

The mechanism of Redressal:

VISHAKA GUIDELINES

The Vishaka Guidelines were a set of procedural guidelines for use in India in cases of sexual harassment. They were promulgated by the Indian Supreme Court in 1997 and were superseded in 2013 by the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act.

Background :

Pre-1997 the person facing sexual harassment at workplace had to lodge a complaint under Section 354 of the Indian Penal Code 1860 that deals with the 'criminal assault of women to outrage women's modesty', and Section 509 that punishes an individual/individuals for using a 'word, gesture or act intended to insult the modesty of a woman. During the 1990s, Rajasthan state government employee Bhanwari Devi who tried to prevent child marriage as part of her duties as a worker of the Women Development Programme was raped by the landlords of the community. The feudal patriarchs who were enraged by her (in their words: "a lowly woman from a poor and potter community") 'guts' decided to teach her a lesson and raped her repeatedly. The rape survivor did not get justice from Rajasthan High Court and the rapists were allowed to go free. This enraged a women's rights group called Vishaka that filed a public interest litigation in the Supreme Court of India. This case brought to the attention of the Supreme Court of India, "the absence of domestic law occupying the field, to formulate effective measures to check the evil of sexual harassment of working women at all work places." Vishakha vs. State of Rajasthan In 1997, the Supreme Court passed a landmark judgment in the same Vishaka case laying down guidelines to be followed by establishments in dealing with complaints about sexual harassment. Vishaka Guidelines were stipulated by the Supreme Court of India, in Vishakha and others v State of Rajasthan case in 1997, regarding sexual harassment at workplace.

The court stated that these guidelines were to be implemented until legislation is passed to deal with the issue. The court decided that the consideration of "International Conventions and norms are significant for the purpose of interpretation of the guarantee of gender equality, right to work with human dignity in Articles 14, 15 19(1)(g) and 21 of the Constitution and the safeguards against sexual harassment implicit therein." What is sexual harassment Sexual harassment includes such unwelcome sexually determined behavior (whether directly or by implication) as:

- a) physical contact and advances;
- b) a demand or request for sexual favors;
- c) sexually colored remarks;

d) showing pornography;

e) any other unwelcome physical verbal or non-verbal conduct of sexual nature.

Where any of these acts is committed in circumstances where the victim has a reasonable apprehension that in relation to the victim's employment or work whether she is drawing salary, or honorarium or voluntary, whether in government, public or private enterprise such conduct can be humiliating and may constitute a health and safety problem. It is discriminatory for instance when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment or work including recruiting or promotion or when it creates a hostile work environment. Adverse consequences might be visited if the victim does not consent to the conduct in question or raises any objection thereto. Thus, sexual harassment need not involve physical contact. Any act that creates a hostile work environment - be it by virtue of cracking lewd jokes, verbal abuse, circulating lewd rumours etc. counts as sexual harassment.

The creation of a hostile work environment through unwelcome physical verbal or non-verbal conduct of sexual nature may consist not of a single act but of a pattern of behavior comprising many such acts. Thus, it is important that the victim report such behavior as soon as possible and not wait for it to become worse. In some cases, the psychological stigma of reporting the conduct of a co-worker might require a great deal of courage on the part of the victim and they may report such acts after a long period of time. The guidelines suggest that the complaint mechanism should ensure time bound treatment of complaints, but they do not suggest that a report can only be made within a short period of time since the incident occurred. Often, the police refuse to lodge FIRs for sexual harassment cases, especially where the harassment occurred sometime ago. Employer's obligations Note that the Vishaka Guidelines are not sufficient for legal compliance for employers as the same has been replaced by a full fledged statute of the Parliament. Although the statute mostly retains the framework provided in the Guidelines, there are significant differences and it is the statute that the employers must follow. For instance, the definition of sexual harassment has significantly changed.[6] From this perspective, the Vishaka Guidelines is of only historical and academic importance now. It will also be relevant in cases that were brought up before 2013 enactment of the law. Recently the minister for Women's Welfare Maneka Gandhi has stated that government will take tough steps against any organisations, including NGOs that do not implement the new law. It is a good idea to use a checklist to make sure that your organization is compliant with the law. A sample checklist for sexual harassment compliance is available here.

Internal Complaints Committee and Local Complaints Committee: The Sexual Harassment Act requires an employer to set up an 'Internal Complaints

Committee' ("ICC") at each office or branch having more than 10 employees of any gender.

The government is in turn required to set up a 'Local Complaints Committees' ("LCC") at the district level to investigate complaints regarding sexual harassment from establishments where the ICC has not been constituted on account of the establishment having less than 10 employees or if the complaint is against the employer. The Sexual Harassment Act, 2013 also sets out the constitution of the committees, process to be followed for making a complaint and inquiring into the complaint in a time bound manner.

Interim Reliefs : The Sexual Harassment Act empowers the ICC and the LCC to recommend to the employer, at the request of the aggrieved employee, interim measures such as

- (i) transfer of the aggrieved woman or the respondent to any other workplace; or
- (ii) granting leave to the aggrieved woman up to a period of 3 months in addition to her regular statutory/ contractual leave entitlement. In addition to ensuring compliance with the other provisions stipulated, the Sexual Harassment Act casts certain obligations upon the employer to, inter-alia, •provide a safe working environment •display conspicuously at the workplace, the penal consequences of indulging in acts that may constitute sexual harassment and the composition of the Internal Complaints Committee •organize workshops and awareness programmes at regular intervals for sensitizing employees on the issues and implications of workplace sexual harassment and organizing orientation programmes for members of the Internal Complaints Committee
- (iii) •treat sexual harassment as a misconduct under the service rules and initiate action for misconduct.
- (iv) •The employer is also required to monitor the timely submission of reports by the ICC.

If an employer fails to constitute an Internal Complaints Committee or does not comply with any provisions contained therein, the Sexual Harassment Act prescribes a monetary penalty of up to INR 50,000 (approx. US\$1,000).

A repetition of the same offence could result in the punishment being doubled and / or de-registration of the entity or revocation of any statutory business licenses. Complaints mechanism All women who draw a regular salary, receive an honorarium, or work in a voluntary capacity in the government, private sector or un-organised sector come under the purview of these guidelines.

•All workplaces should have an appropriate complaints mechanism with a complaints committee, special counselor or other support services. •A woman must

head the complaints committee and no less than half its members should be women.

- The committee should include an NGO/individual familiar with the issue of sexual harassment. •The complaints procedure must be time-bound.
- Confidentiality must be maintained.
- Complainants/witnesses should not experience victimization/discrimination during the process. Preventive steps
- Sexual harassment should be affirmatively discussed at workers' meetings, employer-employee meetings, etc.
- Guidelines should be prominently displayed to create awareness about the rights of female employees.
- The employer should assist persons affected in cases of sexual harassment by outsiders.
- Central and state governments must adopt measures, including legislation, to ensure that private employers also observe the guidelines.
- Names and contact numbers of members of the complaints committee must be prominently displayed. From Guidelines to Act The Sexual harassment at workplace Bill was passed by the Lok Sabha on the 2nd of September, 2012. It is now The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. It defines sexual harassment as laid down by the Supreme Court in Vishakha and others v State of Rajasthan (1997) case.] Recommendations National Commission for Women has asked the government to ensure constitution of Internal Complaints Committee (ICC) in accordance with Supreme Court guidelines in its departments, institutions and autonomous bodies to address such cases. It has also recommended conducting gender sensitisation workshops for top level management officials. NCW recommended publicizing committee using posters, etc. and explicitly mention the contact details of the members. The commission also highlighted the need for orientation programs for employees to sensitize them on sexual harassment. Another recommendation was to enhance communication strategies to combat violation against women. The rules for the

Sexual Harassment of Women at Workplace (Prevention, Prohibition and
Redressal) Act, 2013 have come into force on 9th
December, 2013' <http://www.lawyerscollective.org/wp-content/uploads/2013/12/>

- We organized programme under the internal committee as follow

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**RAJARSHI SHAHU ARTS, COMMERCE & SCIENCE
COLLEGE**

Pathri, Tq. Phulambri, Dist. Aurangabad – 431 111.

2017-18

Internal Women's Grievance Redressal Division (2017-2018)

On 24/09/2018, a lecture on "Cleanliness and Health" was organized under the Department of Women and Student Welfare. For this lecture Dr. S. B. Jadhav, Principal of the College, speaker Dr. Prajakti Bhosle, , Dr. Rashmitai Pathrikar, Dr. Tanisha Thale, as well as member Dr. Aarti Thale were present.

Dr. Prajakti Wagh/Bhosle said that women should always eat nutritious food for their health. Regular exercise should be done. Also, sanitary napkins should be provided to girls and women in rural areas for menstruation. Health camps should be organized for women and they should be medically examined. He said that calcium test should be done. In the presidential conclusion Dr. S.B Jadhav, the principal of the college asserted that by organizing a health camp in the college, all check-ups will be done free of charge, so everyone will surely benefit. The program was moderated by Dr. Aarti Thale, Introduction given to Dr. Tanisha Dale and vote of thanks given to Rashmi Pathrikar.

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2018-19

On 18/02/2019, a seminar was organized under the Women Redress Cell and Student Welfare Department, On the topic "Women's Rights under Law". This seminar was chaired by Prof. Rekha Meshram, from Marathi Department, Prof. Rakhi Kapse are speaker for the programme. Dr. Tanisha Dale as well as Dr. Arti Thale r member of committee r also present for programme.

Prof. Rakhi Kapse gave more information about women's rights in employment, property rights, marriage rights, basic rights. In today's progressive era, if women are subjected to physical and domestic violence, they should not remain silent against the oppression and fight against it with the support of the law. They should understand their rights. College students should understand all their rights from the college level. At the president speech prof. rekha meshram should explain the meaning of rights to the weak women in the society and make them aware of their rights. The program was moderated by Kalyani Dakle, introduced by Dr. Tanisha Dale and vote of thanks given by Dr. Aarti Thale.

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2019-20

In the academic year 2019-20,

On 23/12/2019, the Internal Women's Grievance Redressal Committee organized a lecture on "Women and their Rights". Dr. S. B. Jadhav, Principal of the College as the Chairman for this lecture, Dr. Aparna Kottapalle Speaker for the programme Dr. Tanisha Dale President for the programme, Dr. Aarti Thale, as well as Dr. Rashmitai Pathrikar member of committee also present for the programme.

On this occasion Dr. Aparna Kottapalle said that women should always be aware of their rights, college students should be given lessons on sexual exploitation. Also, the students were given detailed information about what is the new pascho act.

In the presidential conclusion Dr. SB Jadhav, the principal of the college asserted that every woman in the society should study the laws and rights related to her. It will definitely be beneficial. The program was moderated by Pooja Chitrak, introduced by Dr. Aarti Thale, Introduction Dr. Tanisha Thale, and vote of thanks given to Dr Rashmi tai pathrikar.







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2020-21

Internal Women's Grievance Redressal Division (2020-2021)

On 8th march 2021 "Internal Women Grievance Redressal" Committee organized Essay Competition online mode on the occasion of the "Women's Day". Most of the girls from the college participated in this competition. Students written essay on Respected Ahilyabai Holkar, Rajmata Jijau, Savitribai Phule, Mother Teresa, Kalpana Chawla, Nessel Mandela, Indira Gandhi, all these women who are doing great work in the society, are the inspiration of all these women, social, educational and political. Essays were written on field work. Some students made posters of well-known women. Also, we provide the links of women's activities have been sent online mode to whats up group, arranging zoom lecture, google meet and many students view lectures on various topics on you tube like as "Women Health and Wellness", "Understanding Patriarchy and Gender" and "Women's and Their Rights". The students got abundant information about their social,

licial and fundamental rights.Principal of the college Dr. S. B. Jadhav,
.Tanisha Dale ,Dr.AartiThale, Dr.Rashmi tai Pathrikar are present in
ogramme.

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2021-22

Internal Women's Grievance Redressal Division (2021-22) in Rajshree Shahu College of Arts, Commerce, Science, Pathari organized a lecture on 04/01/2022 on the occasion of Savitribai Phule Jayanti. Mr. Dattatray Madan Sir Ex-Inspector of Police as the keynote speaker of the programme they enlightened all the students on protection laws regarding women. Also they Guided to the students for self defence. students got information about all the women related laws. On the same occasion, the students released a poster on the topic of laws regarding women. The program was chaired by Honorable Principal Dr. Jadhav Sir and Vice Principal of the college Dr. Shashikant Bandewar Sir. Womens committee member Dr. Tanisha Dale and Dr. Aarti Thale present for programme.



On 11/03/22, an online guest lecture was organized by Visakha Committee. Dr. Rupali Biradar from Indraraj College Sillod gave a lecture as the chief guest on this occasion. On this occasion, he gave in-depth guidance on the socio-economic ideological status of women in the historical period and women in the current situation. President of the program Dr. Satish Jadhav, Director of the Institute Mrs. Kalyani Pathrikar also gave an inspirational speech about how all the students and women can move forward in their lives by becoming entrepreneurs, college treasurer Dr. Rashmi Pathrikar was also prominently present. The program was attended by the Vice Principal Dr. Shashikant Bandewar, Dr. Sachin More, all the teachers and non-teaching staff students of the college. The program was organized by Visakha Committee Chairman Dr. Tanisha Dale, member Dr. Aarti Thale, did it.



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Rajarshi Shahu Arts, Commerce's, and Science College, Pathri
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Women's Empowerment Cell & NSS

Dept.
" Gender Equality Today For Sustainable Tomorrow "

Speaker

Dr. Rupali Biradar

Assistant Professor, Indraraj Mahavidyalay Sillod

President

Smt. Kalyanitai Pathrikar

Secretary

Dr. Rashmitai Pathrikar

Coordinator

Dr. Tanisha Dale

Dr. Aarti Thale

Principal

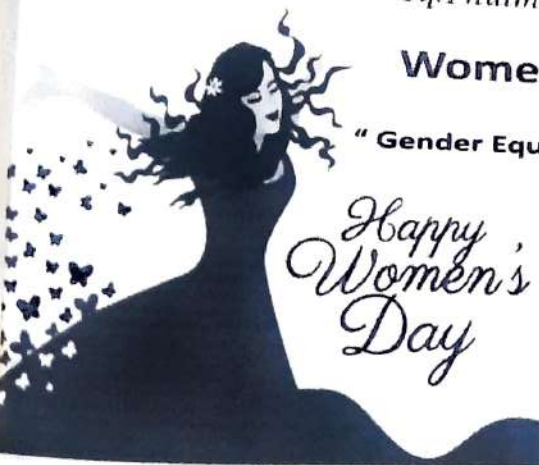
Dr. Satish Jadhav

Date :- 11 March 2022

Time :- 12.30 PM

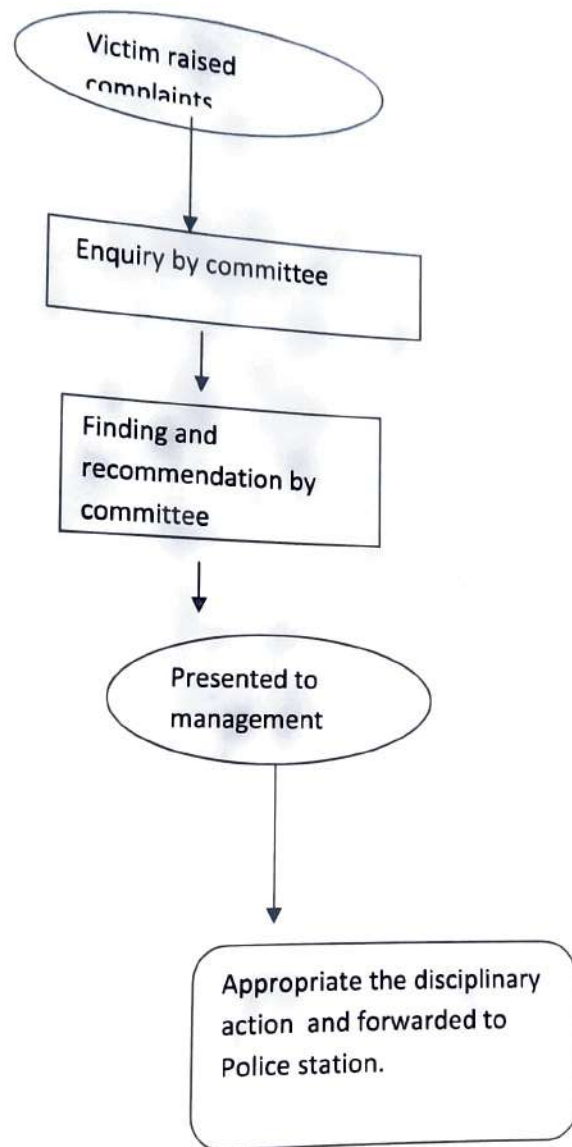
Online Mode

Happy
Women's
Day





Flow Chart of Internal Committee



Process of Redressal

The mechanism for redressal of complaints and further Procedure to be followed for conducting enquiry by the Complaints Committee is as follows:

- Any aggrieved woman may make, in writing, a complaint of sexual harassment at Work place to the Internal Committee if so constituted, or the Local Committee, in case it is not so constituted.
- (Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Committee or the Chairperson or any Member of the Local Committee, as the case may be, shall render all reasonable assistance to the woman for making the complaint in writing.)
- Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed may make a complaint under this section (3) If the complainant feels that she cannot disclose her identity for any particular reason the complainant shall address the complaint to the head of the organization and hand over the same in person or in a sealed cover. Upon receipt of such complaint the head of the organization shall retain the original complaint with himself and send to the complaints committee as gist of the complaint containing all material and relevant details other than the name of the complaint and other details which might disclose the identity of the complaint.
- The Internal Committee or, as the case may be, may before Initiating inquiry under section 11 and at the request of the aggrieved woman take steps to settle the matter between her and the respondent through conciliation.
- Where a settlement has been arrived at under sub-section (1), the Internal Committee, as the case may be, shall record the settlement so arrived and forward the same to the employer and a copy to the Local committee regarding action taken as specified in the recommendation.
- The Internal Committee or the Local Committee, as the case may be, shall provide the copies of the settlement as recorded under sub-section (2) to the aggrieved woman and the respondent.

Jadhav
(Principal)
(Dr. S. B. Jadhav)

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Women's Cell

Meeting

(2020-21)

All the girls students here by informed we will conducting online mode meeting of our women's cell department on 20/08/2020 at 03:00 pm to 03:45pm. so please join it before 05 min.

Committee members

(Dr. T. B. Dale) - Jadav

(DR. A. S. THALE)

Dr. S. B. Jadhav
Principal

(Dr. S. B. Jadhav)

Discussion point in meeting

- a) Difficulties to learning online mode teaching.**
- b) Make separate group for all girls students.**
- c) To provide inspirational videos greater persons current affair of daily news paper on what's up group.**
- d) Students gives their name for remedial coaching classes.**
- e) Some students have Exam related queries'.**

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Women's Cell

Meeting

(2021-22)

*All the girls students here by informed we will
Conducting meeting on 30/12/2021 at 03:30 pm
to 04:00 pm for the occasion of "Sawitribai Phule Jayanti". At
seminar hall no. 23 On 03/01/2021 we will Planning for Guest
lecture students Participation in singing Competitions to sing
poems. So Please all students compulsory to join it.*

Committee members

(Dr. T. B. Dale) - T. B. Dale

(DR. A. S. THALE)

Jadhav
Principal

(Dr. S. B. Jadhav)

Discussion points in meeting

- 1)The students gives their names for who are interesting to doing anchoring for our Progamme on 3jan 2022.**
- 2)The students give their name for participation in singing Competitions.**
- 3)The students give their name for vote of thanks of progamme.**
- 4)College library committee will provide online pdf book for students as per u r request**
- 5)Also college library committee will provide current affair in news paper in ur google classrooms.**

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Women's Cell

Meeting

(2018-19)

All the girls students here by informed that we will conducting meeting on 01/03/2018 for "International Women's Day" for celebrations on 08/03/2018 ,on that occasion we will plan to taking online mode "Essay writing competitions". So please joining meeting online mode at 02:30pm to 03:30 pm.

Committee members

Jadhav
Principal

(Dr. T. B. Dale) - *Bdale*

(Dr. S. b. jadhav)

(DR. A. S. THALE)

Discussion point in meeting

- 1) Topic for essay writing competitions.**
- 2) Timing limit for competitions.**
- 3) How to send essay on group.**
- 4) Which topic to take for competitions.**
- 5) Please arrange debit competitions for Students request.**

Internal Committee

2017-2022

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1	Dr.T.B.Dale(President)	9623664722	daletanu@gmail.com
2	Dr.Rashmitai Pathrikar(Secretary)	7588537267	pathrikarrashmi@gmail.com
3	Mrs.Kalyanitai Pathrikar(Member)	7588643807	pathrikarkalyani@gmail.com
4	Dr.Sachin More(Member)	9423704392	moresachin@gmail.com
5	Dr.Arati thale(Member)	8668300464	artithale@gmail.com
6.	Advt.Santosh pathrikar(Member)	9423188740	santoshpathrikar@gmail.com

T.B.Dale
(Dr.T.B.Dale)

Jadhav
(Dr. S.B.Jadhav)