



CENTURION UNIVERSITY OF TECHNOLOGY AND MANAGEMENT, ODISHA

CUTM/RegOff/Admin./01(i)/2019

Date: 01.07.2019

Policy on Sexual Harassment

The Centurion University of Technology and Management, Odisha (CUTM) is committed to creating and maintaining a community in which students, teachers and non-teaching staff can work together in an environment free of violence, harassment, exploitation, and intimidation. This includes all forms of gender related violence, sexual harassment, and discrimination on the basis of sex/gender. While CUTM is committed to the right to freedom of expression and association, it also strongly supports gender equality and opposes any form of gender discrimination and violence.

The Supreme Court of India, in 1997, in the Vishaka Judgment, for the first time, acknowledged sexual harassment at the workplace as a human rights violation. The Supreme Court relied on the Convention on the Elimination of All Forms Discrimination Against Women (CEDAW), adopted by the General Assembly of the United Nations, in 1979, which India has both signed and ratified. In its judgment, the Supreme Court outlined the Guidelines making it mandatory for employers to provide for sympathetic and non-retributive mechanisms to enforce the right to gender equality of working women.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (“Sexual Harassment Act”) has been made effective on December 9, 2013 by way of publication in the Gazette of India.

The Sexual Harassment Act has been enacted with the objective of providing women protection against sexual harassment at the workplace and for the prevention and redressal of complaints of sexual harassment. Sexual harassment is considered as a violation of the fundamental right of a woman to equality as guaranteed under Articles 14 and 15 of the Constitution of India (“Constitution”) and her right to life and to live with dignity as per Article 21 of the Constitution. The right to practice or to carry out any occupation, trade or business in a safe environment free from harassment is guaranteed under Article 19(1)(g) of the Constitution.

The definition of sexual harassment in the Sexual Harassment Act is in line with the Supreme Court’s definition in the Vishaka Judgment and includes any unwelcome sexually determined behaviour (whether directly or by implication) such as physical contact and advances, demand or request for sexual favours, sexually coloured remarks, showing pornography, or any other unwelcome physical verbal or non-verbal conduct of sexual nature.

The Sexual Harassment Act stipulates that a woman shall not be subjected to sexual harassment at any workplace. As per the statute the following may amount to sexual harassment:

- presence or occurrence of circumstances of implied or explicit promise of preferential treatment in employment;
- threat of detrimental treatment in employment;
- threat about present or future employment;
- interference with work or creating an intimidating or offensive or hostile work environment; or
- humiliating treatment likely to affect the lady employee’s health or safety.

In view of the guidelines of the Vishaka Judgement 1997 against sexual harassment and as mandated by the Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (“Sexual Harassment Act”) (Gazette of India), CUTM has constituted a Committee Against Sexual Harassment (Internal Complaints Committee) effective from July 2019. The Committee comprises faculty, administration, service staff and

students' representatives. Besides internal representation, the Committee has few invited external members.

Complaints Committee of CUTM

Sr. No	Name	Campus /Organisation	Cell No.	E.mail Id
1	Dr. Smita Mishra Panda (Convener)	CUTM, Bhubaneswar	9438232427	smita.mishra@cutm.ac.in
2	Ms. Manju Prabha Dhal	CARD (NGO), Bhubaneswar	9437115139	card13bbsr@gmail.com
3	Dr. Supriya Pattanayak	CUTM, Bhubaneswar	9437009777	supriya.pattanayak@cutm.ac.in
4	Mr. Sibakripa Bose	CUTM, Bhubaneswar	9777452441	sibakripa.bose@cutm.ac.in
5	Mr. B.K. Tripathy	IPS (Retd.), Bhubaneswar	9337105677	
6	Mr. Birendra Kumar Pattnaik	Advocate, Bhubaneswar	9437000844	
7	Dr. Anita Patra	CUTM, Parlakhemundi	9437424149	registrar@cutm.ac.in
8	Prof. Banitamani Mallick	CUTM Parlakhemundi	9437713627	banita.mallik@cutm.ac.in
9	Dr. Prajna Pani	CUTM, Parlakhemundi	9437197131	prajna.pani@cutm.ac.in
10	Mr. Sagar Kumar Behera	CUTM, Rayagada	7894386669	sagar.behera@cutm.ac.in
11	Ms. Chandana Adhikari	CUTM, Rayagada	9438793640	adhikarichandana@gmail.com
12	Mrs. Prativa Satpathy	CUTM, Bolangir	7008158545	prativa.satpathy@cutm.ac.in
13	Dr. Nilaya Kumar Mohanty	CUTM, Bolangir	9853161452	nilaya.mohanty@cutm.ac.in

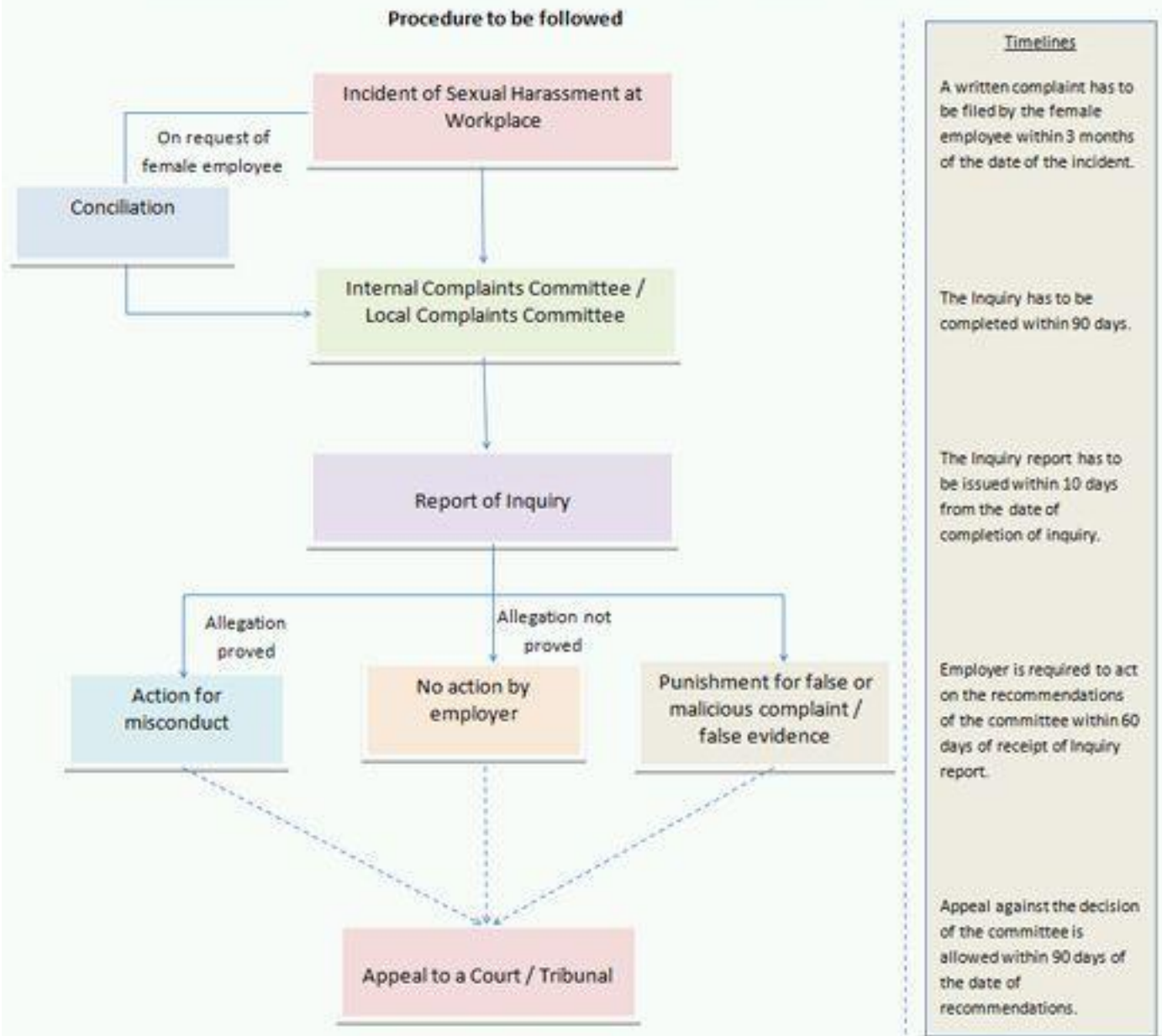
Role of the Committee:

- To prevent discrimination and sexual harassment against women, by promoting an amicable and safe environment for students and employees in all campuses of CUTM.
- To make recommendations to the Vice-Chancellor for changes/ elaborations in the Rules for students in the Prospectus and the Bye-Laws, to make them gender just and to clearly formulate procedures for the prohibition, resolution, settlement and prosecution of acts of discrimination and sexual harassment against women, by the students and the employees.
- To deal with cases of discrimination and sexual harassment against women, in a time bound manner (90 days), aiming at ensuring support services to those victimized and initiate action against perpetrators.
- To recommend appropriate action (punitive) against the guilty party to the Vice- Chancellor.

Procedure for Approaching Committee:

The Committee deals with issues relating to sexual harassment at the Centurion University of Technology and Management in all its campuses. It is applicable to all students, staff and faculty. A complaint of discrimination or sexual harassment may be lodged by the victim or a third party. A written complaint may be addressed to the Convener of the Committee. If the complaint is made to the Vice-Chancellor, Pro-Vice-Chancellor and Directors of the concerned campus, or any of the Committee members, they may forward it to the Convener of the Committee Against Sexual Harassment. Figure 1 gives the procedure to be followed by the Complaints Committee for dealing with the complaints.

India: Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013



© Nishith Desai Associates, 2013

Sd/-
REGISTRAR