



UNIVERSITY
GWALIOR • MP • INDIA

" CELEBRATING DREAMS "

Guidelines for Internal Complaints Committee (ICC)

1. Preamble

With regard to the Supreme Court Judgment and guidelines issued in 2013 to provide for the effective enforcement of the basic human right of gender equality and guarantee against sexual harassment and abuse, more particularly against sexual harassment at work places, the University Grants Commission (UGC) has issued circulars on 12/07/2016 regarding Prevention, prohibition and redressed of sexual harassment of women employees and students in higher educational institutions. (Published in the Gazette of India dated 2nd, May, 2016), to all the universities, advising them to establish a permanent cell and a committee and to develop guidelines to combat sexual harassment, violence against women and ragging at the universities and colleges. It has further advised the universities to be proactive by developing a conducive atmosphere on the campus, where the status of woman is respected and they are treated with. Keeping the above guidelines in view Institute has constituted a Committee against Sexual Harassment since 2016.

2. Objectives

The objective of these Guidelines stems from the gender policy which aims to provide protection against sexual harassment of people at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith.

- Prevent discrimination and sexual harassment against women, by promoting gender amity among students and employees;
- Make recommendations to the Dean/HOD for changes/ elaborations in the Rules for students in the Prospectus and the Bye-Laws, to make them gender just and to lay down procedures for the prohibition, resolution, settlement and prosecution of acts of discrimination and sexual harassment against women, by the students and the employees;
- Deal with cases of discrimination and sexual harassment against women, in a time bound manner, aiming at ensuring support services to the victimized and termination of the harassment;
- Recommend appropriate punitive action against the guilty party to the Vice Chancellor.



UNIVERSITY
GWALIOR • MP • INDIA

“ CELEBRATING DREAMS ”

3. Definition of Sexual Harassment

“Sexual harassment” means

(i) “ An unwanted conduct with sexual undertones if it occurs or which is persistent and which demeans, humiliates or creates a hostile and intimidating environment or is calculated to induce submission by actual or threatened adverse consequences and includes any one or more or all of the following unwelcome acts or behaviour (whether directly or by implication), namely;-

- (a) Any unwelcome physical, verbal or nonverbal conduct of sexual nature;
- (b) Demand or request for sexual favours;
- (c) Making sexually coloured remarks
- (d) Physical contact and advances; or
- (e) Showing pornography”

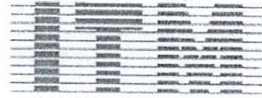
(ii) any one (or more than one or all) of the following circumstances, if it occurs or is present in relation or connected with any behaviour that has explicit or implicit sexual undertones-

- (a) implied or explicit promise of preferential treatment as quid pro quo for sexual favours;
- (b) implied or explicit threat of detrimental treatment in the conduct of work;
- (c) implied or explicit threat about the present or future status of the person concerned;
- (d) creating an intimidating offensive or hostile learning environment;
- (e) humiliating treatment likely to affect the health, safety dignity or physical integrity of the person concerned;

4. Who can Approach ICC for Help?

Any aggrieved woman, of any age belonging to ITM University, Gwalior.

- The complainant
- In case of physical incapacity by
 - Complainant’s friend



UNIVERSITY
GWALIOR • MP • INDIA

" CELEBRATING DREAMS "

-
- Complainant's relative/ Guardian
 - Co worker
 - Any other person who has the knowledge of the incident with the consent of the complainant.

5. When Can The Complainant Complain?

The submission of complaint to the internal complaints committee (ICC) need to be within 1 months of the last incident of alleged act of sexual harassment.

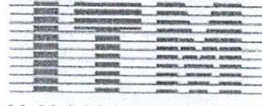
6. Where Can The Complainant Complain?

To Head of the Department / Dean / Internal complaints committee (ICC) / Pro-Vice Chancellor / Vice Chancellor

7. Responsibilities Of Internal Complaints Committee (ICC)

The Internal Complaints Committee shall:

- a) Provide assistance if an employee or a student chooses to file a complaint with the police.
- b) Provide mechanisms of dispute redressal and dialogue to anticipate and address issues through just and fair conciliation without undermining complainant's rights, and minimize the need for purely punitive approaches that lead to further resentment, alienation or violence;
- c) 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;
- d) Ensure that victims or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment; and
- e) Ensure prohibition of retaliation or adverse action against a covered individual because the employee or the student is engaged in protected activity.



UNIVERSITY
GWALIOR • MP • INDIA

" CELEBRATING DREAMS "

8. Internal Complain Redressal Mechanism

(1) Every Executive Authority shall constitute an Internal Complaints Committee (ICC) with an inbuilt mechanism for gender sensitization against sexual harassment. The ICC shall have the following composition:-

- a) A Presiding Officer who shall be a woman faculty member employed at a senior level (not below a Professor in case of a university, Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the workplace referred to in subsection 2(o); Provided further that in case the other offices or administrative units of the workplace do not have a senior level woman employee, the Presiding Officer shall be nominated from any other workplace of the same employer or other department or organization;”
- b) Two faculty members and two non-teaching employees, preferably committed to the cause of women or who have had experience in social work or have legal knowledge, nominated by the Executive Authority;
- c) Three students, if the matter involves students, who shall be enrolled at the undergraduate, master’s, and research scholar levels respectively, elected through transparent democratic procedure;
- d) One member from amongst non-government organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment, nominated by the Executive Authority.

(2) At least one-half of the total members of the ICC shall be women.

(3) Persons in senior administrative positions in the HEI, such as Vice- Chancellor, Pro Vice-Chancellors, Rectors, Registrar, Deans, Heads of Departments, etc., shall not be members of ICCs in order to ensure autonomy of their functioning.

(4) The Member appointed from amongst the non-governmental organizations or associations shall be paid such fees or allowances for holding the proceedings of the Internal Committee, by the Executive Authority as may be prescribed.

(5) Where the Presiding Officer or any member of the Internal Committee:

- a) Contravenes the provisions of section 16 of the Act; or



UNIVERSITY
GWALIOR • MP • INDIA

"CELEBRATING DREAMS"

-
- b) has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him/her; or
 - c) has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him/her; or
 - d) has so abused his/her position as to render his continuance in office prejudicial to the public interest, such Presiding Officer or Member, as the case may be, shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provisions of this section."

9. Procedure For Approaching Committee

The Committee deals with issues relating to sexual harassment at the ICC ,ITM University, It is applicable to all students, staff and faculty. A complaint of discrimination or sexual harassment may be lodged by the victim or a third party. A written complaint may be addressed to the Convener of the Committee. If the complaint is made to the Committee members, they may forward it to the Convener of the Committee Against Sexual Harassment Here it should be noted that according to the Supreme Court guideline Sexual harassment can be defined as "unwelcome" sexually determined behaviour (whether directly or by implication) as

- Physical contact and advances;
- Demand or request for sexual favours;
- Sexually coloured remarks;
- Showing pornography; and
- Other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

10. 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,



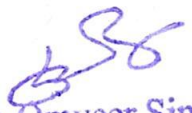
UNIVERSITY
GWALIOR • MP • INDIA

" CELEBRATING DREAMS "

- Gender based insults or sexist remarks,
- Unwelcome sexual overtone in any manner such as over telephone (obnoxious telephone calls) and the like,
- Touching or brushing against any part of the body and the like,
- Displaying pornographic or other offensive or derogatory pictures, cartoons, pamphlets or sayings,
- Forcible physical touch or molestation and,
- Physical confinement against one's will and any other act likely to violate one's privacy

11. Duration of Redress Process Of ICC

Submission of Complaint	Within 1 months of the last incident
Notice to the Respondent	Within 5 days of receiving copy of the complaint
Completion of Inquiry	Within 30 days
Submission of Report by ICC	Within 5 days of completion of the inquiry
Implementation of Recommendations	Within 10 days
Appeal	Within 10 days from the date of recommendations


Dr. Omveer Singh
REGISTRAR .
ITM University
Gwalior (M.P.)