



Acharya Institute of Management and Sciences

Policy for Prevention of Sexual Harassment

3. Policy for Prevention of Sexual Harassment

3.1 Preamble

AIMS Institutes is committed to creating and maintaining a community in which students, teachers and staff can work together in an environment free of violence, harassment, exploitation, intimidation and stress. This includes all forms of gender violence, sexual harassment and discrimination on the basis of sex/gender or amongst the same sex members.

3.2 Objectives

1. To fulfill the directive of the Supreme Court, as per UGC directives and Bangalore University in respect of implementing a policy against sexual harassment in the institution.
2. To evolve a mechanism for the prevention and redressal of sexual harassment cases and other acts of gender based violence in the institution.
3. To ensure the implementation of the policy in letter and spirit through proper reporting of the complaints and their follow-up procedures.
4. To create awareness on the need for gender sensitivity and equity on the campus.

3.3 Scope of the policy

The rules and regulations outlined in this policy shall be applicable to all complaints of sexual harassment made by a student, faculty or staff of this institution.

3.4 What is Sexual Harassment?

“Sexual Harassment” includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) such as:

- ❖ Physical contacts and advances,
- ❖ A demand or request for sexual favors,
- ❖ Making sexually colored remarks,
- ❖ Showing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets or sayings etc.,
- ❖ Discussion of a person’s physical characteristics or dress,
- ❖ Narrating offensive jokes or sexually explicit stories,
- ❖ Objectionable physical proximity or contact,
- ❖ Spreading rumors or talking to third parties about a woman in a demeaning fashion,

3.5 Policy on Sexual Harassment

AIMS Institutes shall value the dignity of every individual, enhance the development of its human resources, guarantee full respect for human rights, ensures the full enforcement of "Fundamental Rights" under articles 14, 15, 19(1) (g) and 21 of the Constitution of India, and uphold the dignity of its students, faculty and staff. Towards this end, all forms of sexual harassment in the employment, education or training environment are hereby declared unlawful.

In order to comply with the UGC Regulations, the institute will constitute an Internal Complaints Committee (ICC) and based on the Vishaka guidelines, the Institute has constituted the Internal Complaints Committee (ICC) to carry on the mandate of this policy.

The Institute shall also display the contact details of ICC at prominent locations in the Campus and Accommodation facilities and orient students on the policy during Induction and Orientation Programs.

3.6 Constitution of Internal Complaints Committee (ICC)

The ICC is empowered to carry out the mandate of this policy and the constitution will be as follows:

- A Presiding Officer who shall be a woman faculty member employed at a senior level at the educational institution;
- Not less than two teaching employees and two non-teaching employees, preferably committed to the cause of women or who have had experience in social work or have legal knowledge;
- Not less than two students, who shall be enrolled at the undergraduate and masters' levels respectively.
- One member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.
- Provided that at least one-half of the total members so nominated shall be women.

3.7 Procedure for registering complaints

- An aggrieved person is required to file written complaint within 3 months from the date of incident and in case of series of incidents within a period of three months from the date of last incident. The complaint may be addressed submitted to the Principal's Office.
- The complaint may also be registered on the web portal at <https://theaims.ac.in/grievance.aspx> or by email to grievances@theaims.ac.in or via Mobile Contact No : 9448525018.
- Provided that where such complaint cannot be made in writing Presiding member or any member of internal complaint committee shall render all reasonable assistance to person for making complaint.

3.8 Functions of the Committee

- **Preventive Steps** – The committee will take measures
 - To facilitate a safe environment that is free of sexual harassment;
 - To promote behaviors that create an atmosphere that ensures gender equality and equal opportunities
- **Remedial Steps** - The committee will take measures
 - To ensure that the mechanism for registering complaints is safe, accessible and sensitive.
 - To take cognizance of complaints about sexual harassment, conduct enquiries, provide assistance and redressal to the victims, recommend penalties and take action against the harasser, if necessary.
 - To advise the competent authority to issue warnings or take the help of the law to stop the harasser, if the complainant consents.
 - To seek medical, police and legal intervention with the consent of the complainant.
 - To make arrangements for appropriate psychological, emotional and physical support (in form of counseling, security and other assistance) to the victim if so desires.

3.9 Procedure to Be Followed by the Committee

- The ICC shall direct the complainant to prepare and submit a detailed statement of incidents if the written complaint lacks exactness and required particulars, within a period of two (2) days from such direction or such other time period that the Committee may decide.
- The ICC shall direct the accused employee(s) to prepare and submit a written response to the complaint / allegations within a period of four (4) days from such direction or such other time period as the Committee may decide.
- Each party shall be provided with a copy of the written statement(s) submitted.
- The ICC shall conduct the proceedings in accordance with the principles of natural justice. It shall allow both parties reasonable opportunity of presenting their case. However, should the accused choose not to participate in the proceedings, the Committee shall continue ex parte.
- The ICC shall allow both parties to produce relevant documents and witnesses to support their case. Documents produced by either party shall be affixed with that party's signature to certify the document as original / true copy.
- The party against whom the document / witness is produced shall be entitled to challenge / cross-examine the same.
- The Committee shall sit on a day-to-day basis to record and consider the evidence produced by both parties.

- As far as practicable, all proceedings of the ICC shall take place in the presence of both parties.
- Minutes of all proceedings of the ICC shall be prepared and duly signed by the members of the Committee.
- The Committee shall make all endeavor to complete its proceedings within a period of fifteen (15) days from the date of receipt of complaint.
- The Committee shall record its findings in writing supported with reasons and shall forward the same with its recommendations, to the Principal/Management, within a period of five (5) days from completion of the proceedings before it. In case the Committee finds that the facts disclose the commission of a criminal offence by the accused person, this shall be specifically mentioned in the Committee's report.
- If, in the course of the proceedings before it, the Committee is satisfied that a prima facie case of sexual harassment is made out against the accused employee(s)/student and that there is any chance of the recurrence of any such action, or that it is required to do so in the interests of justice, it may, on the request of the complainant or otherwise, disciplinary action could be initiated in the form of:-
 - Warning and Written apology
 - Bond of good behavior
 - Adverse remarks in the service register
 - Denial of sponsorship / membership of committees / re - admission
 - Stopping of increments / promotion/re-employment /denying admission ticket
 - Suspension or Dismissal
 - Any other relevant mechanism
- If, in the course of the proceedings before it, the ICC is satisfied that any person has retaliated against / victimized the complainant or any person assisting the complainant as a result of the complaint having been made or such assistance having been offered, the Committee shall report the same in writing, to the Principal/Management, with reasons and with recommendations of the action to be taken against such person.
- **False Reporting:** Intentionally making a false report or providing false information is grounds for indiscipline. If, at the culmination of the proceedings before it, the Committee is satisfied that the complainant has knowingly brought false charges of sexual harassment against any person, it shall report the same in writing to the Principal/Management, with reasons and with recommendations of the action to be taken against such person.