

## **INTERNAL COMPLAINTS COMMITTEE**

### **1.1 Introduction**

The Internal Complaint Committee in Padmashri Dr. Vithalrao Vikhe Patil College of Engineering is constituted in May 2015 according to 'The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013'. Along with this Act, the ICC seeks to adhere to the spirit of

Vishakha guidelines preceding this legislation in order to address the issue of sexual harassment at workplace for ensuring gender equality. The ICC aims to look into the complaints of sexual harassment to generate awareness about the issue.

This committee was first constituted as a Women Grievances and Redressal committee on 13 April 2012. After that on 20 March 2013 it was reconstituted.

As per the guidelines given by Savitribai Phule Pune University, Pune new committee is formed under the name of Internal Complaint Committee on 8 May 2015.

This committee is for Prevention and Redressal of sexual Harassment of women at work place. It works for solving women's (women & girl students) grievances in case of any complaint received.

### **1.2 Objectives**

- Awareness of Internal Complaint Committee (ICC) through Website, Prospectus, Board in college campus.
- Awareness of Gender sensitivity in college campus.
- Conduction of Programs concerning women's welfare.
- Deal with the Cases of Gender Discrimination/Sexual Harassment

### **1.3 Definitions**

#### **Sexual Harassment**

It includes any one or more of the unwelcome acts of behavior, whether directly or by implication (sec. 2(n) of [1])

- Physical contact and advances
- A demand or request for sexual favours
- Making sexual colour remarks
- Showing pornography
- Any unwelcome physical, verbal or non-verbal conduct of sexual nature

The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment, may also amount to sexual harassment [sec. 3(2) of [1];

- Implied or explicit promise of preferential treatment in her employment

- Implied or explicit threat of detrimental treatment in her employment
- Implied or explicit threat of about her present or future employment status
- Humiliating treatment likely to affect her health and safety

### **Aggrieved woman [sec. 2(a)(i) of[1]]**

A woman of any age whether employed or not, who alleges to have been subjected any act of sexual harassment by the Respondent

### **Employee [sec. 2 (f) of[1]]**

A person employed at workplace for any work on regular, temporary, ad-hoc or daily wages basis either directly or through an agent, including a contractor, with or without the knowledge of the principal Employer, whether for remuneration or not or working on a voluntary basis or otherwise:

whether the terms of employment are expressed or implied, and also includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other name.

### **Respondent [sec. 2 (n) of [1]]**

A person against whom the aggrieved woman has made a complaint

## **2. Constitution of committee**

### **2.1 Guidelines for formation of Internal complaint committee**

- The Internal Complaint Committee shall have at least four members.
- The Presiding Officer of the Committee should be a woman employee working at a senior level at institute.
- At least 50% of the total members of the committee should be women.
- One member should be external (Outside from institute) (Either member of NGO, working for Child and women welfare)
- Committee members will change after three years.

### **2.2 Girl student representatives**

From each department Student representatives are selected. They will act as coordinators through which easily complaint can be received,

### **2.3 Responsibilities of departmental representatives,**

- At start of every academic year a meeting of all girl students and women faculty along with committee members is held. Amongst them girl students representatives will be selected.
- These representatives will help in conduction and organization of all ICC meetings and Programs
- These representatives can help in conveying the problems of girl students to the committee if any

### **3.. Action Plan against case of Gender Discrimination & Sexual Harassment.**

If any written complaint received then ICC will deal with. To deal with such cases following are the guidelines,

#### **3.1 How to lodge a complaint**

- May be lodged with any member of ICC in writing by the complainant.
- Under special circumstances Friend/ colleague/teacher/parent of complainant can make written complaint.
- Complaint may be addressed to Principal, HOD or Registrar should be forwarded to In charge of ICC.

#### **3.2 Immediate Action**

- Provide initial support and consultation to the aggrieved women or girl.
- Initially try to resolve dispute through informal discussion.
- If not then an enquiry committee shall be setup within next ten working days.
- During the enquiry Complainant or aggrieved women should be protected against respondent.
- Complaint may be referred to a lawyer, doctor and/or a counsellor, if necessary.

#### **3.3 Procedure for the enquiry**

- Can follow its own procedure.
- It shall interview the complainant, the respondent and other related to the case and investigate relevant documents that may be referred to committee that consult a lawyer, doctor and or counsellor.
- Committee shall submit its report to the head of institute within four weeks of its appointment.

#### **3.4 Procedure for Redressal**

- If there is a prima facie case against the respondent, the ICC may recommend immediate suspension till the person is proved innocent or the issue is settled.
- Efforts must be made to resolve the dispute through counseling and mediation.
- In case the respondent is found guilty, the ICC may recommend appropriate punitive action be undertaken by the head of the institute.
- Whenever appropriate, the ICC will refer the Complainant to a lawyer to lodge a complaint with concerned police station. The complainant shall then keep the ICC informed about progress with the complaint.
- The aggrieved woman of sexual harassment should have the option to seek transfer

The committee may submit its report to the head of the institute within eight weeks after the date of receipt of the complaint. In case the inquiry has to extend beyond this period, the Convener of the committee shall give the reasons for the delay in writing.

### **3.5 Punitive Action**

An employee guilty of sexual harassment shall be liable to give a written apology to the complainant with the police in respect of any act amounting to an offence under the law, aggrieved woman and any of the following punitive actions

- Suitable warning.
- Withholding of increments.
- Reduction to lower service, grade or post.
- Compulsory retirement.
- Removal from service, or
- Dismissal from service.

A student guilty of sexual harassment shall be liable to give a written apology to the complainant and may face any of the following punitive actions:

- Suitable warning.
- Withholding/withdrawing scholarship/fellowship and other benefits.
- Suspension/expulsion from the hostel.
- Rustication from the Institute for a period up to a certain period or
- Expulsion from the Institute