

INTERNAL COMPLAINT COMMITTEE (ICC)

SATHYABAMA INSTITUTE OF SCIENCE AND TECHNOLOGY is committed to provide safe academic and working environment to all girl students and its women employees. As per the guidelines of Supreme Court, UGC, Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013, an Internal Complaint Committee (Anti-Sexual Harassment Cell) has been established by the University on 5th August, 2016.

1. ANTI SEXUAL HARASSMENT POLICY

As per the guidelines of UGC, NAAC and the Supreme Court an Anti Sexual Harassment Cell has been established by Sathyabama University to provide a healthy and congenial atmosphere to the staff and students of the College.

Definition of Sexual Harassment: The behavior characterized by the making of unwelcome and inappropriate sexual remarks or physical advances in a workplace or other professional or social situation.

The cell was constituted to meet the three core principles in preventing and protecting any sort of sexual harassment may occur in the institution:

- The functioning of the committee should be in accordance with the guidelines of the policy
- The main aim of the committee is to prevent and protect employees against sexual harassment
- Ensuring safe and healthy work environment in the institution

The Policy also endeavors to set expectations regarding workplace behaviour and provide with a framework for reporting concerns. A victim of sexual harassment can be a man or a woman. The victim can be of the same sex as the harasser. The harasser can be a supervisor, co-worker, other Department employee, or a non-employee who has a business relationship with the Department.

1.1. ACTS THOSE SHALL COME UNDER SEXUAL HARASSMENT:

Sexual Harassment means an unwanted conduct with sexual undertones if it occurs or which is persistent and which demeans, humiliates or creates a hostile an intimidating environment or intent to induce submission by actual or threatened adverse consequences and includes any one or more or all of the following unwelcome acts or behavior (whether directly or by implication). The acts include;

- Demand or request of sexual favours
- Making sexually coloured remarks
- Physical Contact & advances
- Showing pornography
- Any unwelcome physical, verbal or non verbal conduct of sexual nature

Unwelcome actions such as the following are inappropriate and, depending on the circumstances, may in and of themselves meet the definition of sexual harassment or contribute to a hostile work environment:

- Sexual pranks, or repeated sexual teasing, jokes, or innuendo, in person or via e-mail or sms or by any electronic means
- Verbal abuse of a sexual nature
- Touching or grabbing of a sexual nature
- Repeatedly standing too close to or brushing up against a person
- Repeatedly asking a person to socialize during off-duty hours when the person has said no or has indicated he or she is not interested (supervisors or people in administrative positions in particular should be careful not to pressure their employees to socialize)
- Giving gifts or leaving objects that are sexually suggestive
- Repeatedly making sexually suggestive gestures
- Making or posting sexually demeaning or offensive pictures, cartoons or other materials in the workplace
- Off-duty, unwelcome conducts of a sexual nature that affects the work environment.

1.2. CONSTITUTION OF THE INTERNAL COMMITTEE

The Committee shall consist of six members, who shall be appointed by the Head of the Institution as under, namely:

1. A senior female Faculty member from the Institution as the Chair person
2. Two Faculty members (Atleast one member should be female)
3. Two Students (Girls- preferably one dayscholar and one hostel inmate)
4. One External female member (preferably lawyer by profession or from NGO committed to the cause of women or familiar with issues related to sexual harassment)

DURATION:

The term of each member shall be of three years

The previous committee members will continue till the new committee is constituted at the end of three years term

DISQUALIFICATION:

No person shall be appointed or continue to be a member of the Committee, if he/she is

1. Declared insolvent by the competent Court;
2. Lunatic or a person of unsound mind;
3. Convicted for an offence involving moral turpitude;
4. Involved in a misconduct amounting to immoral trafficking;
5. Convicted in any criminal offence/s;
6. Facing any inquiry relating to sexual harassment or found guilty of sexual harassment; punished for any misbehaviour or misconduct.
7. If he or she is proven as partial or biased in any circumstances of investigation/report , while working as the member in the committee

2. OBJECTIVES OF INTERNAL COMPLAINT COMMITTEE:

The objectives of the Internal Complaint Committee to Prevent Sexual Harassment at the Workplace are as follows:

- To facilitate a secure physical and social environment in order to deter any act of sexual Harassment

- To uphold the commitment of the Institution and to contribute in creating an environment free of sexual harassment and gender-based discrimination
- To promote a social and psychological environment to raise awareness on sexual harassment in its various forms

3. POWER AND DUTIES OF THE COMMITTEE:

The committee is NOT to act as a moral police; neither will it intrude on anyone's privacy. The role of the Committee is to create awareness about sexual harassment and to recommend probable punishment for non-consensual acts of sexual harassment, and not to curtail sexual expression within the campus.

Members are expected to be sensitive to the issue and not let personal biases and prejudices (whether based on gender, caste, class) and stereotypes (e.g., predetermined notions of how a "victim" or "accused" should dress up or behave) affect their functioning as members of the committee. The duties of the member of the committee include:

A. GENERAL

1. Receive and redress complaints received from any member of the College (including students, research scholars, staff, hostel residents and outsiders on College premises) alleging sexual harassment by another member(s) of the College.
2. Ensure that all information pertaining either to complaints registered and the proceedings and findings of any inquiries and/or investigations are kept strictly confidential.
3. Conduct formal inquiry and investigate and take decisions upon each complaint and recommend appropriate punishment or action to be taken, by the appropriate authority, in each instance.
4. Organize awareness programmes and campaigns for the benefit of all members of the College on sexual harassment and gender based discrimination.

B. PREVENTIVE

1. To create and ensure a safe environment that is free of sexual harassment, including safety from persons/visitors coming into contact at the workplace
2. To spread the information about the existence and functioning of the committee

C. GENDER SENSITIZATION

Gender Sensitization involves creating awareness about issues of gender, sexuality and working towards creating an enabling environment of gender justice, where all can work together with a sense of personal security and dignity.

Sensitization and Awareness will be a basic function of the Committee formed. The following is a list of methods in which awareness and sensitization of students, staff and faculty will be conducted:

1. Seminars/workshops/events, discussion forums where gender sensitization and gender awareness will be the focus
2. Spreading awareness of the policy and implementation of the same through informal sessions, performances, cultural events, etc.

D. REMEDIAL

1. To recommend disciplinary action for any complaint registered with the Committee after the INQUIRY to the concerned authorities
2. To recommend Institution authorities to provide assistance to the complainant if the victim chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time-being in force
3. To recommend the Institution authorities to provide the medical intervention with the consent of the complainant or even without consent in such cases, where the complainant is physically or mentally incapacitated to give the consent
4. To inform the administration to offer for appropriate psychological, emotional, and physical support (in the form of counselling, security and other assistance) to the victim

4. MEETINGS OF THE COMMITTEE:

The Chairperson shall preside over the meeting. In the absence of the Chairperson, the second senior female Faculty member shall preside over the meeting. The Chairperson may upon the request of not less than one third of the total members of the Committee, call a meeting on a date not later than week days after the receipt of such requisition.

1. The quorum of the meeting of the Committee shall be five of its members. If the quorum is not complete in any meeting, it shall be adjourned for half an hour and thereafter, the meeting shall precede with those members who are present in the meeting.
2. All decisions in the meeting will be taken through mutual consent from the members of the Committee present in the meeting. In the case of any disagreement among the members regarding any decision, Chairperson of the Committee shall hold the authority to take the final decision and her decision would be considered as final.

5. PROCEDURE TO BE FOLLOWED BY THE COMMITTEE

- The Committee shall meet as and when any complaint is received. The Committee may direct the complainant to prepare and submit a detailed statement of incidents if the written complaint lacks exactness and required particulars, within a period of two (2) days from such direction or time period that the Committee may decide.
- The Committee shall direct the accused employee(s) to prepare and submit a written response to the complaint / allegations within a period of two (2) days from such direction or such other time period as the Committee may decide.
- Each party shall be provided with a copy of the written statement(s) submitted by the other.
- The Committee shall conduct the proceedings in accordance with the principles of natural justice. It shall allow both parties reasonable opportunity of presenting their case. However, should the accused choose not to participate in the proceedings, the Committee shall continue ex-parte.
- The Committee shall allow both parties to produce relevant documents and witnesses to support their case. Documents produced by either party shall be affixed with that party's signature to certify the document as original / true copy.
- The party against whom the document / witness is produced shall be entitled to challenge / cross-examine the same.
- The Committee shall meet to record and consider the evidence produced by both parties.

- As far as practicable, all proceedings of the Committee shall take place in the presence of both parties.
- The Committee shall make all endeavors to complete its proceedings within a period of week (7) days from the date of receipt of complaint. In case of any unforeseen / unavoidable delay in the completion of proceedings , the committee shall mention the reasons for such delay in the report
- Minutes of all proceedings of the Committee shall be prepared and duly signed by the members of the Committee.
- The Committee shall record its findings in writing supported with reasons and shall forward the same with its recommendations, to the Head of the institution, within a period of five (5) days from completion of the proceedings before it. In case the Committee finds that the facts disclose the commission of a criminal offence by the accused person, this shall be specifically mentioned in the Committee's report.
- If, in the course of the proceedings before it, the Committee is satisfied that a prima facie case of sexual harassment is made out against the accused employee(s)/student and that there is any chance of the recurrence of any such action, or that it is required to do so in the interests of justice, it may, on the request of the complainant or otherwise, disciplinary action could be initiated as mentioned in the Point No.9 of this document.
- If, in the course of the proceedings before it, the Committee is satisfied that any person has retaliated against / victimized the complainant or any person or member of the committee or a person assisting the complainant/witness as a result of the complaint having been made or such assistance having been offered, the Committee shall report the same in writing, to the Head of the institution, with reasons and with recommendations of the action to be taken against such person.
- If, at the culmination of the proceedings before it, the Committee is satisfied that the complainant has knowingly brought false charges of sexual harassment against any person, it shall report the same in writing to the Head of the institution, with reasons and with recommendations of the action to be taken against such person.

6. COMPLAINT PROCEDURE

1. Any employee or student (hereinafter mentioned as the 'COMPLAINANT) shall have the right to file a complaint concerning any harassment including sexual harassment against a

male student /employee /faculty /administrative staff / research staff / any of the members of the Committee (hereinafter mentioned as the 'COMPLAINEE') as the case may be.

2. Any COMPLAINANT may file a complaint within a period of 2 months from the date of incident. In case of a series of incidents, COMPLAINANT should file a case within a period of 2 months from the date of last incident.

3. Where the aggrieved woman/man is unable to file a complaint on account of her/his physical or mental incapacity or death or otherwise, her/his legal heir or such other person as may be prescribed may make a complaint.

4. All complaints will only be accepted in writing. The Committee is allowed to take action even in the absence of a written complaint. Though a written complaint is must, however if the woman/man does not want to do the same, anybody can write on her/his behalf.

5. Any complaint in writing has to be signed by the COMPLAINANT and will be read out to the complainant and will not be acted upon till the same is signed by the complainant.

6. The complainant shall be afforded full secrecy at each stage. The name, address, identity or any other particulars those lead to identification of the COMPLAINANT shall be kept confidential and will not be disclosed even to the Committee, till the meeting in this regard is convened.

7. Within a period of 5 working days from the date of such communication, the Chairperson shall convene a meeting to deal with the complaint and make preliminary inquiry/fact finding inquiry to verify the facts of the complaint. An Inquiry Committee will be constituted if the complaint is found genuine.

8. In case, the inquiry Committee decides to proceed with the complaint, they may have the option to settle the matter between COMPLAINANT & COMPLAINEE through conciliation. For this the wish of the complainant shall be ascertained and if the complainant wishes that a warning would suffice then the alleged offender shall be called to the meeting of the Committee, heard and if so satisfied that a warning is just and proper, he/she may be warned about his/her behaviour. The matter shall then be treated as concluded and disposed of with a note to that effect made in the Complaint Register.

7. THE INQUIRY PROCESS

In case the COMPLAINANT requests that the complaint should be processed with beyond a mere warning, the same may be processed and has to be solved within a stipulated time of 60 working days.

1. Within five days of the start of the inquiry process, the Inquiry Committee shall furnish a copy of the complaint to the accused and complainant along with a written notice requiring both parties to furnish a written submission. In case the complainant does not have any additions to make to the complaint filed earlier, she/he can just submit a statement to that effect.
2. Within two days, both parties shall submit to Inquiry Committee their replies to the documents that have been served on them. The replies may also include a list of questions that the party wishes the Inquiry Committee to ask the other party or its witnesses.
3. Within three working days of the receipt of the replies and list of question in (2) above, The Inquiry Committee shall start the process of an oral hearing.
4. In the course of the oral hearing, the complainant, the accused, and their witnesses will separately be given a chance to give an account of the instances alluded to in the complaint.
5. All parties can also submit any documentary evidence at the time of the oral hearing.
6. The Inquiry Committee shall have the power to ask questions that it deems fit to all parties during the oral hearing.
7. The Inquiry Committee would also ask questions, which have been submitted by the complainant and defendant for the other parties. However, The Inquiry Committee has the right to disallow any questions that it has reason to believe to be irrelevant, mischievous, or gender-insensitive.
8. The Inquiry Committee may also call upon additional witnesses and ask them any questions that it may deem fit.
9. The Inquiry Committee shall have the power to ask the relevant authorities for any official papers or documents pertaining to the complainant as well as the accused.
10. The Inquiry Committee shall conduct the proceedings in a fair manner and shall provide reasonable opportunity to the complainant and accused for presenting and defending his/her case.

11. At no time during the inquiry proceedings shall make the accused and the complainant be placed face to face, or put in a situation where they may be face to face.
12. The Inquiry Committee may consider as relevant any earlier complaints against the accused. However, at no time in the inquiry process shall the past sexual history of the complainant be probed into, as such information shall be deemed irrelevant to a complaint of sexual harassment.
13. If the accused fails, without valid ground, to present him for three hearing convened by the chairperson of the inquiry Committee shall have right to take a decision on the complaint based upon available evidence.
14. Lawyers or external people not related to the institution are not allowed during the inquiry but both sides.

8. COMPLAINT WITHDRAWAL

1. The COMPLAINANT may withdraw her complaint in writing at any time during the inquiry procedure. However, the Committee must ascertain the reasons for withdrawal of the complaint and record the same in writing and get it counter-signed by the complainant.
2. The complaints inquiry procedure shall, on such withdrawal, be terminated, in instances in which the Inquiry Committee is informed, knows, or has reason to believe, that the reasons for such withdrawal are the consequences or effect of coercion and intimidation exerted by the accused(s), or any person on her/his behalf on the complainant. In such an instance, the complaints inquiry proceedings shall continue in accordance with the procedure mentioned earlier in this document (Point No.7)

9. DISCIPLINARY ACTIONS

Enhancement of disciplinary action, by the Committee, could depend on factors such as the nature and extent of injury caused to the complainant/witness (in any case), the impact of the

violation on the institutions as a whole, the position of the harasser in the power hierarchy, repetition of offence etc.

A. Where the Committee finds an employee of the Institution involved in sexual harassment of the complainant; it can recommend disciplinary action in the form of:

- Warning
- Written apology
- Bond of good behavior
- Adverse remarks in the confidential report
- Recommendation for debarring from supervisory duties
- Recommendation for Denial of membership of statutory bodies
- Recommendation for Denial of re-employment/re – admission
- Recommendation for stopping of increments / promotion/denying admission ticket
- Recommendation for Reverting, demotion
- Recommendation for Suspension
- Recommendation for Dismissal

B. Where the Committee finds a research scholar/student of the institution is involved in sexual harassment of the complainant, it can recommend disciplinary action in the form of:

- Warning
- Written apology
- Bond of good behavior
- Recommendation for Debarring entry into the hostel/mess/guest house/campus
- Recommendation for Suspension for a specific period of time
- Recommendation for Withholding results
- Recommendation for Debarring from exams
- Recommendation for Stopping of fellowship and contingency
- Recommendation for Expulsion
- Recommendation for Denial of admission
- Recommendation for Community service
- Recommendation for any other relevant mechanism

C. In such cases where the Committee finds a third party/outsider to be guilty of sexual harassment, the institute's authorities shall initiate action by making a complaint with the appropriate authority and at the Institution level it can recommend disciplinary action in the form of:

- Warning
- Written apology
- Recommendation for Debarring entry into the campus
- Recommendation for registering a formal complaint in the local police station

10. COMMITTEE MEMBERS

The members of the Complaints Committee to deal with the complaints of sexual harassment of women/men employees or students at the institution are as follows.

COMPOSITION OF INTERNAL COMPLAINT COMMITTEE

(FOR THE YEAR 2016 - 2019)

| S.No | Name | Designation | Phone No. |
|-------------|-------------------------|-----------------------------------|------------------|
| 1. | Dr. Y.Swarnalatha | Chair person | 9710431945 |
| 2. | Dr. V.J.K. Kishor Sonti | Member | 9043536557 |
| 3. | Ms. Joshila Grace | Member | 9943909789 |
| 4. | Ms. Bakya | NGO, AGARAM | 7358748999 |
| 5. | Miss. Meghar | Student Member – Hostel Inmate | 9703423686 |
| 6. | Miss. Roshini | Student Member – Day Scholar | 9500074306 |

COMPOSITION OF INTERNAL COMPLAINT COMMITTEE

(FOR THE YEAR 2019 – 2022)

| S.No | Name | Designation | Phone No. |
|-------------|---------------------|-----------------------------------|------------------|
| 1. | Dr. Dilshad Shaik | Chair person | 9849000331 |
| 2. | Dr. Nithya shankar | Member | 9840078573 |
| 3. | Ms. Vanitha | Member | 9789890032 |
| 4. | Ms. Punitha | NGO | 9840215812 |
| 5. | Miss. Venus D Rayan | Student Member – Hostel Inmate | 7402071179 |
| 6. | Miss. Govarthini | Student Member – Day Scholar | 9360295206 |