

# JMF's Annasaheb Chudaman Patil Memorial Dental College, Dhule

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## **GRIEVANCES REDRESSAL & WOMEN CELL**

Every student has the right to work and study in an environment free from harassment, bullying and unlawful discrimination. Harassment is defined as behaviour that is directed at an individual or group of students which is offensive, belittling humiliating , intimidating or threatening ;unwelcome and unsolicited and of the type that is usually unreciprocated. The right to be heard and right to be treated without bias is assured to each student by following procedural fairness and confidentiality throughout. Complaints and feedback are an important part of ongoing quality and service improvements. Feedback is always welcome and the committee is committed to working with the students to effectively resolve their grievance.

**AIM:** To promote and maintain a conducive and unprejudiced educational environment. The committee enables a student to express feelings by initiating and pursuing the grievance procedure in accordance with the rules and regulations of the college.

### **OBJECTIVES:**

- 1.To encourage the students to express their grievances/ problems freely , frankly and without fear of being victimized.
2. To support the students who have been deprived of the services offered by the college, for which he/she is entitled.
3. To coordinate between students and departments/sections to redress the grievances.
4. To ensure effective solution to the students' grievances with an impartial and fair approach.
5. Redressal of students' grievances to solve their academic and administrative problems.
6. To guide ways and means to the students to redress any antiragging problems.

### **Mechanism for receiving students' grievances and redressal of students' grievances**

Its our endeavour to make all efforts to ensure transparency in all the activities of the students. Grievance committee has been constituted to protect the human right which is essential for all round development of an individual's personality.

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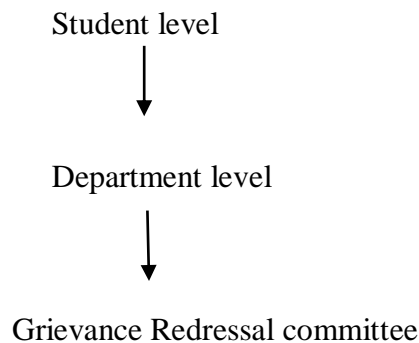
Institute has decided to provide a mechanism for redressal of students' grievances as per UGC guidelines:

The grievances may broadly include the following complaints of the aggrieved students-

**Academic**- related to admission, tuition fees, examination, results, discrimination of students, posting, attendance, stipend etc.

**Non academic** – related to maintenance and other issues like harassment by a colleague or the faculty,

The function of the committee is to look into the complaints lodged by any student and find out the solution to the problem. Minor complaints are solved by the faculties at the departmental level for the smooth functioning of the college but the major complaints which need attention at a higher level are only referred to the grievance committee.



## **Procedure for lodging the complaint**

1. Aggrieved student needs to register the grievance by writing down an application addressed to the Grievance redressal committee.
2. Depending upon the level of severity of the grievance submitted, it will be decided if the situation can be handled by the incharge or enquiry committee has to be set.
3. The student grievance redressal committee shall set an enquiry committee and fix a date for hearing the grievance which shall be communicated to the institution head and the aggrieved student.

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4. An aggrieved student may appear either in person or authorize a representative to present the case. He/ She may have an option to call a witness by filling out the form with contact details and relation of the witness.
5. Institute head must ensure that the time period between receipt of grievance from the online portal and redressing the grievance must not exceed 14 working days.
6. The committee incharge will ensure that good, fair and transparent hearing be held, with no bias towards cast, creed or religion.
7. The enquiry committee shall, after giving reasonable opportunities of being heard to both parties, on the conclusion of proceedings, pass such order, with reasons there for, as may be deemed fit to redress the grievance and provide such relief as may be appropriate to the aggrieved student.
8. The institute as well as the aggrieved student shall be provided with copies of the order under the signature of the institute head and the institute shall place it for general information on the notice board.
9. The Grievance committee may recommend appropriate action against the complainant, where a complaint is found to be false or frivolous.

In a similar manner, teachers can also submit their grievances as and when required.

## **Exclusions**

1. Decisions of the executive council, academic council, curriculum committee and other administrative committees constituted by the college.
2. Decisions with regard to award of scholarship, fee concessions, medals etc.
3. Decisions made by the college with regard to disciplinary matters and misconduct.
4. Decisions by competent authority on assessment and examination result.

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## **Women Cell - Scope**

The policy is applicable to all employees and students (females and males) and also to third parties associated with ACPM DC DHULE. The third party would include the patients, their accompanying relatives/attendants, volunteers, trainees and visitors etc. who are associated to the organization. Women Cell-ACPM DC DHULE will be formed by the organization, which will undertake preventive action as well as it will act as a grievance redressal body where complaints of sexual harassment at the work place will be contemplated. The committee will have representation of the members from across all staff cadres.

### **Definitions and Explanations**

The operational definitions of the following terms will be considered by the committee while dealing with these complaints.

**(i.) Definition of Sexual Harassment**

On August 13, 1997, the Supreme Court of India held that sexual harassment of women is a violation of the fundamental rights of women to work in a safe environment. According to the Supreme Court guidelines sexual harassment includes such unwelcome sexually determined behaviour (whether directly or by implication) such as the following:

1. Physical contact and advances
2. A demand or request for sexual favours
3. Showing pornography
4. Any other unwelcome, physical, verbal or non-verbal conduct of sexual nature

According to the Code of Conduct at Work Place prepared by the National Commission for Women in 1998, sexual harassment includes such unwelcome sexually determined behaviour by any person either individually or in association with other persons or by any person in authority, whether directly or by implications, such as the following:

- Eve Teasing

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- Unsavoury remarks
- Jokes causing or likely to cause awkwardness or embarrassment
- Innuendos and taunt
- Gender based insults or sexist remarks
- Unwelcome sexual overtone in any manner such as over telephone (obnoxious telephone calls) and the like
- Touching or brushing against any part of the body and the like
- Displaying pornographic or other offensive or derogatory pictures, cartoons, pamphlets or sayings
- Forcible physical touch or molestation and
- Physical confinement against one's will and any other act likely to violate one's privacy

## **(ii) Work place:**

Work place includes any place where the employees of the organization carry out tasks to further the organizational goals and objectives. This will not include any place of work that is beyond institute's premises and control. However, the grieved party will be provided support to carry out necessary action as and when required.

## **(iii) Employee/Staff:**

An employee of institute is an individual who has been appointed at the organization to carry out certain tasks so as to further the organizational goals and objectives. It covers all the staff on the payroll including the field staff, part time staff, contractual staff, incentive based, consultants, approved staff of outsourced services, etc.

## **(iii) Students:**

A student will include any candidate enrolled in the institute as a trainee in capacity of undergraduate, postgraduate, nursing, paramedical or part time observer ship or any trainee undergoing training here with due permission of authorities.

## **(iv) Third party:**

A third party refers to any individual or member of any group/organization that is/are associated with the institute. Examples of third party include sexual harassment to institute's

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Staff by the volunteers, patients, attendants of patients, students, visitors, community members, NGOs, CBOs, and Hospital & Health Post Staff.

## Objectives

1. To fulfil the directive of the Supreme Court of India enjoining all employees to develop and implement a policy against Sexual harassment of women at work place
2. To prevent gender discrimination and sexual harassment by promoting gender equality amongst all University employees
3. To promote a social, physical and psychological environment that will raise awareness about and deter acts of sexual harassment of women
4. To ensure implementation of laid down procedures including the constitution of appropriate committees for purpose of gender sensitization and to conduct enquiries into complaints of sexual harassment
5. To recommend punitive action against the guilty to the Principal/Director, ACPM DC DHULE.

## Functions

1. To promote gender equality
2. To take measures towards sensitizing the college community on gender issues
3. To deal with cases of sexual harassment in a time bound manner and ensure appropriate action is taken against the offender

## PREVENTIVE ACTION

Preventive action will be taken in the organization so as to evade any instances of sexual harassment.

The efforts of the management will be as follows:

- Gender sensitization workshops
- Workshops on Sexual Harassment at the workplace
- Information on first appointment

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## **Composition of Women Cell**

The institute will form a committee to deal with complaints of sexual harassment at the workplace for employees and third parties. The key items of the cell are as enlisted below

### **(a) Facilitating body**

The college and hospital management shall facilitate smooth functioning of the Women Cell to ensure regularity of meetings and follow-up of cases of sexual harassment that may arise besides ensuring preventive action to be taken to avoid sexual harassment at the work place.

### **(b) Members**

There will be Nine individuals selected by the facilitating body to be members of the WC-ACPM DC DHULE. Out of the nine members, majority representation has to be of women, and the Chairperson of the committee has to be a woman. One member has to be a representative of another organization, thus ensuring transparency in procedures, and delivery of justice. In case of differences of opinion in a case the decision of the majority of the committee members will prevail.

### **(c) Selection of members**

Members will be selected based on their commitment and sensitivity to the issue. They must be gender sensitive and compassionate individuals. They must be non-judgmental and tactful in their approach of handling such cases.

### **(d) Period of membership**

Membership will be for a period of two years, after which a new set of members will be appointed. However few members if willing can continue their membership for one more year to help evolve and guide the new members.

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## **(e) Termination of membership**

Membership will be terminated in the event of demise or retirement or resignation of a member from his/her post in the organization, or if a member has been found guilty in a case of sexual harassment. Membership will also be transferred to another person after the completion of two years tenure.

## **(f) Appointment of new members**

New members will be appointed by Principal/Director, ACPM DC DHULE. An individual who has been previously elected as a member on the committee can be elected again.

## **(g) Women's' representation**

Out of the nine members, including one representative from another organization, five have to be women. Moreover, the chairperson of the WC-ACPM DC DHULE must be a woman.

## **(h) Meetings**

Emergency meetings of Women Cell may be convened by the Chairperson on receipt of complaints; usually meetings will be held minimum of once every quarter, whether or not a case of sexual harassment has been registered; This is so as to discuss and plan for preventive actions and to make recommendations to the Principal/Director, ACPM DC DHULE. The venue and the time for the meetings will be as per the decision of the members of the committee.

## **(i) Contact details of members**

The contact details of members of the Women Cell as well as of the First information contact persons will be made available to all associates of the college and hospital and posted in the college website.



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## **Complaint Redressal procedure**

### **a) Procedure for registering complaint**

A written application will be required to be given to the cell which will then be deliberated upon. Complaints can be lodged directly to the Chairperson of women cell or with any member of Women Cell. If the complaint is made through any other member or Director/Principal, then the person to whom the complaint is made should bring it to the notice of the women cell within two working days of its receipt by him/her. All complaints must be brought by the complainant in person. In exceptional cases, third party/witness complaint may be entertained. In such cases, the committee will ascertain, whether the woman alleged to have been sexually harassed wishes to lodge a formal complaint. Once such complaint is received the committee shall proceed to enquire into it as per procedure specified. The application must consist of all the details of the event/s of sexual harassment that occurred, as well as the name of the alleged offender. Approximate date/time of the event/s could also help during investigation. Applications, delayed by any amount of time since the occurrence of events of sexual harassment will be accepted by the cell.

### **b) Contact**

On receipt of the written complaint, Women cell shall try to establish contact with the victim/applicant and the first information person who may have approached the cell for justice and resolve the dispute through informal discussion. The minutes of such discussion shall be recorded and the reason for not conducting enquiry shall also be mentioned; report of the enquiry should be signed by all the committee members present during the contact.

### **c) Confidential Investigation**

If the dispute cannot be resolved through informal discussions, an enquiry committee shall be set up by women cell Chairperson within one week of receipt of complaint with some/all members of the cell or with outside persons. The Enquiry Committee shall investigate into the incident by laying down its own procedure, to find out if the accused is prima facie guilty and the nature and extent of the guilt. To determine what constitutes sexual harassment will depend upon the facts and circumstances of each case. The Enquiry Committee shall submit

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its report to the Chairperson, WC within one week of its appointment. Confidentiality will be maintained during the investigation. The committee will ensure that no other individuals will know of the complaint besides the applicant and the witnesses, if any, brought in by the applicant. Investigation must be carried out within a period of one month. If required a cross examination of the complainant and the accused and if any witness available can be done. This will be at the discretion of the Committee Members. At any stage of the proceedings, if the aggrieved women wish to withdraw her complaint, the committee shall permit her to withdraw the complaint and if an inquiry has commenced, shall discontinue the inquiry. In case of withdrawal if it is brought to the notice of the committee that, pressure is being brought on the complainant or the witnesses to withdraw their statements or not go through the proceedings conducted by the Committee then the Committee will record this.

## **d) Principle of Natural justice**

The principle of natural justice will be adopted during investigation. Thus, both parties, the applicant as well as the alleged offender, will be given a platform to produce their respective views of the event/s and will be given a chance to explain their sides. The investigation will include interviews with witnesses produced by both sides, as well as other intervention that may be required. A copy of the investigative report, which consists of the investigation findings, will be given to both parties at the end of the investigation, as also a copy of the recommendations made by the cell to the management will be submitted to both parties. In case of any settlement brought about by the Committee must be mutually acceptable to both the aggrieved woman and defendant.

## **e) Punitive Recommendations**

Action to be taken will be recommended by the cell, based on the findings from the investigative report. These will be reviewed by the management and as joint decision will be taken up. Punitive action could be in the nature of transfer, termination, slash the remuneration, consideration in annual performance appraisal, and demand for an apology to the victim, or any other, as deemed fit by the cell. The decision for punishment will be based on the impact of the harassment on the recipient of the same.

## **f) Reformative Recommendations**

Recommendations will be made by the cell to the Dean and principal. These may be to bring into effect policy change/modification, or else to carry out some preventive action.

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## **g) Forward to College Management**

The investigative report, findings and recommendations of a case of sexual harassment must be duly forwarded to the management to effect action.

## **h) Action by College Management**

Once the committee has reached a decision, management must acquiesce with its recommendations in the following manner:

1. If the accused is found guilty, no recognized victim will be forced to work under or with that person. If such a provision requires the transferring of people, the victim's preferences should take priority.

2. If the committee reaches a verdict of guilty it must then decide upon the appropriate penalty. This decision may take into account past offences. In other words, repeat offenders may be given harsher penalties.

3. Penalties may be broadly grouped as

- Minor Penalties:

- A. The harasser is required to write a letter of apology to the victim

- B. Management writes a letter of reprimand to the harasser including a warning against further activity

- C. Harasser is suspended

- D. Management withholds the increment from harasser for one year.

- E. The harasser is fined up to Rs 2000 or more depending on the position.

- Major Penalties:

- A. The harasser is demoted

- B. Management terminates employment of the harasser

- C. Management withhold the increment from harasser for more than one year

- D. The harasser is fined more

- E. If the harasser is a service taker or third party, management terminates service to the harasser.

- F. A student guilty of sexual harassment shall be liable to give a written apology to the victim and any of the following punitive actions may be taken:

- Suitable censure/warning

- Withholding/withdrawing scholarship/fellowship and other benefits

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- Suspension/expulsion from the hostel
- Rustication from the Institute for a specified period
- Expulsion from the college.
- Any other action as per college rules.

4. If there is a prima facie case against the accused, the WC-ACPM DC DHULE may recommend immediate suspension till the person is proved innocent or the issue is settled. Efforts must be made to resolve the dispute through counselling and mediation. In case the accused is found guilty, the WC-ACPM DC DHULE may recommend appropriate punitive action to be undertaken by the Dean. If required, the College management may refer the complainant to a lawyer to lodge a complaint with the concerned police station. The complainant shall then keep the WC-ACPM DC DHULE informed about progress with the complaint.

5. If the Committee is of the opinion (based on the substantiated facts) that the complaint of sexual harassment was made falsely and with malicious intent, then such action will be considered misconduct. In such case the committee may make a recommendation of the appropriate action to management. Management Obligations The management of ACPM DC DHULE is required to carry out all action recommended by the Women Cell as well as to take action against the individual/group found to be guilty of sexual harassment at the work place. ACPM DC DHULE shall do its best to provide justice as per its good intentions and ability for the complainant.

The Women Cell of ACPM DC, Dhule is constituted as per college notification \_\_\_\_\_ dated \_\_\_\_\_ is notified herewith to fill up vacancies arising consequent upon transfer/retire or otherwise with the following nominated members; as such the term of each committee member is for 2years or till further notice to that effect. The Standard Operative Procedure of the cell is enclosed herewith for reference

S.no.	Member Name	Membership category	Designation
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1		Chairperson (Female/Male)	
2		Member Secretary Faculty (Female)	
3		Member Faculty from Other Institute (Female)	
4		Member Faculty Male	
5		Member Faculty Male	
6		Member Student Female	

**Principal/ Director**

**ACPM DC, Dhule**