

INTERNAL COMMITTEE

Surendranath Law College, shall value the dignity of every individual, enhance the development of its human resources, guarantee full respect for human rights, ensure the complete enforcement of Fundamental Rights under Articles 14, 15, 19 (1) g, and 21 of the Constitution of India, and uphold the dignity of workers, employees and students. Towards this end, the college adopts a Zero Tolerance policy towards all forms of sexual harassment in employment, education and training environment are hereby declared unlawful

Background of the Internal Committee - The Supreme Court of India, in a landmark judgement in August 1997 (Vishaka & others vs. the State of Rajasthan & others) stated that every instance of sexual harassment is a violation of Fundamental Rights under Articles 14, 15 and 21 of the Constitution of India and amounts to a violation of the Right to Freedom under Article 19 (1) g. The historic Vishaka judgement makes it obligatory for every employer to follow the guidelines laid down by the Court and to evolve a specific policy to combat sexual harassment in the workplace. In compliance with this judgement, the Parliament enacted Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules connected therewith was passed by the Government of India. Both the Act and Rules came into force in 9th December, 2013 to protect the women from sexual harassment at all workplaces and to create work environment suitable for gender equality. Accordingly, the Ministry of Human Resource Development published a Gazette notification bearing No. F.91-1/2013 (TFGS) Viz., University Grants Commission (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Education Institutions) Regulation, 2015 dated 2nd May, 2016.

Surendranath Law College reconstituted the **Internal Committee** in accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and as per the UGC (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2015. From a complaint-centric perception, there has been shift towards a holistic and preventive approach where redressal of complaints of sexual harassment is the core function, but the committee is also equally responsible

for prevention, sensitization, awareness generation, capacity building, and promotion of a safe, inclusive, and gender-sensitive institutional environment in the college.

Definition of Sexual Harassment-

Sexual harassment means:

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
- 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.

1. Policy of the college to prevent & address the menace of sexual harassment

Surendranath Law College, Kolkata has committed itself to providing a safe and congenial academic atmosphere where students, teachers and non-teaching staff can work together in an environment free of violence, harassment, exploitation and intimidation.

2. Role & Responsibility of the Internal Committee in Surendranath Law College

- i. To fulfil the directives of the Hon^{ble} Supreme Court of India in the Vishaka judgement (1997), the Sexual Harassment of Women at Workplace

(Prevention, Prohibition and Redressal) Act, 2013 & MHRD Notification of 2016

- ii. To evolve a mechanism for the prevention and prompt redressal of sexual harassment cases and other acts of gender-based violence in the institution.
- iii. To ensure the implementation of the policy in letter and spirit through proper reporting of complaints and necessary follow-up procedures.
- iv. To provide an environment free of gender-based discrimination
- v. To create a secure physical and social environment which will deter acts of sexual- harassment.
- vi. To promote a social and psychological environment that would foster awareness about sexual harassment in its various forms.

3. Powers & Responsibilities of Internal Committee

The Internal Committee shall:

- i. Provide assistance if an employee or a student chooses to file a complaint with the police;
- ii. Provide mechanisms of dispute redressal and dialogue to anticipate and address issues through just and fair conciliation without undermining complainant's rights, and minimize the need for purely punitive approaches that lead to further resentment, alienation or violence;
- iii. Protect the safety of the complainant by not divulging the person's identity, and by granting interim relief to complainants: addressing requests for transfer, leave, medical care/leave, relaxation of attendance, during the pendency of the complaint, or also provide for the transfer of the offender;
- iv. Ensure that victims or witnesses are not victimised or discriminated against while dealing with complaints of sexual harassment;
- v. Ensure the prohibition of retaliation or any adverse action against a covered individual on the ground that he/she has participated in an inquiry, or is otherwise engaged in a protected activity under the applicable policy.

4. Punishment and Compensation-

- i. Anyone found guilty of sexual harassment shall be punished in accordance with the service rules of the Higher Educational Institution (HEI) if the offender is an employee.
- ii. Where the respondent is a student, depending upon the severity of the offence, the HEI may-
 - a. withhold privileges of the student such as access to the library, auditoria, halls of residence, transportation, scholarships, allowances, and identity card;
 - b. Suspend or restrict entry into the campus for a specific period;
 - c. Expel and strike off name from the rolls of the institution, including denial of readmission, if the offence so warrants;
 - d. Award reformatory punishments like mandatory counselling and, or, performance of community services.
- iii. The aggrieved person is entitled to the payment of compensation. The HEI shall issue direction for payment of the compensation recommended by the Internal Committee and accepted by the Executive Authority, which shall be recovered from the offender.
- iv. The compensation payable shall be determined on the basis of-
 - a) mental trauma, pain, suffering and distress caused to the aggrieved person;
 - b) the loss of career opportunity due to the incident of sexual harassment;
 - c) the medical expenses incurred by the victim for physical, psychiatric treatment;
 - d) the income and status of the alleged perpetrator and victim; and the feasibility of such payment in lump sum or in instalments

PROCEDURE FOR LODGING A COMPLAINT-

The Complainant can follow any these methods to raise a complaint.

1. **Written complaints may be dropped into designated COMPLAINT BOX located in the college main building.**
2. **Complaints may also be emailed to: icc@snlawcollege.ac.in**
3. **Complaint may be raised through a phone call @ 033-23503896, 6290162798**
4. **Complaint may be lodged through web portal of college by using login credentials.**
5. **The members of the Internal Committee may be contacted for any assistance in lodging complaints.**

INTERNAL COMMITTEE

Dr. Mohammadi Tarannum (Vice Principal), Chairperson
Dr. Debjani Ojha (Presiding Officer)

Members:

Dr. Shyamali Mukherjee Bhattacharya
Dr. Kanchan Gaba (External Member, NGO)
Mr. Samujjal Chakraborty (Non-Teaching staff)