

CGLD GENDER SENSITISATION AND ANTI-SEXUAL HARASSMENT POLICY 2022-23

Centre for Global Leadership Development is committed to upholding the biblical mandate of human dignity, gender equality and ethical behaviour. This Policy encompasses the prevention of Sexual Harassment, Gender sensitivity and draws its principles from the Constitution of India, seeks to maintain the spirit of the Law namely the Sexual Harassment of Women At Workplace Act 2013. Section 14 of the same Act also protects the Men.

Sexual harassment has come to be widely condemned as a form of human rights violation an infringement of life and liberty and a grave form of gender-based discrimination. Such behavior is an affront to dignity, gender equality and fundamental rights.

OUR MANDATE

CGLD is committed to uphold the constitutional mandate ensuring the above-mentioned human rights of all those who fall within its jurisdiction in which students employees, family members, and visitors can live and work together in an environment free from all forms of sexual harassment.

We are committed to maintain a zero tolerance for harassment of any kind in our workplace and community.

In addition we are committed to increasing gender sensitization within our community. This involves creating awareness about gender issues and working towards and creating and enabling an environment of gender justice where men and women can work together with a sense of personal security and dignity.

A. OBJECTIVES AND SCOPE

In this revised version of the Policy for prevention of Sexual Harassment, following are the objectives for the policy:

1. Create a living document that is in line with the Spirit of the Law and to provide recent revision for the same
2. Ensure that every member of the community is aware of the existence of the policy, its purview and scope
3. Help each one understand that the policy is reparative in nature and seeks to provide a mechanism that allows for change and transformation.

SCOPE

This Policy applies to all students, academic staff, faculty members, and non-teaching staff on the active rolls of CGLD, the Officers of CGLD, the members of the Authorities and Committees of CGLD as well as service providers and outsiders who may be within the territory of the CGLD the time of Commission of the act/behaviour coming under the purview of this policy.

This policy is also extended to include on campus and off campus interactions whether official or unofficial duty (workshops, field work, group holidays/excursions organized by CGLD, interviews/meetings with outside people and any other activity organized by CGLD off campus including the period of travelling for such activity)/in particular, the policy shall be applicable to all complaints if sexual harassment made:

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By Whom	Against Whom
<ul style="list-style-type: none"> • Student 	<ul style="list-style-type: none"> • A member of the academic/nonteaching Staff • Officers of CGLD • Authorities and Committees of CGLD
<ul style="list-style-type: none"> • A member of the academic/nonteaching Staff • Officers of CGLD • Authorities and Committees of CGLD 	A Student Another member of the non-academic or non-teaching staff service Staff Service providers and visitors A resident member of the community

By Whom	Against Whom
<ul style="list-style-type: none"> • Resident member of the community 	<ul style="list-style-type: none"> • a fellow resident, a student • Officers of CGLD • Authorities and Committees of CGLD
<ul style="list-style-type: none"> • A member of the academic/nonteaching Staff • Officers of CGLD • Authorities and Committees of CGLD 	A resident member of the community

By Whom	Against Whom
<ul style="list-style-type: none"> • A service provider or a visitor 	<ul style="list-style-type: none"> • a student • Member of the Academic or teaching staff • Officers of CGLD • Authorities and Committees of CGLD
<ul style="list-style-type: none"> • A member of the academic/nonteaching Staff • Officers of CGLD • Authorities and Committees of CGLD 	A resident member of the community

DEFINITION OF SEXUAL HARASSMENT “Sexual Harassment” includes anyone or more of the following unwelcome acts or behaviour (whether directly or by implication), namely:

1. Physical contact or advances;
2. A demand or request for sexual favours;
3. Making sexually coloured remarks;
4. Showing pornography;

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5. Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature and may take a wide range of forms, e. g.;

a) Physical

- Any unwanted touching /body contact
- objectionable physical proximity or contact
- Threat of, or actual, assault, violence
- offensive or threatening gestures
- Request for sexual favours or unwanted sexual advances
- stalking

b) Verbal

- offensive or sexual explicit jokes or remarks or demeaning terms or sexual coloured remarks
- Abusive, threatening or insulting words
- Ridicule
- Lewd comments about appearance
- Threat of dismissal or loss of promotion for refusal to action inappropriate requests
- swearing
- Spreading rumours about one's sexual life to defame the person.

c) Non-verbal

- Discriminatory or offensive e-mails or other communications
- Isolation, ignoring, deliberate exclusion
- Using social media to send texts, images or offensive messages to a classmate, professor, student or service provider vis Facebook, whatsapp, twitter or other social media platforms
- Creation, circulation or publishing of threatening or offensive or pornographic posters/ screen savers / other written, pictorial or audio / video materials.

In the context of CGLD Sexual Harassment is defined as Any unwelcome sexual advances, or requesting sexual favours, or verbal or physical conduct of a sexual nature explicitly or implicitly made as a term or condition for instruction, employment, participation or evaluation of a person's engagement in any activity related to CGLD.

1. Any unwelcome sexual advance of verbal or non-verbal or physical conduct such as loaded comments, remarks, jokes, letters, phone call, or e- mails, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, and sounds or display of a derogatory nature which have the purpose or effect of interfering with an individual's performance or of creating an intimidating. hostile or offensive campus environment.

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2. Committing any form of sexual assault by a person using the body or any part of it or any object as an extension of the body in relation to another person without the latter's consent or against the person's will.
3. Any act or behaviour of sexual nature (as defined above) associated with:
 - Implied or explicit promise of preferential treatment in education / employment; or
 - Implied or explicit threat of detrimental treatment in education / employment; or
 - Implied or explicit threat about present or future education /employment status; or
 - Interference with work or creating an intimidating or offensive or hostile work/ study environment; or
 - Humiliating treatment likely to affect health or safety.

Within CGLD all of the above applies equally to men and women and also includes harassment by a member of one sex to a member of the same sex. The key expression in the above definition is **unwelcome** which indicates the unwanted and non-consensual nature of the behavior in question.

While, in the general sense, the term harassment is that which is perpetrated by men against women, sexual harassment could also be perpetrated by women against men or occur between persons of the same sex.

B. COMPLAINTS, COMPLAINTS MECHANISM, AND COMPLAINANTS FILING PROCESS

1. Any student, service provider, outsider or a member of the academic or non – teaching staff may lodge a complaint of sexual harassment against a student, service provider, outsider, or a member of the academic or non- teaching staff or an officer of CGLD, or a member of the Authorities or a committee of CGLD.
2. Complaints should be lodged by the concerned person directly with any member of Internal Committee (IC). Third party complaints and witness complaints shall not be entertained except in cases where the complainant has been forcibly prevented from making a complaint; in such cases a complaint can be made on her/his behalf until she/he can approach IC.
3. Complaints will be accepted in writing. Where a complaint may be oral in nature, it would be converted into a written form by the IC member receiving the complaint and authenticated by the complainant under her/his dated signature or thumb impression as the cases may be as soon as possible. Complaints may also be received by email via the official email address:
4. Details of the incident (s) of harassment, date time, and place must be recorded.
5. Complaints must be filed within three months of the incident or of the most recent incident. If the time line has exceeded three months, the IC can accept the complaint if there is reasonable explanation for the delay.
6. If the complainant is unable to file a complaint themselves, the following will apply: Where the victim is physically incapacitated from making a complaint, it can be made by someone on

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her/ his behalf, which includes a friend or any person who knows of the incident and has the written authorization of the victim to make a complaint.

- i. where the victim is mentally incapacitated from making a complaint someone who is closely associated (friend or legal guardian) can make the complaint on her/his behalf.
 - ii. If the victim is unable / unwilling to file a formal complaint, someone who knows of the incident can do so provided they have the written authorization of the victim to make the complaint.
 - iii. where the victim has passed away, a person who knows of the incident may file a complaint if they have received the written authorization of the victim's legal guardians /heirs.
7. The history of who the complainant approached (family, friends, teachers etc) before making a formal complaint must also be recorded.
 8. A copy of the complaint has to be given to the respondent (person against whom a complaint has been filed) within 7 days from when the complaint was received.
 9. Within 10 days of receiving a copy of the complaint and other accompanying documents, the respondent has to respond with documents and details of witnesses.
 10. The complaint alone with the response of the respondent and other documents and details of witnesses shall be forwarded to the complaints screening committee.
 11. Complaint and confidentiality related procedures: Once a complaint has been given to IC, the complainant should preferably not go public until the inquiry is completed.
 - However, a complainant has the right to go public if s /she so desires. Going public before giving the complaint to IC by the complainant should not prejudice the IC members.
 - Notwithstanding its commitment to confidentiality requirements, IC retains its right to collectively issues a public statement or publicly respond to allegations made against IC or any of its members. However, member of IC cannot go public in their individual capacity.
 - Filing of a grievance/ complaint shall not adversely affect the complainant's status /job, salary / promotion, grades etc
 12. Withdrawal of complaints:
 - The complainant may withdraw his/ her complaint in writing at any time during the complaints receiving and / or inquiry procedure. However, IC must ascertain the reasons for withdrawal of the complaint record the same in writing and get it counter-signed by the complainant.
 - The complaints screening / inquiry procedure shall, on such withdrawal, be terminated, save in instances in which the IC is informed, knows, or has reason to believe, that the reasons for such withdrawal are the consequences or effect of coercion and /or intimidation exerted by the defendant (s) . or any person on her/ his behalf, on the complainant, in such an instance, the complaints screening /inquiry proceedings shall continue in accordance with the procedure outline in the policy.

C. PREVENTIVE STEPS

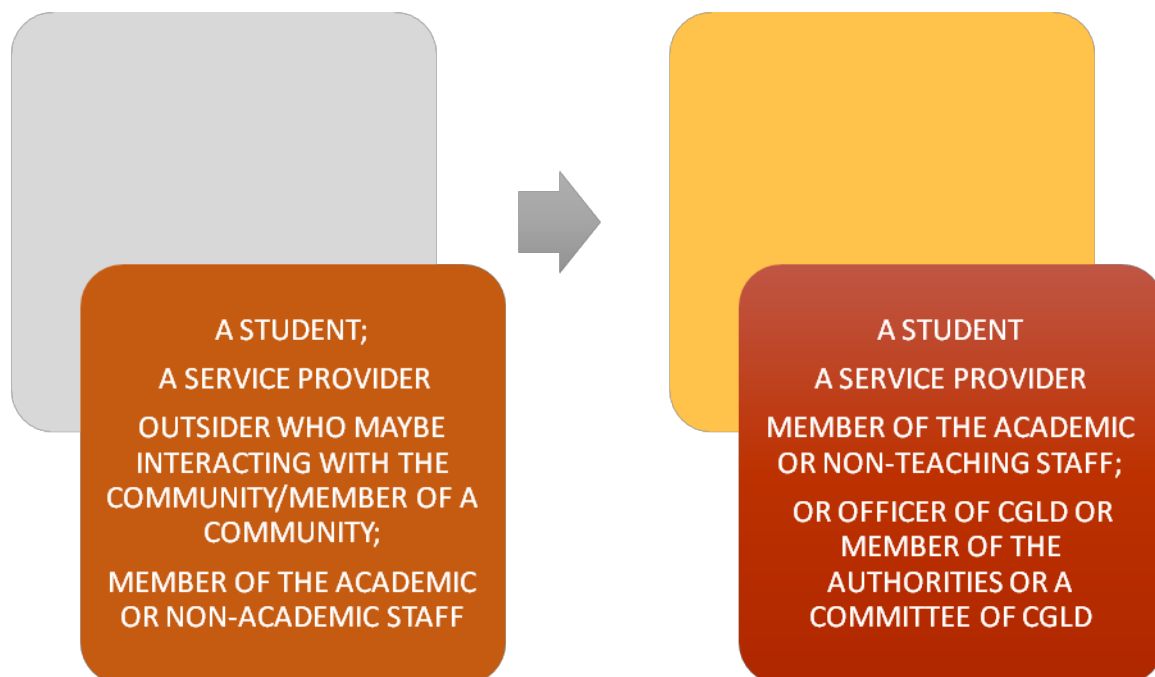
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CGLD shall undertake the following preventive measures to ensure that Sexual Harassment does not occur:

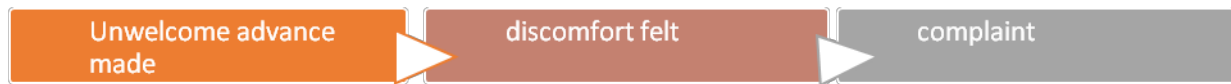
1. Provide a safe working environment at the College and workplace which shall include safety from the persons coming into contact at the Institution;
2. Providing a copy of the Policy to all the Employees and to communicate the process of reporting Sexual Harassment to all the Employees; and
3. Sensitizing the Employees and students and provide training related to Sexual Harassment issues to all on the campus.
4. Display at any conspicuous place (like notice boards) in the workplace, posters against Sexual Harassment with the contact details of the Internal Committee members and the penal consequences of Sexual Harassments.
5. Allowing women students and employees to raise their concerns and issues on sexual harassment in the workplace at appropriate forum for affirmative discussion from time to time

D. WHO CAN LODGE A COMPLAINT

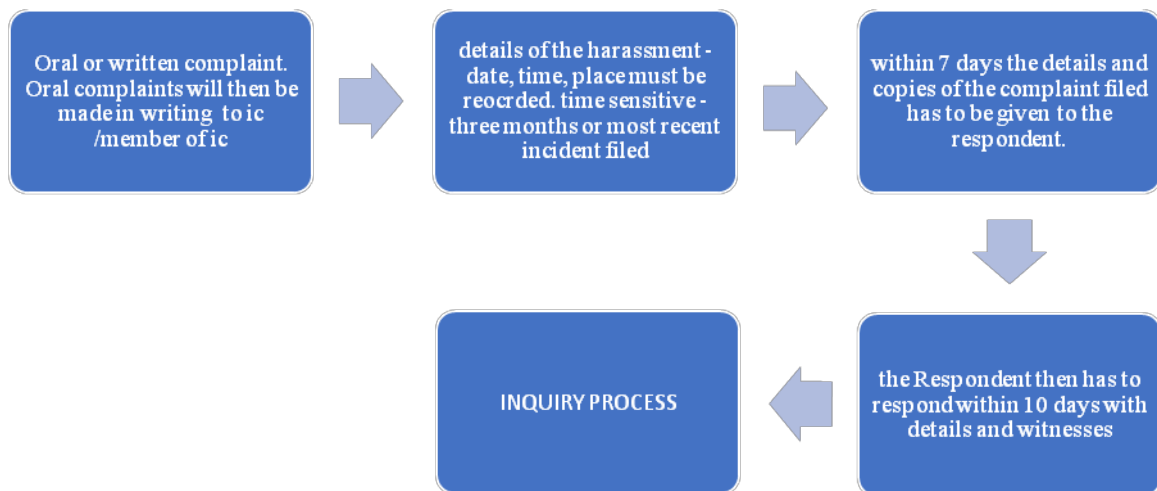
Any student, service provider, outsider or a member of the academic or non – teaching staff may lodge a complaint of sexual harassment **against** a student, service provider, outsider, or a member of the academic or non- teaching staff or an officer of CGLD, or a member of the Authorities or a committee of CGLD.



CONDITIONS FOR HARASSMENT COMPLAINTS



THE COMPLAINTS MECHANISMS AND THE PROCESS OF LODGING A COMPLAINT



E. COMPLAINTS SCREENING PROCESS:

1. IC shall designate by rotation three **persons** from amongst its members for a **period of six months** to screen complaints. These three persons would constitute the complaints screening committee. (CSC).
2. The main function of the Complaints Screening Committee is to carefully study the complaint and determine whether a formal inquiry by IC is to be instituted.
3. For this purpose, it may hear the complainant and the defendant as well as other involved parties and examine any written documents produced (letters, copies of SMS, emails, photographs, etc.).
4. The CSC shall meet within three working days of the complaint being lodged. Any action necessary to facilitate the screening process (such as talking to the parties involved) should be initiated within three working days after the first meeting of the CSC.
5. The entire screening process shall not take more than two weeks from the date of the initial complaint. On completion of the screening process, the CSC shall make a formal recommendation to IC about whether or not a formal inquiry process should be put in place, along with the reasons and documentary evidence, if any there, of in writing.

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6. A formal inquiry is to be recommended if the CSC feels that the complaint needs further investigation, i.e. The complaint is not prima facie baseless.
7. Although the recommendation of the Screening Committee is not binding on IC, IC should have convincing reasons for action on the recommendations of the Screening Committee.
8. During both the complaints screening process as well as the formal inquiry process (detailed in the subsequent section), the following principles and procedures shall be followed:
 - i. At no time in the complaints receiving and screening procedure shall the defendant (s) and the complainants be placed face to face, or put in a situation where they may be face to face (e.g. They shall not be called at the same time and be made to wait in the same place). keeping strictly in view the need to protect the complainant from facing any serious health and /or safety problems. These may include but not limited to: transferring desk/ usual working space to another department; additional security / vigilance whilst on campus; voluntary leave (up to three months); relaxation of attendance for students which will not affect their opportunity to sit exams /assessment.
 - ii. At no time in the complaints receiving and screening procedure shall be deemed irrelevant to a complaint of sexual harassment.
 - iii. At all points in the complaints receiving and screening procedure, confidentiality of both parties shall be maintained. If any member of the complaints screening committee, or IC violates this norm, she/he will automatically be disqualified.
9. IC may issue an order of restraint to the defendant (s). in accordance with the procedure outlined below;
 - i. A restraint order shall provide a summary of the complaint, the date (s), and location (s), of the alleged incident(s). It shall warn the defendant (s) that any attempt on her/ his part or by person (s) acting on her /his behalf, to contact, or influence, or intimidate, or exert pressure on the complainant or any person in the complainant's confidence may prove prejudicial to her/his cases.
 - ii. The complainant or any other person shall intimate in writing the complaints screening committee, the presiding officer of IC and /or the IC of any violation of the order of restraint by the defendant(s). or any persons acting on her /his behalf.
 - iii. Should the complaints screening committee, the chairperson and members of IC, be convinced of the truth of such allegations, the presiding officer of IC and / or the chief inquiry officer may summon the defendants (s) in person and issues a verbal and writing warning that such behaviour may lead to an adverse inference being drawn against her /him. The CSC or IC shall retain the right to close the inquiry proceedings, and to give an ex-parte decision on the complaint.
 - iv. The CSC and IC shall consider all violations of the restraint order when determining the nature of offence of a defendant.
10. The IC shall also be responsible for taking the necessary steps to ensure that both the complainant as well as the defendant are informed about and provided access to counselling services at least once; further follow - up would be left to the discretion of the concerned party. IC may recommend suitable NGOs for this purpose as and when required.

F. PROCEDURE FOR INQUIRY:

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1. Once the complaints screening committee communicates its decision to IC, the IC shall meet within five working days from the date of such communication to
 - decide whether the complaint merits further scrutiny and
 - in case the complaint merits further scrutiny, to constitute the IC. However, since the size of the community is small and doesn't exceed 450 members, the Chairperson reserves the right to have the CSC itself to scrutinize the complaint.

In case of unavailability of members of the IC, the chairperson can authorize 2/3rd of the IC to look into and conduct the necessary investigation. Of these 2/3rd, 60% needs to be women with one External member present.

2. Composition of the CSC:

- i. The CSC shall consist of five persons, at least 50% women, led by the chief inquiry officer who shall be a woman, chosen from within the members of IC. As a third-party voice, it shall include an outside expert. To the extent possible, it shall include a representative each from the constituency of the complainant and the defendant.
- ii. If a student is lodging a complaint he/she may request that a student Representative is also part of the IC. This suggestion will be considered by the chief inquiry officer and approved so long as this is not seen as any breach of interest or impartiality.
- iii. No person who is a complainant, witness, or defendant in the complaint of sexual harassment shall be a member of the CSC.
- iv. IC may, at its own discretion, co-opt any person with gender sensitivity to be a part of the CSC. Provided that the majority of members are the members of IC. Such a person shall not serve as the chief inquiry officer.

3. Functions, powers. And responsibilities of the CSC:

- i. The CSC shall enquire into the complaint of sexual harassment and shall submit a detailed report to IC, in which it shall communicate its findings based on its investigations.
- ii. The CSC, shall conduct the proceeding in a fair manner and shall follow the principles of natural justice by providing reasonable opportunity to the complainant and the defendant for presenting and defending his/ her cases.
- iii. The CSC shall have to complete the inquiry within a reasonable time not exceeding three months from the date the complaint is referred to it.
- iv. **At any time in the inquiry proceeding, the CSC shall not put the complainant and the defendant in a situation where they may be face to face. (see E.7.i above.) – NEED CLARITY ON THIS ASPECT**
- v. The CSC may call any person to appear as a witness, if it is of the opinion that it shall be in the interest of decision-making.
- vi. The CSC shall have the power to ask the relevant authorities for any official papers documents pertaining to the complainant as well as the defendant.

4. The IC must adhere to the principles of natural justice when inquiring into a complaint.

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5. Records of all evidence gathered in the course of the inquiry shall be maintained.
6. The past sexual history of the complainant shall be deemed irrelevant to a complaint of sexual harassment.
7. The inquiry can be terminated, or proceeded ex-prate when the defendant does not cooperate). if the part (either the complainant or the defendant) does not present themselves for three consecutive hearings and no reasonable cause has been offered. Chief inquiry officer of the IC shall have the right to take a decision on the complaint based upon the available evidence.

(proviso: The termination of the inquiry or proceeding with the inquiry ex-prate, as the case may be, shall not be done without serving a written notice to the party in question. Such notice must be served at least 15 days before the relevant decision is to be made.)
8. No lawyer is allowed to represent either party.
9. The identities of all witnesses shall be protected by the IC. A coding system may be used for this purpose.
10. All persons heard by the CSC. Shall take and observe an oath of secrecy about the proceedings. Any violations of the oath of secrecy would invite action by the appropriate authority as per the recommendation of IC.
11. After completing the investigation, the CSC shall submit a detailed report of its findings to the chairperson, including an indication of whether it finds the defendant guilty or not guilty along with reasons for its decision.
12. IC, should make efforts to ensure that the complainants and the witnesses are not further victimised or discriminated against while it is dealing with the complaint.
13. CSC shall take action against anyone who intimidates the complainant or member of IC., during or after the screening and inquiry.

Note: most cases of sexual harassment occur in private, so there may not be any eye-witnesses. The CSC will have to come to a conclusion about the complaint without proof or evidence of this kind. It will rely on circumstantial evidence and the testimonies if the complainant, the defendant and witnesses, if any. This inquiry is not a criminal investigation. Strong probability, rather than proof beyond reasonable doubt is enough to take a decision on the complaint.

G. COMMUNICATION OF FINDINGS OF THE IC AND FOLLOW UP PROCEDURES

1. **Within three working days of the receipt of the report of the IC**
 - ❖ copies of the report shall be made available to all members of the IC.
 - ❖ all member of the IC shall have access to records of evidence collected by the CSC.
 - ❖ The chairperson shall convene a meeting to deliberate upon the findings of the CSC.
2. IC may adopt the findings of the CSC in total with regard to culpability or otherwise of the defendant and recommends suitable action.

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If the IC does not agree with the findings of the Complaints Committee, It shall refer the case back to the Inquiry committee for consideration for the concerns expressed by the IC.

- ❖ Time limit for the Inquiry Committee to resubmit its findings will be **five** working days from the date the case is referred back to it.

Once the resubmitted findings are resubmitted to the IC, a meeting of the IC shall be convened.

- ❖ If IC does not agree with the resubmitted findings, any modification so the same can be made by it only with 2/3rd majority of the total members of the IC.

3. In the event that a decision about both culpability for the defendant as well as action to be taken is not reached by IC in a single meeting, at most one more meeting may be called within two working days to arrive at the final decision.
4. **Within two working days of the decision of the CSC**, the Chairperson shall communicate the decision of the IC to the appropriate authority, along with the report of the CSC together with a summary of the opinions of its members (including dissenting opinions).
5. **Within three working days from the date of communication of findings by the IC** the appropriate authority shall convene a meeting with IC to discuss the decision of the IC and the report of the IC for follow-up action.
6. In the event **that no action has been taken one week** *after* the meeting between the appropriate authority and the IC, the Chairperson for the IC shall convene a meeting with the appropriate authority to take stock of the situation.
7. In the event that the action taken is different from the one recommended by the CSC, THE Chairperson for the IC shall convene a meeting of the IC with the appropriate authority and enquire about the reasons of the divergence.
8. In the event that appropriate follow up action has not been taken by the appropriate authority one week after the meeting described in clauses (10) and (11) above, the IC shall communicate its discontent in writing to the authority.
9. In the event that any new fact or evidence arises is brought before the CSC at any stage of the inquiry proceedings or even after the communication of the findings to the appropriate authority, IC can take cognizance of this and take appropriate action; this may include reconstitution of the CSC in which case the new CSC shall include at least half of the members of the IC that originally enquired into the said complaint.
10. **False Complaints/Allegations:** If the IC finds no merit in any particular complaint/deposition, it shall write to the Chairperson of the IC giving reasons for its decisions.
 - α. Within three working days of the receipt of this communication from the CSC, the chairperson shall convene a meeting to discuss the recommendations of the CSC and to decide whether a show cause notice shall be issued to the complainant/Witness

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- β. upon the decision to issue a show-cause notice, the Chairperson of the IC shall issue it to the Complainant/witness and require the complainant/ witness(es) to explain as to why disciplinary actions shall not be taken against him/her. The time frame will be five working days for a satisfactory response.
- χ. Within three working days of the receipt of any explanation from the complainant/witness(es), the Chairperson shall convene a meeting to consider the explanation.
- δ. In the event of any unconvincing explanation, the IC shall forward its findings to the appropriate authority for follow-up action.

11. Protection against victimization

If found guilty, the defendant shall not

- Supervise any activity (such as evaluation, examination or reporting) of the complainant /witness/or
- write the confidential report of the Complainant/witness

H. DISCIPLINARY ACTION

GUIDING PRINCIPLES

The guiding principle of the redressal mechanism is to use retributive measures along with pastoral concern that go beyond penalty to provide room for rehabilitation by positive suggestion, social pressure and mentoring.

There will be provisions for punishment of the offender once the offence is proved. There will also be measures at every step for the inquiry and punishment are used to treat the offender as a human being susceptible to changing one's behaviour on positive suggestion and social pressures.

Redressal shall involve supportive measures for the complainant and protection against victimization. Filing of a grievance or complaint will not reflect upon /adversely affect the complainant's status, future evaluations, assignments, employment, promotion etc.

As a general principle, everyone who is associated with redressal of sexual harassment needs to be sensitive towards both the offender and the complainant. To this end, it is advisable that they undergo periodic orientation and training.

DISCIPLINARY ACTIONS

1. Any student, service provider resident, outsider, or a member of the academic or non-teaching staff or an officer of CGLD, or a member of the authorities or committee of CGLD found guilty of sexual harassment shall be liable for disciplinary action. The penalties listed below (in) ascending order are indicative, and shall not constrain the CGLD authorities from considering other, in

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accordance with the rules governing the conduct of employees and students in practice at the time.

- ❖ If the IC on enquiry finds the allegation of sexual harassment of the complainant to be baseless, with falsely made up evidences with an intent to malign the defendant, the complaint will be dropped and complainant may face similar penalties as listed below.

DISCIPLINARY MEASURES INCLUDE

1. Penalties in case of faculty:

- i. Warning and /or reprimand
- ii. Withholding of one or more increments for a period not exceeding one year.
- iii. Removal from a position of authority at CGLD.
- iv. Disbarment from holding an administrative position at CGLD.
- V. Suspension from service.
- vi. Compulsory retirement / Dismissal from service.
- Vii. Any other action as may be deemed necessary.
- Viii. The penalty awarded shall be recorded in his/ her Confidential Recorded. The right to an official character certificate may also be withdrawn where applicable.

2.. Penalties in Case of non- teaching staff and project staff.

- i. Warning and/ or reprimand.
- ii. withholding of one or more increments for a period not exceeding one year
- iii. Suspension from service.
- iv. compulsory retirement/ Dismissal from service
- v. Any other action as may be deemed necessary
- vi. The penalty awarded shall be recorder in his/ her confidential Record. The right to an official character certificate may also be withdrawn where applicable.

3. Penalties in case of CGLD students

- i. Warning and/or reprimand
- ii. Written warning with information to the parents/ guardian.
- lii. Withdrawal of scholarship / financial aid.
- iv. Withdrawal of the right to an official character certificate from CGLD.
- v. Withdrawal of hostel accommodation for the entire period of study.
- vi. Suspension from CGLD
- vii. Expulsion from CGLD
- viii. Withholding of a degree offered by CGLD.
- ix. Any other action as may be deemed necessary.
- x. The penalty awarded shall be recorded in his/ her personal file.

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4. Penalties in case of outsiders

- i. Warning and/or reprimand
- ii. A letter communicating her/his misconduct to her/his place of education, employment or residence.
- iii. Restriction from entering the CGLD campus and/ or a bar on applying /appearing for any programme of study or employment offered by CGLD.
- iv Any other action as may be deemed necessary.

5. Penalties in case of service providers.

- i. Warning and/ or reprimands.
- ii. A letter communicating her/his misconduct to her /his place of employment.
- iii. Restriction from entering the CGLD campus and lodging a police complaint.
- iv. Withdrawal of the right to run/manage /work in any commercial enterprise, or to provide services, on the campus.
- v. Any other action as may be necessary.

6. In case of culpability of an officer of CGLD, or a member of the administration or committee of CGLD, in addition to the penalties specified under 3, (i)-(viii) above, the person may be advised to undergo counselling and gender sensitisation, and to give a written and/or public apology to the complainant.

- 9. penalty in case of a second offense: A second, or repeated offence, shall on the recommendation of IC, attract a higher penalty.

I. APPEALS

- 1. In the event of the CGLD not taking action on a complaint, or if the complainant or defendant is dissatisfied with the disciplinary action taken by the CGLD authorities, she/ he shall have the right to appeal to an Appeals committee. Appeals may also be lodged with the CGLD authorities.
- 2. An Appeals committee (AC) shall consist of:
 - i. One person nominated by the Board of Directors of CGLD from amongst its members,
 - ii. One former senior women member of IC nominated by the president. If there is no former senior women member of IC, the president could appoint a senior women member who is not a sitting member of the IC. This nominee shall chair the Appeals Committee, and
 - iii. One woman faculty member of CGLD nominated by the president.

3. The Appeals committee shall have all the powers and duties of an Appellate Body. It shall consider the appeals, with the appellant deposing in person. It shall have the power to summon any person as witness as well as any official record. On the basis of all the evidence before it, including the disposition of the appellant, if it is satisfied that the matter needs to be further enquired into, it shall conduct an inquiry.

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4.The Appeals Committee shall report to the Board of Directors of CGLD its findings and recommendations on the nature of the action to be taken on the appeals.

5.At any point in time, the complainant or the defendant may decide to appeals to a court of law under the jurisdiction of Karnataka High Court.

J. AMENDMENT:

1. Amendment to this policy shall be affected by decisions take in a special meeting of Internal Committee (IC) constituted for this purpose.
2. Proposed amendments shall be circulated at least five working days prior to the special meeting called for this purpose.
3. An amendment shall be passed by two-thirds of the total members of IC.
4. Any Amendment to this policy shall have effect only if these are compatible with the letter and spirit of The Sexual Harassment of women at Workplace (prevention, prohibition and Redressal) Act 2013, the Supreme Court Vishaka judgement and any future Supreme Court judgements deemed applicable.

ANNEXURE 'A'

SOME EXAMPLES OF SEXUAL HARASSMENT IN THE WORKPLACE A. Visual Conduct:

- Leering
- Making sexual gestures
- Displaying sexually suggestive or explicit objects, pictures (still or moving), cartoons, graffiti or posters in any manner, including as part of e-mail transmissions

B. Verbal Conduct:

- Whistling and catcalls
- Foul or obscene language
- Making or using derogatory comments which are sexual in nature
- Explicit discussions about sexual activities/behaviors
- Comments about a woman's physical attributes
- Spreading rumors about another person's sexual activities/conduct and/or partners
- Jokes which contain offensive, obscene or lascivious content
- Sexual advances / Sexual propositions
- Sexual innuendo or double entendres

C. Written Conduct:

- Suggestive, obscene or propositioning letters, notes, greeting cards or invitations, including but not limited to those transmitted via e-mail

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- Displaying pictures (still or moving), cartoons, graffiti or posters in writing, including but not limited to e-mail

D. Physical Conduct:

- Unwelcome touching
- Sexual Assault
- Kissing / Hugging / Grabbing
- Coercing another person to participate in sexual intercourse or other sexual behaviors
- Impeding or blocking movements
- Any physical interference with normal work or movement.
- Sexual gestures

Revised January 2023.