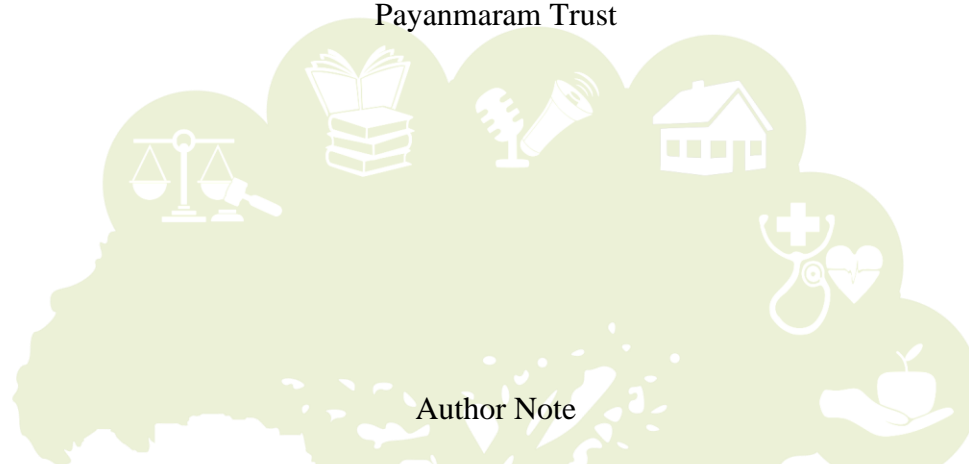


WOMEN'S SAFETY: HOW SERIOUS ARE WE?

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Author Note

This is an initiative by Payanmaram Trust and includes use of data collected by Christ University Interns. The logistics necessary for the student interns was facilitated by Mohan Raj K. Review of the work is done by Veena Kumar. This is a report on our 2019 ICC survey.

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Abstract

Vishaka and Ors. vs State of Rajasthan was a 1997 Indian Supreme Court case where various women's groups led by Naina Kapur and her organization, Sakshi filed Public Interest Litigation (PIL) against the state of Rajasthan and the central Government of India to enforce the fundamental rights of working women under Articles 14, 19 and 21 of the Constitution of India. The petition was filed after Bhanwari Devi, a social worker in Rajasthan, was brutally gang raped for stopping a child marriage.[1] In February 2019, two decades later, Payanmaram Trust initiates a simple online review of a few colleges under AICTE (post such concerns from its beneficiaries studying in colleges) to see the state of Internal Complaints Committee (ICC) for Sexual Harassment granted by the SC under the PIL. Despite this being presently backed by the POSH Act 2013, there is still a clear lack of will to proactively disclose or set up the necessary redressal institutions to address Sexual Harassment meted out to women in the workplace and in educational institutions. The set-up institutions themselves fail to give women a fair opportunity due to continued prejudices surrounding such matters, prevailing and surviving till date in the Indian society. The survey studied 110 College Web Portals in Bangalore Rural & Urban to see the extent of ICC related disclosure.

Keywords: ICC, LCC, Sexual Harassment, Workplace, Educational Institutions

Contents

Abstract.....	2
Women’s Safety: How Serious are We?.....	4
What does the data indicate?.....	4
Disclosure of details of ICC on the College Web Portal	4
Extent of Disclosure of details of ICC on the College Web Portal	6
Conclusion	8
References.....	10
Footnotes.....	11



Women's Safety: How Serious are We?

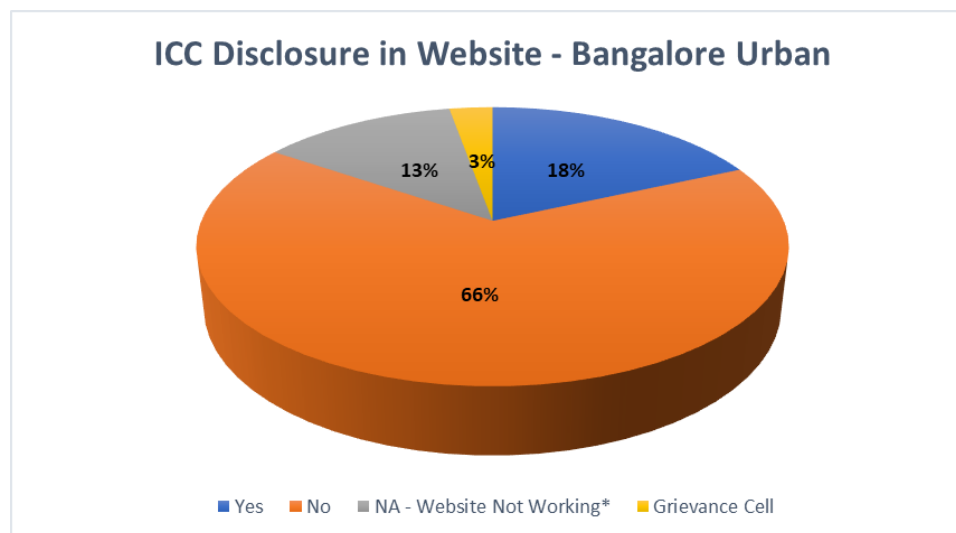
For lack of will and need for serious enforcement, history repeats itself when it comes to Women's Safety. Till date, educational institutions are not serious about the Internal Complaints Committee. The POSH Act which puts the onus of educating the students on matters of Sexual Harassment or the Internal Complaints Committee on the Managements. However, this has been openly and boldly ignored thus emboldening the perpetrators of such crime. The 2019 data collection by the Christ University Interns is a clear indication of how serious our commitment to safety of women is.

What does the data indicate?

We will directly jump into data to understand the depth of this issue. The survey studied 110 College Web Portals in Bangalore Rural & Urban to study the extent of ICC related disclosure. 39 from Bangalore Rural and 71 from Bangalore Urban.

Disclosure of details of ICC on the College Web Portal

It was found that in Bangalore Urban, only 18% [13 out of 71] of the colleges had ICC information published on their website. The orderliness of this data within this 18% will be shared in the next section. 13% had a non-working website URL given to the Ministry's Know Your College Portal and about 3% alternated the ICC Composition with some grievance cell or portal.

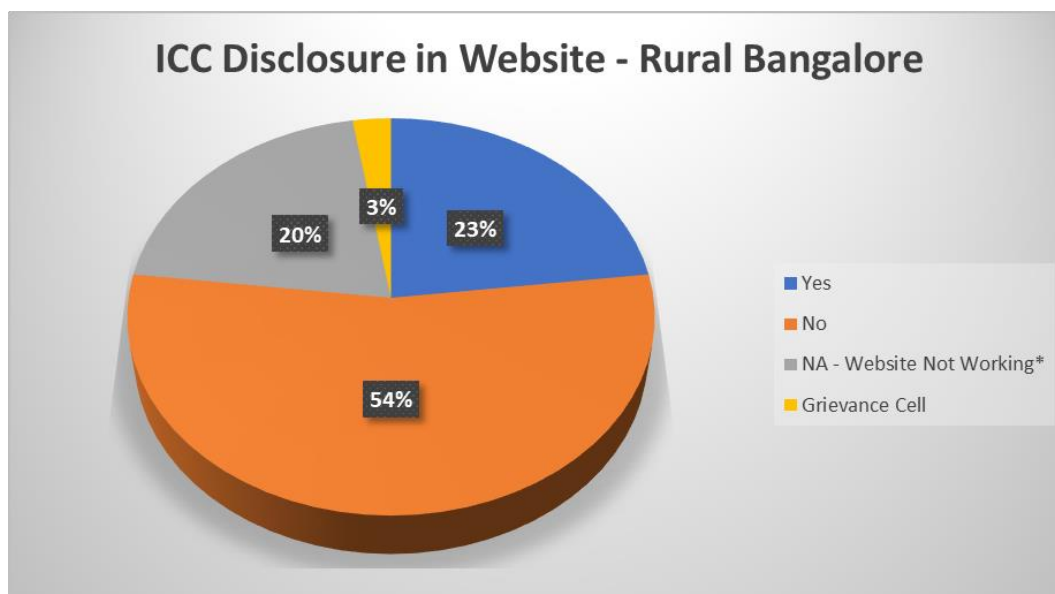


47 out of the 71 colleges, that is about 66% did not consider disclosing the details of the ICC Committee Members on their College website.

ICC Disclosure in Website - Urban	No. of Responses	Total Responses
Yes	13	71
No	47	71
NA - Website Not Working*	9	71
Grievance Cell	2	71
Total	71	

Table 1 Disclosure of ICC Members - Urban Bangalore

In Bangalore Rural, 23% [9 out of 39] of the colleges had ICC information published on their website. 20% had a non-working website URL given to the Ministry’s AICTE Know Your College Portal and 3% alternated the ICC with some grievance cell or portal. 21 out of the 39 colleges, that is about 54% did not consider disclosing the ICC Composition on their website.



ICC Disclosure in Website - Rural Blr	No. of Responses	Total Responses	%
Yes	9	39	23.07692
No	21	39	53.84615
NA - Website Not Working*	8	39	20.51282
Grievance Cell	1	39	2.564103
Total	39		

Table 2 Disclosure of ICC Members - Rural Bangalore

Extent of Disclosure of details of ICC on the College Web Portal

Out of the 13 colleges in Bangalore Urban and 9 colleges in Bangalore Rural which disclosed their ICC information, the completeness of the data was again lacking (See ICC Composition [2]). Some even had a male Presiding Officer marked and a common email id of the institution as contact. In none of the cases, student members were present in such disclosure.

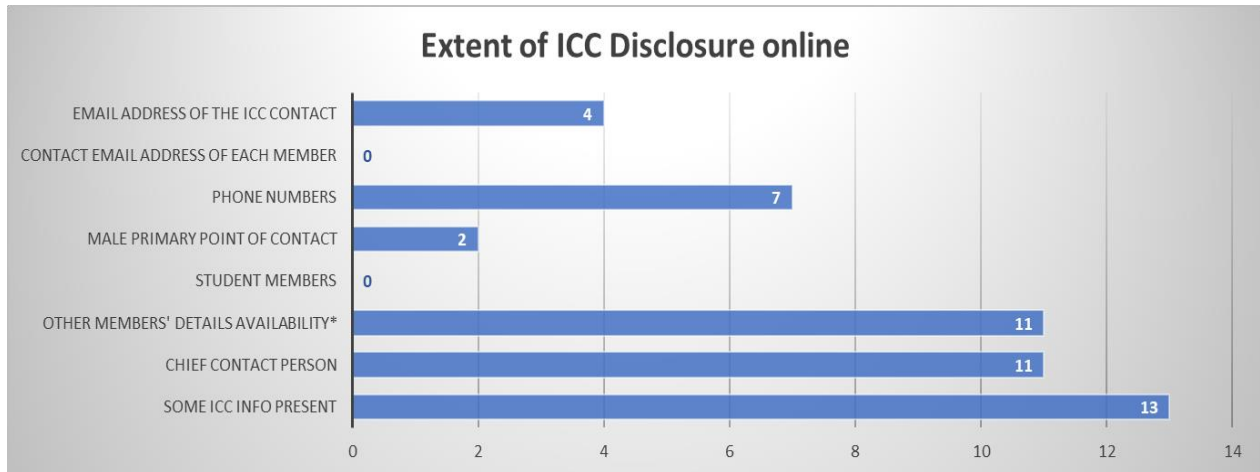


Table 3 Extent of ICC Disclosure - Bangalore Urban

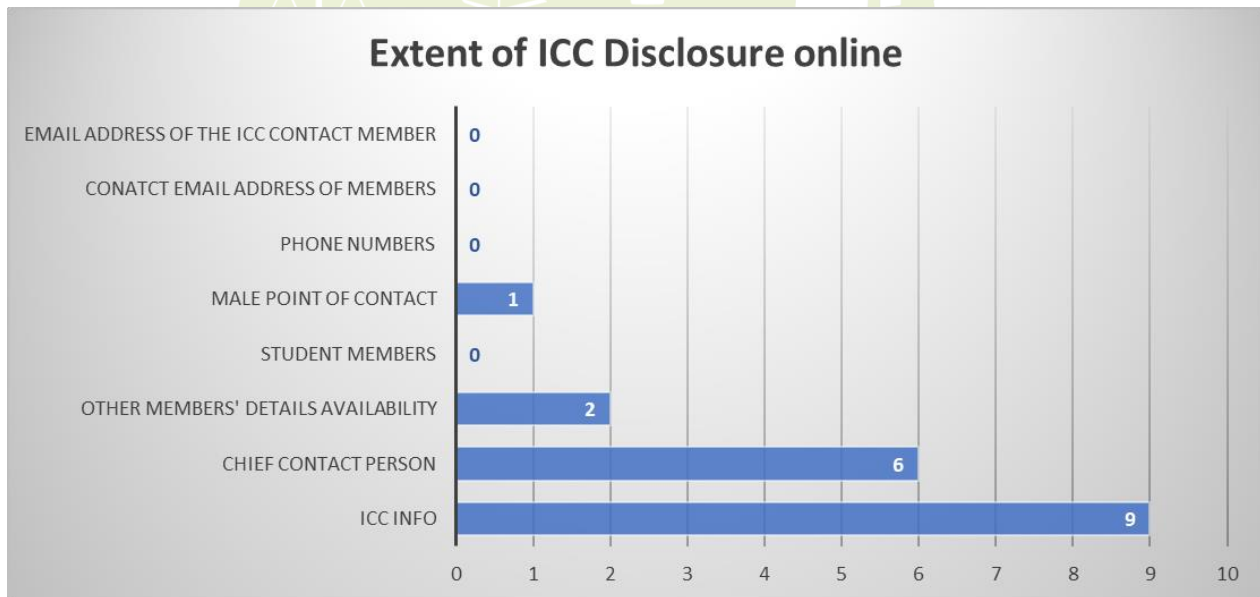


Table 4 Extent of ICC Disclosure - Bangalore Rural

Conclusion

To sum it up out of the 110 colleges surveyed, only 22 had some information about the ICC. The data was directly sent to the AICTE Chairman and the probable District Officers, DOs of Bengaluru Urban and Rural. After a year, a random survey was done to check the state of things once again on the same set of data. Though there was a good progress with regard to disclosure, it was found that, some top institutions still considered it unnecessary to disclose such mandatory ICC data. This shows the deep stereotypes associated with the matter, lack of commitment to women safety and so forth. Now, a more relevant question would be, "Would ensuring composition of ICC break the prejudices and lack of will strongly held by these Managements aka Institutions?" And with this question comes our suggestion to the Government to enforce strongly a digital cum offline, time-bound, serious and accountable grievance redressal portal. It must be noted that the complaints can go beyond and qualify for action under IPC [3] based on the graveness of the issues. Such matters must be considered and a clean and sincere design of such redressal system must be arrived at.

Some of the key features of such digital online portal (after reviewing **she-box, Telangana T She-Box and Cybercrime portal**) could be

1. it must include the registration of the ICCs and its management and upkeep, periodic reconstitution
2. it must include the registration of LCCs and its management and upkeep
3. Anonymous reporting by victim or others. Tracking of anonymous complaints.
4. Third party reporting - NGOs or a third person to report sexual harassment could make the process more accountable unlike in anonymous reporting (used in cybercrime portal).

5. In a time when there is easy and time-bound reporting possible to even have one's garbage cleared, it is sad that such matters of safety of women are ignored and not taken care of properly.
6. Display of ICC or LCC information on portal available to any public
7. Must be able to digitize offline complaints
8. Provision for handover to police department when situation requires
9. Clear and specific recording of complaints and responses as required by law and email dispatch of full proceedings to victim at every step.
10. Have sufficient and standard awareness material for all and training material for ICC
11. Incorporate Feedback from External ICC Member(s)
 - More awareness initiatives are required
 - a. Washrooms (men/women) could have such ICC related awareness considering the focus it will bring in that space
 - b. College brochures lack the information.
 - c. College/Institution Websites can make them explicit
 - d. Colleges could have some 'Prominent Marked Area' where they could display awareness information
 - ICC Members are many times not clear on possible action with regard to the specific cases
 - Not much guidance on procedures or knowledge on Nodal officers to report to
 - ICC Members do not have sufficient clarity to assess cases of harassment.

References

[1] https://en.wikipedia.org/wiki/Vishakha_and_others_v_State_of_Rajasthan

[2] Vishaka Guidelines mentioning Composition of Vishaka or ICC Committee,

https://www.iitg.ac.in/iitgicc/docs/Vishaka_Guidelines.pdf

<p>[3] India: Ministry of Women and Child Development: 2015</p>	<p>Handbook on Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 Page 19-20 available online at https://dst.gov.in/sites/default/files/2.%20Handbook%20on%20Sexual%20Harassment%20of%20Women%20at%20Workplace.pdf</p>
<p>[4] Suyambu, I; Rajesh, R; Vasandani,N; Dembla, M; Garg, D; Palsapure, M; Masood, S and Satish, N , 2019</p>	<p>ICC Disclosure Survey Data of AICTE Affiliated Colleges – Bangalore Rural available online at Link to Bangalore Rural Survey Data</p>
<p>[5] Suyambu, I; Rajesh, R; Vasandani,N; Dembla, M; Garg, D; Palsapure, M; Masood, S and Satish, N , 2019</p>	<p>ICC Disclosure Survey Data of AICTE Affiliated Colleges – Bangalore Urban available online at Link to Bangalore Urban Survey Data</p>



Footnotes

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