



## **INTERNAL COMPLAINTS COMMITTEE (ICC)**

### **POLICY DOCUMENT**

**SULLAMUSSALAM SCIENCE COLLEGE, AREEKODE  
(AFFILIATED TO THE UNIVERSITY OF CALICUT)**

**KERALA**

**INDIA**

The Supreme Court of India, in a landmark judgment on 13 August 1997 (Vishaka & others vs. the State of Rajasthan & others), stated that every instance of sexual harassment is a violation of Fundamental Rights under Articles 14, 15, and 21 of the Constitution of India and amounts to a violation of the Right to Freedom under Article 19 (1)(g). A second Supreme Court judgment on 20 January 1999 (Apparel Export Promotion Council vs. A.K. Chopra) stated that sexually harassing behavior needs to be eliminated, as there is no compromise on such violations. The Supreme Court further reiterated that sexual harassment is a violation of the fundamental right to gender equality and the right to life and liberty. These judgments were followed by the Sexual Harassment of Women at the Workplace (Prevention, Prohibition, and Redressal) Bill, which was passed by the LokSabha in September 2012 and became the Sexual Harassment of Women at the Workplace (Prevention, Prohibition, and Redressal) Act, which came into force in 2013 (henceforth referred to as the “2013 Act”). In 2015, the University Grants Commission promulgated the University Grants Commission (Prevention, Prohibition, and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations (henceforth referred to as the 2015 “UGC Regulations”), in pursuance of the 2013 Act.

## **AIMS OF INTERNAL COMPLAINTS COMMITTEE**

The Internal Complaints Committee (ICC) is an integral part of an educational institution where both male and female stakeholders are involved. The ICC of Sullamussalam Science College takes care of the complaints resulting from sexual harassment in the workplace. The female student/employee experiencing sexual harassment inside the college campus, including the hostel, may approach the committee with her complaint. The committee will take up the issue without any delay and bring it to the notice of the head of the institution. Remedial and punitive measures to be undertaken will be suggested by the committee.

It is expected that all students, faculty, and staff, as well as part-time and contractual workers, will treat one another and visitors to the college with respect. All members of the college community, including those who are in temporary or short-term positions, as well as visitors on campus, are subject to this policy. Anyone violating this policy is subject to disciplinary action.

## **COMPOSITION OF INTERNAL COMPLAINTS COMMITTEE**

The Internal Complaints Committee (ICC) of Sullamussalam Science College shall be constituted in accordance with the UGC Regulations. The Committee shall comprise the following members:

1. Presiding officer not below the rank of an associate professor.
2. Two faculty members dedicated to the cause of women.
3. Two non-teaching employees.
4. Three students, if the matter involves students.
5. External/NGO Member

The term of the office of the members of the ICC shall be a period of three years.

## **OBJECTIVES**

The objectives of the Internal Complaints Committee Policy of Sullamussalam Science College are

- To prevent, prohibit, and address incidents of sexual harassment within the college.
- To sensitize students, faculty, and staff about gender equality and workplace safety.
- To ensure a confidential, fair, and unbiased grievance redressal process.
- To promote a supportive and inclusive learning environment for all.
- To provide safe working conditions for the staff and to provide a safe academic environment for students.
- To achieve gender equity and empower the women students and staff.
- To conduct awareness programs for students and staff on gender equity, women's health, safety & security, and sexual harassment.
- To publicize the rules and regulations about the constitution of the committee
- To Display the names & phone numbers of the committee members who can be contacted to lodge a complaint
- To look into various complaints lodged by the staff and the students
- To address the complaints and find the solutions to them.
- To recommend follow-up action & monitor the concerned authorities

- To provide appropriate emotional & psychological support to the victims in the form of counseling to ensure security to the victims.

## **RESPONSIBILITIES OF THE ICC**

- The Internal Complaints Committee shall provide assistance if an employee or a student chooses to file a complaint with the police.
- Provide mechanisms of dispute, redressal, and dialogue to anticipate and address issues through just and fair conciliation without undermining the complainant's rights, and minimize the need for purely punitive approaches that lead to further resentment, alienation, or violence.
- Protect the safety of the complainant by not divulging the person's identity, and provide the mandatory relief by way of sanctioned Leave or relaxation of attendance requirement or transfer to another department or supervisor as required during the pendency of the complaint or also provide for the transfer of the offender.
- Ensure that victims or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.
- Ensure prohibition of retaliation or adverse action against a covered individual because the employee or the student is engaged in protected activity.

## **FUNCTIONING OF ICC**

The ICC organizes training programs and workshops for teaching and non-teaching faculty and students on measures for ensuring the safety of women and programs for gender sensitization on the campus. This is done in association with the Women's Cell, though the latter remains autonomous of the functioning of the ICC. Committing itself to a zero-tolerance policy towards sexual harassment, the ICC makes all sections of the institutional community aware of the information on the mechanism for redressal of complaints pertaining to sexual harassment. The ICC is committed to moving proactively to curb all forms of harassment of employees and students, whether it is from those within the campus or from elements outside of the geographical limits of the college. The ICC is granted responsible freedom to bring those guilty of sexual harassment against employees and students to initiate all proceedings as required by law.

## **THE PROCESS FOR MAKING A COMPLAINT AND CONDUCTING AN INQUIRY**

The ICC shall comply with the procedure prescribed in these Regulations and the Act for making a complaint and inquire into the complaint in a time-bound manner. The higher education institution shall provide all necessary facilities to the ICC to conduct the inquiry expeditiously and with required privacy.

### **THE PROCESS OF MAKING A COMPLAINT OF SEXUAL HARASSMENT**

An aggrieved person is required to submit a written complaint to the ICC within 3 months from the date of the incident and, in the case of a series of incidents, within a period of 3 months from the date of the last incident.

Provided that where such a complaint cannot be made in writing, the Presiding Officer or any member of the Internal Committee shall render all reasonable assistance to the person for making the complaint in writing.

Provided further that the ICC may, for the reasons to be accorded in the writing, extend the time limit not exceeding 3 months if it is satisfied that the circumstances were such that they prevented the person from filing a complaint within the said period.

Friends, relatives, colleagues, Co-students, psychologists, or any other associate of the victim may file the complaint in situations where the aggrieved person is unable to make a complaint on account of physical or mental incapacity or death.

### **PROCESS OF CONDUCTING INQUIRY**

The ICC shall, upon receipt of the complaint, send one copy of the complaint to the respondent within a period of 7 days of such receipt. Upon receipt of the copy of the complaint, the respondent shall file his or her reply to the complaint along with the list of documents and names and addresses of witnesses within a period of 10 days.

The inquiry has to be completed within a period of 90 days from the receipt of the complaint. The enquiry report with recommendations, if any, has to be submitted within 10 days from the completion of the inquiry to the executive

authority of the HEI. A copy of the findings or recommendations shall also be served on both parties to the complaint.

The executive authority of the HEI shall act on the recommendations of the committee within a period of 30 days from the receipt of the inquiry report, unless an appeal against the findings is filed within that time by either party. An appeal against the findings or recommendations of the ICC may be filed by either party before the executive authority of the HEI within a period of 30 days from the date of the recommendations.

If the executive authority of the HEI decides not to act as per the recommendations of the ICC, then it shall record written reasons for the same to be conveyed to the ICC and both the parties in the proceedings. If, on the other hand, it is decided to act as per the recommendations of the ICC, then a show cause notice answerable within 10 days shall be served on the party against whom the action is decided to be taken. The executive authority of the HEI shall proceed only after considering the reply or hearing the aggrieved person.

The aggrieved party may seek conciliation in order to settle the matter. No monetary settlement should be made as a basis of conciliation. The HEI shall facilitate a conciliation process through the ICC as the case may be, once it is sought. The resolution of the conflict to the full satisfaction of the aggrieved party, wherever possible, is preferred over purely punitive intervention.

The identities of the aggrieved party or victim or the witness of the offender shall not be made public or kept in the public domain, especially during the process of the inquiry.

## **PUNISHMENT AND COMPENSATION**

Anyone found guilty of sexual harassment shall be punished in accordance with the service rules if the offender is an employee.

Where the respondent is a student, depending upon the severity of the offense, the ICC may recommend

1. Withholding privileges such as access to the library, scholarships, allowances, ID cards, etc.
2. Suspending or restricting entry into the campus for a specific period.

3. Expelling from the rolls of the college and denying readmission, if the offense so warrants.
4. Awarding reformative punishments like mandatory counselling and/or performing community services.

The aggrieved person is entitled to the payment of compensation. The college shall issue direction for payment of compensation recommended by the ICC and accepted by the Executive Authority, which shall be recovered from the offender.

### **ACTION AGAINST FRIVOLOUS COMPLAINT OR DEPOSITION**

The ICC and the Executive Authority will ensure that the provisions for the protection of employees and students from sexual harassment will not get misused. During the gender sensitization sessions, the ICC will specify that false or malicious complaints will face punishment. Any allegation made, found false or malicious, or complaint or witness statement made for either party during the inquiry knowing it to be untrue, forged, or misleading information will face penalties.