



GURU NANAK EDUCATION TRUST



GURU NANAK INSTITUTE OF PHARMACEUTICAL SCIENCE AND TECHNOLOGY

(GNIPST)

*A JIS Group Institution | Approved by PCI | Accredited by NAAC & NBA | Affiliated to
Maulana Abul Kalam Azad University of Technology, West Bengal (MAKAUT)
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INSTITUTIONAL POLICY DOCUMENT GENDER SENSITIZATION AND PREVENTION OF SEXUAL HARASSMENT (POSH) POLICY

Document Control

Document Title	Gender Sensitization and Prevention of Sexual Harassment (POSH) Policy
Applicable To	All students, faculty, staff, visitors and third parties associated with GNIPST
Custodian	Internal Complaints Committee (ICC) / Gender Sensitization Cell
Approving Authority	Governing Body, GNIPST
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1. Preamble

Guru Nanak Institute of Pharmaceutical Science and Technology (GNIPST), established in 2005 under the aegis of the Guru Nanak Education Trust and nurtured within the JIS Group, is committed to providing a safe, secure, respectful and inclusive environment for all its students, employees and visitors, free from discrimination, harassment and gender-based violence. The Institute believes that gender equity and dignity at the workplace and on campus are fundamental to academic excellence and to the constitutional values of equality, liberty and the right to live with dignity.

The Institute has zero tolerance for sexual harassment in any form. This Gender Sensitization and Prevention of Sexual Harassment (POSH) Policy has been framed in accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Rules made thereunder, the University Grants Commission (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2015, the corresponding regulations and guidelines and the norms of NAAC and NBA, so as to provide an effective framework for gender sensitization and for the prevention, prohibition and redressal of sexual harassment at GNIPST.

2. Objectives of the Policy

The specific objectives of this policy are to:

- Promote gender sensitivity, equality and mutual respect among students, faculty and staff.
- Prevent and prohibit sexual harassment and all forms of gender-based discrimination and violence on the campus and in all Institute-related activities.
- Create awareness about what constitutes sexual harassment and about the rights, remedies and redressal mechanisms available.
- Provide a fair, confidential, time-bound and accessible mechanism for the redressal of complaints of sexual harassment.
- Protect complainants and witnesses from victimisation and discrimination.
- Fulfil the statutory obligations of the Institute under the POSH Act, 2013, and the applicable UGC and AICTE regulations.

3. Legal and Regulatory Framework

This policy is framed in accordance with, and shall be read together with, the following:

- The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (the "POSH Act") and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013.
- The UGC (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2015.
- The regulations and guidelines of AICTE on gender sensitization, prevention and prohibition of sexual harassment in technical institutions, as applicable.
- The Bharatiya Nyaya Sanhita, 2023 and other applicable laws, in respect of acts that constitute criminal offences.

In the event of any conflict between this policy and the applicable law or regulations, the law and regulations shall prevail. Any amendment to the law or regulations shall automatically apply to this policy.

4. Definitions

"Institute" means Guru Nanak Institute of Pharmaceutical Science and Technology (GNIPST), including its campus, hostels, and all premises and activities under its control.

"Aggrieved Woman" means a woman of any age, whether employed or not, including a student, research scholar, faculty member, staff member or visitor, who alleges that she has been subjected to any act of sexual harassment, as defined in the POSH Act.

"Complainant" means the aggrieved person who makes a complaint under this policy, or a person entitled to make a complaint on her/their behalf under the applicable law.

"Respondent" means the person against whom a complaint has been made.

"Employee" means any person employed at the Institute on a regular, temporary, ad hoc, daily-wage, contractual or consultancy basis, including trainees, apprentices, interns and persons engaged through agencies or contractors.

"Student" means any person enrolled in any programme of the Institute, including research scholars and students on internship or exchange.

"Workplace / Campus" means all premises of the Institute, including classrooms, laboratories, library, hostels, canteens, sports grounds, transport, and any place visited by a student or employee arising out of or during the course of study or employment, including industrial visits, internships, field trips, conferences and online platforms used for Institute work.

"ICC" means the Internal Complaints Committee constituted under Section 8 of this policy.

"Employer" means the Director/Principal and the Governing Body of the Institute, as applicable under the POSH Act.

"Sexual Harassment" shall have the meaning given in Section 10 of this policy.

5. Scope and Applicability

This policy applies to all students, faculty members, employees, research scholars, interns, visitors, contractors, service providers and any other person on the campus or taking part in Institute activities, irrespective of their position, and whether the incident occurs on the campus, off-campus in the course of Institute-related activities, or through electronic or online means.

The statutory rights and remedies under the POSH Act are available to women. In keeping with the Institute's commitment to gender equity and the UGC Regulations, 2015, complaints of sexual harassment made by persons of any gender, including transgender persons, shall also be received and inquired into by the ICC following the same procedure, and action shall be taken under the Institute's service rules and student disciplinary rules.

6. Gender Sensitization Measures

6.1 Gender Sensitization Cell

A Gender Sensitization Cell (Women's Cell) shall be constituted by the Director, comprising faculty members, staff and student representatives with adequate representation of women, to plan and carry out gender sensitization activities throughout the year, in coordination with the ICC.

6.2 Awareness and Training Programmes

- Orientation sessions on gender sensitivity, this policy and the redressal mechanism for all newly admitted students and newly joined employees.
- Regular workshops, seminars, talks, street plays, poster and essay competitions and campaigns on gender equality, consent, respectful conduct, cyber safety and the prevention of sexual harassment.
- Periodic training for ICC members on the law, inquiry procedure and handling of complaints with sensitivity.
- Observance of relevant days such as International Women's Day and National Girl Child Day, and programmes on women's health, self-defence and legal awareness.

6.3 Gender Champions

Students may be nominated as Gender Champions in each programme, as recommended by UGC, to promote gender-sensitive attitudes among their peers, help organise awareness activities, and serve as a point of contact for students seeking information.

6.4 Gender Audit

A gender audit of the Institute shall be conducted periodically to assess gender balance among students and employees, gender-sensitive facilities, safety measures and participation in activities, and its recommendations shall be placed before the Competent Authority and the IQAC.

7. Safe and Inclusive Campus

- Adequate lighting, CCTV surveillance at appropriate common locations (never in private areas), and security personnel, including women security staff, at entry points, hostels and other sensitive areas.
- Separate, clean and safe restrooms and a common room for women students and staff.
- Safe hostel accommodation with appropriate security and rules, and access to counselling services.
- Display of the names and contact details of ICC members, emergency helplines (such as 112 and the Women Helpline 181), and the penal consequences of sexual harassment at prominent places and on the Institute website.
- Appropriate precautions for students on industrial visits, internships and field trips, including accompanying women faculty where women students participate.
- A campus environment free from sexist, derogatory or objectionable material, including on Institute notice boards, events and online groups.

8. Institutional Mechanism – Internal Complaints Committee

The Institute shall constitute an Internal Complaints Committee (ICC) by written order of the Director/Principal, as follows:

Member	Role
A senior woman faculty member / employee	Presiding Officer
Two faculty members and two non-teaching employees, preferably committed to the cause of women or with experience in social work or legal knowledge	Members
One member from a non-governmental organisation or association committed to the cause of women, or a person familiar with issues relating to sexual harassment	External Member
Three students (undergraduate, postgraduate and research scholar, as applicable), elected or nominated as per the UGC Regulations	Student Members (for complaints involving students)

- At least one-half of the total members of the ICC shall be women.
- Members shall hold office for a period not exceeding three (3) years from the date of nomination; student members shall ordinarily hold office for one (1) year.
- Persons in senior administrative positions, such as the Director/Principal, Registrar and Heads of Departments, shall not be members of the ICC, in order to ensure its independence.
- The external member shall be paid fees or allowances as prescribed under the POSH Rules.

- The minimum quorum for ICC proceedings shall be three members, including the Presiding Officer (or a member nominated to act in her place) and the external member, in addition to any other quorum requirement under the applicable regulations.
- Any member who has a conflict of interest in a complaint, or who is found guilty of breach of confidentiality or any offence, shall be removed or recused, and the vacancy filled as per the Act.

9. Functions of the Internal Complaints Committee

- Receive and inquire into complaints of sexual harassment in a fair, sensitive and time-bound manner, in accordance with the POSH Act, the Rules and the UGC Regulations.
- Facilitate conciliation where requested by the aggrieved person, as per Section 12 of this policy.
- Recommend interim relief and final action to the Employer.
- Assist the aggrieved person in filing a police complaint where the act amounts to a criminal offence, if she so desires.
- Work with the Gender Sensitization Cell to organise awareness and training programmes.
- Prepare and submit the annual report as per Section 21 of this policy.

10. What Constitutes Sexual Harassment

Sexual harassment includes any one or more of the following unwelcome acts or behaviour, whether directly or by implication:

- Physical contact and advances.
- A demand or request for sexual favours.
- Making sexually coloured remarks, jokes or gestures.
- Showing pornography or sexually explicit material.
- Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature, including stalking, unwelcome messages, calls, e-mails, images or social media content of a sexual nature, voyeurism, and circulation of sexually explicit or morphed images.

The following circumstances, among others, if they occur or are present in relation to or connected with any act or behaviour of sexual harassment, may also amount to sexual harassment:

- An implied or explicit promise of preferential treatment in employment, marks, grades, attendance, evaluation, supervision or any other matter.
- An implied or explicit threat of detrimental treatment, or a threat about present or future employment or academic status.
- Interference with work or studies, or creating an intimidating, offensive or hostile environment.
- Humiliating treatment likely to affect health or safety.

11. Procedure for Filing a Complaint

1. An aggrieved person may make a complaint in writing to the ICC, using the Complaint Form (Annexure I) or in any other written form, including by e-mail to the designated ICC e-mail address. Six copies of the complaint, together with supporting documents and the names and addresses of witnesses, should be submitted where possible.
2. The complaint shall be made within three (3) months from the date of the incident, and in the case of a series of incidents, within three (3) months from the date of the last incident. The ICC may, for reasons recorded in writing, extend this time limit by a further period not exceeding three (3) months if it is satisfied that circumstances prevented the complaint from being filed earlier.

3. Where the aggrieved person is unable to make a written complaint, the Presiding Officer or any member of the ICC shall render all reasonable assistance to her/them to do so.
4. Where the aggrieved person is unable to make a complaint on account of physical or mental incapacity, death or otherwise, a complaint may be filed by her legal heir, a relative, friend, co-worker or other person as permitted under the POSH Rules.
5. Complaints may also be brought to the notice of any member of the ICC, the Gender Sensitization Cell, a Head of Department or the Director, who shall forward it to the ICC without delay.

12. Conciliation

Before initiating an inquiry, the ICC may, at the request of the aggrieved woman, take steps to settle the matter between her and the Respondent through conciliation. No monetary settlement shall be made the basis of conciliation. Where a settlement is arrived at, the ICC shall record it and forward it to the Employer for action, and provide copies to both parties; no further inquiry shall then be conducted. If the Respondent fails to comply with any term of the settlement, the aggrieved woman may inform the ICC, which shall then proceed with the inquiry.

13. Inquiry Procedure

1. On receipt of a complaint, the ICC shall send a copy to the Respondent within seven (7) working days.
2. The Respondent shall file a reply, with a list of documents and the names and addresses of witnesses, within ten (10) working days of receiving the copy of the complaint.
3. The ICC shall conduct the inquiry in accordance with the principles of natural justice, giving both parties a reasonable opportunity to be heard, to present evidence and witnesses, and to respond to the evidence against them. Legal practitioners shall not be permitted to represent either party before the ICC.
4. The ICC may, where the Respondent is an employee, conduct the inquiry in accordance with the Institute's service rules, and where no such rules exist, in the manner prescribed under the POSH Rules. Where the Respondent is a student, the inquiry shall follow the procedure under the UGC Regulations and the Institute's student disciplinary rules.
5. The ICC may terminate the inquiry or give an ex parte decision if the Complainant or Respondent fails, without sufficient cause, to be present for three consecutive hearings, after giving fifteen (15) days' written notice.
6. The inquiry shall be completed within a period of ninety (90) days from the date of receipt of the complaint.
7. On completion of the inquiry, the ICC shall provide its report of findings to the Employer within ten (10) days, and the report shall be made available to both parties.
8. The ICC shall have the same powers as are vested in a civil court under the Code of Civil Procedure in respect of summoning and examining witnesses and requiring the discovery and production of documents, as provided under the POSH Act.

14. Interim Relief during Inquiry

During the pendency of an inquiry, on a written request of the aggrieved person, the ICC may recommend to the Employer one or more of the following interim measures:

- Transfer of the aggrieved person or the Respondent to another section, department or workplace.
- Grant of leave to the aggrieved person up to a period of three (3) months, in addition to the leave she would otherwise be entitled to.
- Restraining the Respondent from reporting on the work performance, or evaluating the academic work, of the Complainant, and assigning such duties to another person.
- Restraining the Respondent from entering specified areas, such as a particular department, hostel or class, where the Complainant studies or works.

- Any other relief, including a change of supervisor or class, as the ICC considers appropriate for the safety of the Complainant and the fairness of the inquiry.

15. Action and Penalties

Where the ICC concludes that the allegation against the Respondent has been proved, it shall recommend action to the Employer, which may include one or more of the following:

15.1 Where the Respondent is an Employee

- Written apology, warning, reprimand or censure.
- Withholding of promotion, pay rise or increments.
- Undergoing a counselling session or carrying out community service.
- Termination of service, or any other penalty under the Institute's service rules.
- Deduction from salary or wages of such sum as the ICC considers appropriate to be paid to the aggrieved person as compensation, determined in accordance with the POSH Act.

15.2 Where the Respondent is a student

- Warning, written apology or bond of good behaviour.
- Withholding of privileges such as access to the library, hostel, transport, scholarships or allowances.
- Debarment from entry into the campus, hostel or specified areas for a specified period.
- Suspension or withholding of results for a specified period.
- Expulsion or rustication from the Institute.

The Employer shall act upon the recommendations of the ICC within sixty (60) days of receipt of the report. Where the conduct amounts to a criminal offence, the Institute shall, at the request of the aggrieved person, initiate action by making a complaint to the police, and shall assist the aggrieved person in doing so. Where the Respondent is a third party or outsider, the Institute shall take all steps in its power, including initiating legal action, as provided under the Act.

16. Timelines at a Glance

Stage	Time Limit
Filing of complaint by aggrieved person	Within 3 months of the incident (extendable by up to 3 months)
Copy of complaint to Respondent	Within 7 working days of receipt
Reply by Respondent	Within 10 working days of receipt of the complaint copy
Completion of inquiry	Within 90 days of receipt of the complaint
Inquiry report to Employer and parties	Within 10 days of completion of inquiry
Action by Employer on recommendations	Within 60 days of receipt of report
Appeal against recommendations	Within 90 days of the recommendations

Note: The time limits are as per the POSH Act, 2013 and the Rules; any statutory amendment shall prevail.

17. Confidentiality

The contents of the complaint, the identity and addresses of the aggrieved person, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, the recommendations of the ICC and the action taken

by the Employer shall be kept strictly confidential, and shall not be published, communicated or made known to the public, press or media in any manner, except as permitted under the POSH Act. Information about the justice secured to any victim may be disseminated without disclosing the name, address, identity or any other particulars likely to identify the aggrieved person or witnesses. Any person who breaches confidentiality shall be liable to a penalty as prescribed under the POSH Rules and to disciplinary action under the Institute's rules.

18. False or Malicious Complaints and Protection against Victimisation

- Where the ICC concludes that a complaint was false or malicious, or was made knowing it to be untrue, or that forged or misleading documents were produced, it may recommend action against the Complainant or the person who made the complaint, in accordance with the applicable rules. However, the mere inability to substantiate a complaint or provide adequate proof shall not attract action against the Complainant, and malicious intent must be established after an inquiry.
- Similar action may be recommended against any witness found to have given false evidence or produced forged or misleading documents.
- No Complainant, witness or person assisting in an inquiry shall be subjected to victimisation, retaliation, discrimination or adverse treatment of any kind, including in marks, attendance, evaluation, supervision or employment. Any such act shall itself be treated as misconduct and dealt with under this policy.

19. Appeal

Any person aggrieved by the recommendations of the ICC, or by the non-implementation of such recommendations, may prefer an appeal to the appellate authority notified under the service rules applicable to the Respondent, or, where no such authority exists, to the authority prescribed under the POSH Act and Rules, within ninety (90) days of the recommendations. For students, an appeal may be made to the appellate authority designated by the Institute or the University, in accordance with the UGC Regulations.

20. Duties of the Institute

As the Employer, the Institute shall:

- Provide a safe working and learning environment, including safety from persons coming into contact with the Institute.
- Display at conspicuous places the penal consequences of sexual harassment and the order constituting the ICC, with the names and contact details of its members.
- Organise workshops and awareness programmes at regular intervals for sensitizing students and employees, and orientation programmes for members of the ICC.
- Provide necessary facilities to the ICC for dealing with complaints and conducting inquiries.
- Assist in securing the attendance of the Respondent and witnesses before the ICC, and make available such information as the ICC may require.
- Treat sexual harassment as misconduct under the service rules and student disciplinary rules, and initiate action for such misconduct.
- Include information on the number of cases filed and their disposal in the Institute's annual report, as required under the POSH Act.

21. Records, Reporting and Annual Report

The ICC shall maintain confidential records of all complaints, proceedings, reports and action taken. In each calendar year, the ICC shall prepare an annual report (Annexure III) containing the number of complaints received, disposed of, and pending for more than ninety days, the number of workshops and awareness programmes conducted, and the nature of action taken, and shall submit it to the Employer and to the District Officer as required under the POSH

Act. The Gender Sensitization Cell shall document all programmes using Annexure II. Non-identifying summary information shall form part of the Institute's NAAC, NBA, UGC and AICTE compliance reporting.

22. Amendment and Review of Policy

This policy shall be reviewed once every three years, or earlier if required by changes in the POSH Act and Rules, UGC/AICTE regulations, NAAC/NBA norms, or other applicable law. Any amendment to the law or regulations shall be deemed to be incorporated into this policy with immediate effect. Any other amendment shall require the approval of the Governing Body of GNIPST and shall be communicated to all students, faculty and staff through official circulars.

23. Approval

This Gender Sensitization and Prevention of Sexual Harassment (POSH) Policy has been recommended by the Internal Complaints Committee and is placed for approval before the Governing Body of Guru Nanak Institute of Pharmaceutical Science and Technology.

Prepared by
(Presiding Officer, ICC & GC)

Date:

Recommended by
(Director / Principal)

Date:

Approved by
(Chairperson, Governing Body)

Date:

Annexure I – Complaint Form for Sexual Harassment

This form is confidential. It shall be submitted to the Presiding Officer or any member of the Internal Complaints Committee.

1. Name of Complainant	
2. Category (Student / Faculty / Staff / Other) & Department	
3. Contact Number & E-mail Address	
4. Name, Designation / Category & Department of Respondent	
5. Date(s), Time and Place of Incident(s)	
6. Description of the Incident(s) (attach additional sheets if required)	
7. Names and Contact Details of Witnesses (if any)	
8. Documents / Evidence Attached (if any)	
9. Relief Sought, including any Interim Relief	
10. Whether Conciliation is Requested (Yes / No)	
11. Signature of Complainant & Date	
12. Received by (Name & Signature of ICC Member), Date & Diary No.	

Annexure II – Gender Sensitization Programme Report

1. Title of the Programme	
2. Type (Orientation / Workshop / Seminar / Campaign / Competition / Training / Other)	
3. Date(s) and Venue	
4. Organised by (Gender Sensitization Cell / ICC / Department)	
5. Resource Person(s) (Name & Designation)	
6. Target Participants	
7. Number of Participants (Male / Female / Other)	
8. Summary of the Programme	
9. Outcomes and Feedback	
10. Supporting Documents Attached (Notice, Attendance, Photographs)	
11. Signature of Coordinator & Date	

Annexure III – Annual Report of the Internal Complaints Committee

No names or identifying details of complainants, respondents or witnesses shall be included in this report.

1. Name of Institute and Calendar Year	
2. Composition of ICC during the Year (names withheld where required)	
3. Number of Complaints Received during the Year	
4. Number of Complaints Disposed of during the Year	
5. Number of Cases Pending for more than 90 Days	
6. Number of Cases Settled through Conciliation	
7. Number of Workshops / Awareness Programmes Conducted	
8. Nature of Action Taken by the Employer	
9. Number of Appeals Filed and their Status	
10. Signature of Presiding Officer, ICC & Date	
11. Forwarded to Employer and District Officer on (Date)	