

IFMR Policy on Sexual Harassment

Preamble:

The Supreme Court of India in its August 13, 1997 judgment in Vishakha & others vs. State of Rajasthan & others makes it obligatory for every employer and other responsible persons to follow the guidelines laid down by the Court and to evolve a specific policy to combat sexual harassment in the workplace. Educational institutions are bound by the same directive.

In compliance with the mandate of the Supreme Court judgment, IFMR adopts this policy to prevent, prohibit and punish sexual harassment of women at the workplace. IFMR is committed to provide for all employees, who fall within its jurisdiction including its academic, research and administrative staff and to all students, a place of work and study free from sexual harassment, intimidation and exploitation.

IFMR Policy

IFMR is an equal opportunity employer and advocates a bias free working place with gender equality.

Any act of sexual harassment, intimidation and/or exploitation will be viewed seriously and appropriate punitive action will be taken.

In order to provide guidelines for protection from sexual harassment and to handle complaints received or referred in this regard, IFMR forms a COMPLAINTS COMMITTEE (CC) with the following members:

Prof.C.Vijayalakshmi, Associate Professor, Chairperson
Ms.Uma Ramachandran, Senior Research Manager, Member
Prof. Nagarani, Associate Professor, Member
Mr.S.Sundara Rajan, Registrar, Member

The CC will have the following specific tasks:

To promote gender equality;

To take measures towards sensitizing people on gender issues;

To deal with cases of sexual harassment in a time bound manner and to ensure appropriate action is taken against the offender.

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 any unwelcome sexually determined behavior (whether directly or by implication) such as the following:

Physical contact and advances;

A demand or request for sexual favours;

Showing pornography;

Any other unwelcome, physical, verbal or non-verbal conduct of sexual nature.

Procedure for registering complaint and immediate action:

All complaints must be brought by the complainant in person to any member of the CC;

In exceptional cases, third party/witness may also bring a complaint to any member of the CC. In such cases, the committee will ascertain, whether the person 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;

If the dispute cannot be resolved through informal discussions, an enquiry committee shall be set up by Chairperson within ten working days. The enquiry committee will consist of at least one member from the CC and an outside member and shall be chaired by a woman member.

Procedure of the Enquiry:

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 its report to the Chairperson, Complaints Committee within three weeks of its appointment.

Procedure of Redressal:

If there is a prima facie case against the accused, the CC may recommend immediate suspension till the person is proved innocent or the issue is settled.

Efforts must be made to resolve the dispute through counseling and mediation.

In case the accused is found guilty, the CC may recommend to the President, IFMR the appropriate punitive action to be taken against the guilty.

If required, the CC will refer the complainant to a lawyer to lodge a complaint with the concerned police station. The complainant shall then keep the CC informed about progress with the complaint.

Punitive Action:

An employee 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 of increments
- Reduction to lower service, grade or post
- Compulsory retirement
- Removal from service
- Dismissal from service

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 of grades
- Withholding/withdrawing scholarship/ other benefits
- Suspension/expulsion from the hostel
- Rustication from the Institute for a specified period
- Removal for Placement Services
- Expulsion from the Institute

Policy implementation, review and evaluation

This policy will be effective June 1, 2015. It is subject to periodic review, and any comments or suggestions should be forwarded to the CC.

C.V.Krishnan,
President, IFMR
June 1, 2015