

Internal Complaints Committee (ICC)

Today, all workplaces in India are mandated by law to provide a safe and secure working environment free from sexual harassment for all women. In pursuance of UGC (Prevention, Prohibition and Redressal of sexual harassment of women employees and students in higher educational institutions) Regulations, 2015 read with Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and in partial modification by UGC, Internal Complaints Committee (ICC) is constituted to deal with complaints relating to sexual harassment at work place. Sexual harassment invades on the following two important rights provided by the Constitution of India:

- Right of a woman to gender equality under Article 14
- Woman's right to life and live with dignity under Article 21

The committee for managing gender issues has been set up as the **Internal Complaints Committee** at Shree Ramkrishna Institute of Computer Education And Applied Sciences. ICC is set up not only to deal with complaints of sexual harassment of women in the workplace but also to focus on creating awareness, counselling and educating about gender issues.

Composition/Members of ICC:

1. Dr. Toral Desai (Co-ordinator)
2. Dr. Smita Rajani (Teaching faculty)
3. Ms. Nidhi Vaniyawala (Teaching faculty)
4. Dr. Mina Chandarana (Nodal Officer Women for the U.T. of DNH &DD, Office of the District Child Protection Unit, DNH, Silvassa)
5. Ms. Apexa Desai (Non-teaching staff member)
6. Mr. Ankit Mahadik (Non-teaching staff member)

Objective:

- To prevent discrimination and sexual harassment, by promoting gender amity among students and employees
- To ensure the campus free from all kinds of gender inequality and to uphold the commitment of the institute to provide safe and secure environment free of gender based discrimination
- To curb the possibility of any kind of sexual harassment and abuse
- To ensure zero tolerance policy in the matter of sexual harassment and abuse
- To develop a policy against sexual harassment of girls/women at the institute
- To ensure the implementation of the policy and to recommend appropriate punitive action against the guilty party to the management
- To promote a social and psychological environment to raise awareness on sexual harassment in its various forms
- To address any complaints made by the students and staff members related to gender inequality or sexual harassment

Vision:

The vision of the Internal Complaints Committee (ICC) in a college is to foster a safe, respectful, and inclusive educational environment where all member of the college community (students, teaching faculties and non-teaching staff members) are empowered, protected, and treated with dignity. The ICC aims to create a campus culture that actively prevents sexual harassment, promotes gender equality, and ensures that all complaints are addressed promptly, fairly, and confidentially.

Plan of actions:

- Conduct awareness campaign and program regarding gender equality, sensitiveness, sexual harassment and abuse for newly admitted students
- Display of laws related with sexual harassment and abuse in the key places of the campus
- Gender Sensitisation, POSH (Prevention of Sexual Harassment) and Legal awareness programmes in collaboration with advocate/police
- Competitions and Panel discussions to promote a social, physical and psychological environment that will raise awareness about and deter acts of sexual harassment of women
- An arrangement will be made to counsel the affected girl student or female staff to get over from trauma

Procedures and guidelines for action planning:

- The members of the committee shall meet at least two times in a year or shall meet as often as may be needed and appropriate
- Meeting will be conducted at the earliest if any complain is received regarding any kind of sexual harassment or abuse
- Complainer is allowed to approach to any member of the committee via emails or telephone or through letter of complaint
- Complainer will get full support and cooperation from the committee
- An enquiry will be made by the members of the committee at the earliest after getting the complain
- A preliminary report of the incidents will be prepared and will be submitted at least within seven days of receiving complain to the members of the committee
- Entire enquiry of the incident will be completed within 90 days of the incident

Who and how can approach ICC for help? (Procedure for approaching committee)

- Any employee/ students of the college shall have right to lodge a complaint concerning sexual harassment
- An aggrieved person is required to submit a written complaint to the ICC within three months from the date of incident and in case of series of incidents within a period of three months from the date of last incident

- A written complaint may be address to the co-ordinator of the committee
- If the complaint is made to any of the committee members, they may forward it to the co-ordinator within two days
- The complaint box will be placed in the college where students can drop their grievances if any
- A complaint that shall be dropped in the box must bear the name and other details (roll number and course for students, department and designation for the employee) of the complaint for it to be consider by the committee
- The person who are unable to communicate or not willing to communicate in person can drop a mail
- Any complaint in writing shall be signed by the person making the complaint
- If the complaint is oral, the same shall be documented in writing in detailed by the committee member to whom the complaint is made and shall not be acted upon till signed by the complainant

Definition of Sexual Harassment

"Sexual harassment" includes any unwelcome sexually inclined behaviour, whether directly or indirectly, such as:

- Physical contact and advances
- Demand or request for sexual favours
- Sexually coloured remarks
- Showing any pornography
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

The following is also sexual harassment and is covered by the committee:

- Eve-teasing
- Unsavoury remarks
- Jokes causing or likely to cause awkwardness or embarrassment
- Innuendos and taunts
- Gender based insults or sexist remarks
- Unwelcome sexual overtone in any manner such as over telephone (obnoxious telephone calls) and the like
- Forcible physical touch or molestation and
- Physical confinement against one's will and any other act likely to violate one's privacy

Investigation procedure:

- All complaints made to any committee member or from complaint box must be received and recorded by the committee
- The co-ordinator of ICC calls a meeting of the committee
- The committee is bound to maintain **confidentiality** during the time of the enquiry

- During the enquiry procedure the complainant and the accused will be called separately so as to ensure freedom of expression and an atmosphere free intimidation
- The inquiry shall be completed within a period of 90 days from the date of the complaint
- The ICC shall provide a report of its finding to the Principal within a period of 10 days from the date of completion of the enquiry
- In the serious matter the Principal can call the meeting of ICC and addressed the problems immediately

Disciplinary mechanism:

If the person found guilty is a **student**, the punishment can include

- Warning
- Written apology
- Bond of good behaviour
- Restriction of access to places such as the library, hostels and other quarters, auditoriums, etc.
- Restrict transportation, scholarships, identity card and allowances
- Suspension or barring entry into the campus for a specific period of time
- Exclusion and removal of names from the rolls of the institution and even denial of readmission (rustication)
- If need be, mandatory counselling or community services

If the person found guilty is a **staff member**, the punishment can include:

- Written apology
- A warning
- Reprimand or censure
- Withholding of pay rise/increments/promotions
- Suspension /Termination from service
- Adverse remark in the confidential report
- Any other relevant actions

Action against frivolous complaint

- To ensure that the provisions of employees and students from sexual harassment do not get misused
- If the ICC concludes that the allegations made were false, malicious or the complaint was made knowing it to be untrue, or forged or misleading information has been provided during the inquiry, the complainant shall be liable to punishment
- However, the inability to substantiate a complaint or provide adequate proof will not attract attention against the complainant