

MAEER's

MIT | Arts, Commerce
& Science College

(Affiliated to Savitribai Phule Pune University)



Policy & Procedure

Internal Complaints Committee

To be implemented from AY 2015-16

Internal Complaints Committee

Date: - 10 July 2015

'The Sexual Harassment at workplace (Prevention, Prohibition and Redressal) Act, 2013'. Along with this Act, the Internal Complaints Committee 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 in the establishment and also to generate awareness about the issue. The Act has outlined the constitution of the committees, the process to be followed for making a complaint and conducting inquiry into the complaint in a time bound manner.

Objectives:

The Internal Complaint Committee is an educational resource as well as a complaint redressal mechanism for the members of faculty, staff and students of the college. Its mandates are:

- To provide a neutral, confidential and supportive environment for members of the campus community who may have been sexually harassed.
- To advice complainants of means of resolution as specified by the legislation.
- To ensure fair and timely resolution of sexual harassment complaints.
- To provide counselling and support services on campus.
- To ensure that students, faculty and staff are provided with current and comprehensive materials on sexual harassment.
- To promote awareness about sexual harassment through educational initiatives that encourages and fosters a respectful and safe campus environment.
- To avoid sexual harassment and to encourage the general well-being of female students, teaching and non-teaching women staff of the College.
- To provide appropriate working conditions in respect of work, leisure, health and hygiene to further ensure that there is no hostile environment towards women at work places and that no women employee has reasonable grounds to believe that she is disadvantaged in connection with her employment.
- To provide guidelines for the remedy of grievances related to sexual harassment of female students, teaching and non-teaching women staff of the college.

The committee seeks to inform the campus community of their right to a respectful work and learning environment. It believes that if we practice respect, exercise empathy in our interactions with others so that we do not hurt anyone through what we say or do, then we can create a campus that is free of sexual harassment.

The Committee seeks to achieve these goals through:

- **Complaint Redressal:** As per the act 'The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013', appropriate action will be taken once the complaint is filed.

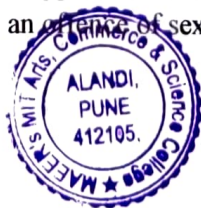


- **Dissemination of Information:** through production, distribution and circulation of materials, posters and hand-outs etc. to SPPU campus community.
- **Awareness Workshops:** for faculty, non-teaching staff and students with an aim to develop nonthreatening and non-intimidating atmosphere of mutual learning.
- **Counselling** – Confidential counselling service is an important service as the sexual harassment cases are rarely reported and are a sensitive issue. Counselling provides a safe space to speak about the incident and how it has affected the aggrieved woman.

Mechanism:

Mechanism for the investigation of complaint is as per the guideline by University of Pune which are as follows:

- (i) Any woman employee/female student of the College Departments/ Schools/Administration/Authority shall have the right to lodge a complaint with any of the members of the Cell.
- (ii) Such complaints may be oral or in writing.
- (iii) Any complaint in writing shall be signed by the person making the complaint. If the complaint is oral the same shall be documented in writing in detail by the Cell member to whom the complaint is made and shall not be acted upon till signed by the complainant. A Complaint Register shall be maintained by the Complaints Committee. It should be a confidential document.
- (iv) The complainant shall be afforded full confidentiality at this stage.
- (v) In the event of the complaint being made to any member of the Cell, immediately upon receipt of the complaint, and within not more than ten working days, the member of the Cell to whom the complaint is made, shall communicate the same to the Chairperson of the Cell. However, if the complainant so desires, her name shall be kept confidential and shall not be disclosed except to the Cell.
- (vi) Within a period of three weeks from the date of such communication, the Chairperson shall arrange its meeting.
- (vii) At the first meeting, which shall be held within three weeks of the receipt of the complaint, the complainant or at her request her representative, shall be heard. If a woman complainant specifically expresses a desire that she be allowed to depose in the presence of only women members of the Cell, the Cell shall hear the said complainant after the male members have withdrawn from the hearing. However, the complaint shall not be finally disposed-off until after the male members of the Cell attend and participate in the decision making process. The Cell shall then decide whether the complaint deserves to be proceeded with. The complaint shall stand dropped, if according to the Cell, the complainant has not been able to disclose prima facie, an offence of sexual harassment.



(viii) In case, the Cell decides to proceed with the complaint, the wishes 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 Cell, heard and if so satisfied that a warning is just and proper, it be recommended to the Principal that he may be warned about his behaviour. The matter shall then be treated as concluded with a recording, to that effect, made in the Complaint Register. With acceptance of the recommendation by the Principal, he is warned about his behaviour and necessary note be made into the Service Book of the employee/Record of the student including the Migration Certificate. The Cell should verify compliance of the action taken.

(ix) However, before proceeding with the enquiry, the Cell shall decide whether the criminal deserves to be placed under suspension or prohibited from entering the premises pending enquiry, keeping in mind the nature and gravity of the misdemeanour complained of. In case the Cell comes to the conclusion that such an action is necessary, it shall recommend to the Principal accordingly.

(x) The Cell shall accord fair and reasonable opportunity to the delinquent to defend himself and shall ensure observance of the principles of natural justice.

(xi) If the complainant wishes to proceed with the complaint beyond a mere warning to the delinquent, the delinquent shall be given in writing by the Cell an opportunity to explain within two weeks; why he should not for good and sufficient reasons be treated as guilty of his behaviour and be not recommended to be punished for the act complained of. If the written explanation of the delinquent is not found to be satisfactory or if he does not provide any written explanation, the Cell shall recommend at the outset whether the offence deserves a minor or a major penalty.

(xii) In the event of the Cell coming to a decision that the delinquent be imposed a minor penalty, a specific minor penalty shall be recommended by the Cell to the Principal who shall then expeditiously act on such recommendation.

Protection against Victimization

(i) In the event of the complainant being a student and the accused being a teacher, during the pendency of the investigation and inquiry and even after such an enquiry if the teacher is found guilty, the accused shall not act as an examiner for any examination for which the student appears.

(ii) In the event of the complainant and the accused both being employees, during the pendency of the investigation and inquiry, even after such an inquiry, if the accused is found guilty, the accused shall not write the Confidential Reports of the complainant, if he is otherwise so authorized.

Penalties and Punishment for Sexual Harassment

The Cell may recommend the following penalties on a person found guilty of sexual harassment:



A. An employee found guilty of sexual harassment shall be liable to receive the following penalties: Minor Penalties:

(i) Warning, Reprimand or Censure

(ii) Fine

(iii) Withholding of increments or promotion

(iv) Reduction to a post in the lower pay-scale or to a lower stage of increment in his own pay-scale. Major Penalties:

(v) Compulsory retirement

(vi) Termination of service

(vii) Removal/dismissal from service

B. A student found guilty of sexual harassment shall be liable to receive the following penalties: Minor Penalties:

(i) Warning

(ii) Written Apology

(iii) Bond of good behaviour

(iv) Prohibiting entry into a hostel/campus/off-campus

(v) Suspension for a specified period of time withholding results.

Major Penalties:

(i) Debarring from examinations for a specified period of time

(ii) Expulsion from the college

The College shall decide whether the person against whom a complaint of sexual harassment is made should be placed under suspension. An employee placed under suspension shall be entitled to subsistence allowance at the rates as applicable under the rules of discipline. The College may direct that the person against whom a complaint of sexual harassment is made, be prohibited from entering the premises of the College during the pendency of the matter before the Committee.

Policy:

1. At least one guest lecture and/or competition should be conducted for students of the college in the academic year.
2. In case of any complaints, committee have to follow mention mechanism to solve the complaint.

Procedure for conducting guest lecture:

1. Organization of guest lecture considering the availability of the resource person.
2. Uploading guest lecture report on the college website.


Mayuri Bapat
Presiding Officer




Dr. B. B. Waphare
Principal