



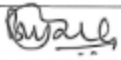


D.Y. PATIL EDUCATION SOCIETY
(DEEMED TO BE UNIVERSITY) KOLHAPUR
Re-accredited by NAAC with "A" Grade

STANDARD OPERATING PROCEDURE (SOP)

INTERNAL COMPLAINTS COMMITTEE (ICC)



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D. Y. Patil Education Society (Deemed to be University), Kolhapur

Standard Operating Procedure for

Internal Complaints Committee

Overview

Gender equity including protection from sexual harassment and right to work with dignity is universally recognized basic human rights. Eradication of social evils has been the principal aim of constitution of India. In 2013, the Government of India notified the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act. Article 15 of the India prohibits discrimination on grounds of religion, caste, race, sex or place of birth.

In pursuance of guidelines issued by Supreme Court, UGC and as per the provisions of the Sexual Harassment of Women at Workplace act, 2013, the University has developed a policy to ensure zero tolerance towards sexual harassment of women at workplace and to provide safe and healthy working atmosphere. And for the same, the University has constituted Internal Complaint Committee.

By this policy, any act amounting to sexual harassment is strictly prohibited and anyone indulging in such act will be punished.

Objectives of ICC:

1. To sensitize all employees and students about what constitutes sexual harassment, the ways to prevent occurrence of such events.
2. To absolutely prohibit and prevent sexual harassment at workplace
3. To create awareness about gender discrimination and rights of women.

4. To provide guidelines for the redressal of grievances related to sexual harassment of female students, teaching and non-teaching women staff of the university.
5. To analyze the complaints received with the help of evidence and existing laws and to recommend appropriate punitive action against the guilty to the University for implementation.
6. To keep records of minutes and grievances received.

Activities

1. Quarterly meetings to be conducted.
2. Display of committee members with contact numbers at prominent places on the campus.
3. Spreading awareness of ICC policy in Orientation programme at the beginning of each academic year and organization of different activities for gender sensitization throughout the year.
4. Annual report to be submitted to the university.

What is sexual harassment?

Sexual harassment includes unwelcome sexually determined behavior directly or indirectly by implications such as:

physical contact, a demand or request for sexual favors, sexually colored remarks showing pornography, Eve-teasing, jokes causing embarrassment, gender-based insults, unwelcome sexual overtone on phone, forcible physical touch or molestation.

Preferential treatment in employment, threat of detrimental treatment in employment, interference with work or creating offensive environment, humiliating treatment likely to affect lady employee's health or safety could also amount to sexual harassment.

Complainant - A person subjected to sexual harassment

Respondent - A person against whom receiving the complaint.

How to lodge a complaint?

A woman who feels harassed, discriminated may lodge a complaint in writing / by e- mail disclosing her name, department, date, time and location of assault along with all evidences within three months of the last alleged incident addressed to the chairman, secretary or any member of the committee.

If complainant is unable to file complaint, her legal heirs, parents, spouse, children, siblings or persons whom she trust can file a complaint.

Upon receiving the complaint, a meeting of ICC will be called immediately.

A complaint will be acknowledged.

Committee will meet and talk to a complainant within a week and will intimate about informal or formal options for Redressal. For conducting enquiry, minimum three members of ICC including chairperson shall be present.

Redressal Mechanism:

Informal – Counselling, Educating, Orienting or Warning the respondent to promptly stop the unwelcome behavior. A report of settlement to be submitted to the higher authorities and copy to be given to aggrieved woman and respondent.

Formal – Within seven days of receiving a complaint, ICC will inform the respondent in writing that a complaint has been received. The respondent should respond within a week from date of receipt of notice along with the list of documents and names of witness.

A file will be prepared with all relevant documents.

ICC will conduct inquiry of complainant and respondent and any other witness separately to determine whether alleged conduct has occurred.

If required, they may call alleged and respondent together.

The enquiry proceedings shall be minuted, and/or video/audio recorded, saved and maintained for records.

Committee will review the information gathered and their factual relevance to each aspect of the complaint. The committee will complete the process of inquiry within 20 days from the date of commencement of enquiry. Based on findings, ICC will prepare a report and submit to the University within 7 days from the date of completion of inquiry recommending with / without punitive/ disciplinary actions against accused.

If respondent / complainant fails to present in front of ICC, a committee shall terminate inquiry proceeding or give an ex parte decision on the complaint.

The punitive action will depend on the following factors:

- a) the severity, frequency and pervasiveness of the conduct; b) prior complaints made by the complainant; c) prior complaints against respondent; d) quality of evidence
- b) Committee can recommend –
 - i) Transfer of aggrieved woman or respondent to any other workplace.
 - ii) Granting leave up to three months in addition to her entitled leaves to a woman.
 - iii) Removal / barring respondent from reporting on work performance of woman / writing her confidential report.
 - iv) Disciplinary action including written apology, warning, withholding of promotion/ increment, termination from service, deduction of compensation payable to woman from wages of respondent.

Upon receipt of the Inquiry report, the university shall give final decision and it will be obligatory to all. Right to appeal is for both complainant and respondent in case, not satisfied with the recommendations/ findings of the ICC.

Confidentiality – To protect the interests of the victim and the accused person, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

In case of malicious complaints, action shall be taken against aggrieved woman or witness who has given false evidence / misleading documents.