee      | M.pharm Student              | 7432942765 | ushmitamukherjee14@gmail.com  |

### INTERNAL COMPLAINT COMMITTEE OF BCRCP -2019-2020

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| Mrs Indrani Bhattacharya | Member                       | 6295592948 | Indranibhattacharyya@bcrp.org |
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**INTERNAL COMPLAINT COMMITTEE OF BCRCP -2018-2019**

| NAME                     | DESIGNATION                     | CONTACT NO | EMAIL-ID                      |
|--------------------------|---------------------------------|------------|-------------------------------|
| Dr. Shyamshree S S Manna | Chairman ICC<br>(Professor)     | 9433430912 | sss.manna@hotmail.com         |
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| Dr Kajal Ghosal          | Member                          | 9475039311 | kajal.ghosal@gmail.com        |
| Dr Indrani Bhattacharyya | Member                          | 6295592948 | indranibhattacharyya@bcrp.org |
| Mr Shoban Bose           | Member<br>(Assistant Professor) | 9832965302 | shobhanmono@gmail.com         |
| Mr Sagar Sengupta        | Member<br>(Associate Professor) | 7044088244 | registrar@bcrp.com            |
| Mrs Dipanwita Ghosh      | Member                          | 7908696390 | dipanwita_ghosh@bcrp.com      |

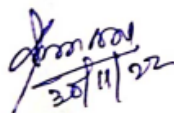
**INTERNAL COMPLAINT COMMITTEE OF BCRCP -2017-2018**

| NAME                     | DESIGNATION                           | CONTACT NO | EMAIL-ID                      |
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## ICC Member: 2022-2023

| NAMES                     | DESIGNATION        |
|---------------------------|--------------------|
| Mrs Rituparna Chaki Ghosh | Co-ordinator       |
| Mrs Mithu Chowdhury       | Member             |
| Mrs Puja Mishra           | Member             |
| Mrs Sagarika Deepthy T    | Member             |
| Prof Ashoke Kumar Ghosh   | Member             |
| Mr Sagar Sengupta         | Member             |
| Mr Saradindu Panda        | Hon'ble (Advocate) |

  
26/11/22

Dr. Shyamshree S S Manna  
Presiding Officer



  
24/11/22


Prof. (Dr.) Samir Kumar Samanta  
M. Pharm., Ph.D (J.U.)  
Principal  
Dr. B. C. Roy College of Pharmacy & AHS  
Durgapur, West Bengal-713206



## ICC Members

AY:2023-2024

| NAMES                     | DESIGNATION                 |
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| Mrs Mithu Chowdhury       | Member                      |
| Mrs Puja Mishra           | Member                      |
| Dr Sagarika Deepthy T     | Member                      |
| Mr Sagar Sengupta         | Member                      |
| Mr Saptorshi Dutta        | Member                      |
| Ms Susmita Aftab          | Member                      |
| Mr. Saradindu Kumar Panda | External Member             |
| Srijita Chatterjee        | Student Member- M.pharm II  |
| Sumana Das                | Student Member- B.pharm IV  |
| Nirmita Kundu             | Student Member- B.pharm III |
| Ankita Dutta              | D.pharm II                  |

  
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