



# **MANAKULA VINAYAGAR**

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## **INSTITUTE OF TECHNOLOGY**



**(An Autonomous Institution)**

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**INTERNAL COMPLAINTS COMMITTEE  
(ICC)**

**PREVENTION OF SEXUAL HARASSMENT  
(POSH)**

Approved in the Governing body meeting held on 21<sup>st</sup> August 2024

(Updated in 2024)

## **PREFACE**

The University Grants Commission (UGC) has instructed the higher educational institution to establish a permanent cell and a committee; to develop guidelines to combat sexual harassment, violence against women at the universities and colleges. “The Sexual Harassment of Women in Workplace (Prevention, Prohibition and Redressal) Act, 2013” (hereinafter the Act’) and “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013” describes the responsibilities of higher educational institutions in taking measures for prevention of sexual harassment at the workplace. Keeping the above guidelines in view our College has constituted a Committee against Sexual Harassment.

Our College has committed itself to provide a pleasant and conducive atmosphere in which our students, teachers and non-teaching staff can work together in an environment free of harassment and exploitation. This includes all forms of gender violence, sexual harassment, and discrimination on the basis of gender. Every member is expected to be aware of the commitment to the right to freedom of expression and association. It strongly supports gender equality and opposes any form of gender discrimination and violence.

**Objectives of the policy**

1. To evolve a mechanism for the prevention and redressal of sexual harassment cases and other acts of gender based violence in the institution.
2. To provide an environment free of gender-based discrimination.
3. To create a secure physical and social environment which will deter acts of sexual harassment.
4. To promote a social and psychological environment that will raise awareness about sexual harassment in its various forms.
5. To ensure the implementation of the policy in letter and spirit through proper reporting of the complaints and their follow-up procedures.

**Constitution of Prevention of sexual Harassment Committee**

- a. A women faculty employed at senior level in the institution is appointed as Presiding officer.
- b. Three women teaching employees and one administrative staff is included as member in the committee.
- c. A girl student from each department is enrolled as member at the undergraduate, master's levels respectively.
- d. External member from an NGO or association committed to the cause of women or person familiar with issues relating to sexual harassment.

**Role and responsibility of Anti-sexual harassment committee:**

1. To conduct Legal Literacy Workshops on Laws and Rights frequently for Women teaching, non teaching and students.
2. To ensure provision of a work and educational environment that is free from sexual harassment (Sexual harassment is defined by law from the perspective of the person who feels they have been harassed and it occurs if the person who feels they have been harassed feels offended, humiliated, or intimidated by the conduct and it is reasonable, in all the circumstances that the person who feels they have been harassed would feel offended, humiliated or intimidated).
3. To take all reasonable steps (active and preventive in nature) to prevent the harassment occurring.
4. To address any oral/written complaint about: unwelcome sexual advances, unwelcome requests for sexual favors or other unwelcome conduct of asexual nature. Unwelcome conduct of a sexual nature includes oral or written statements of a sexual

nature to a person, or in a person's presence.

5. Obtain high level support from the Principal for implementing a comprehensive strategy:
  - Providing information to all staff and students about what constitutes sexual harassment and about their responsibility not to sexually harass other staff and students
6. Develop a written policy which prohibits sexual harassment. The Institution shall have a Sexual Harassment Policy. The policy outlines the Institute's key commitments and legal responsibilities and provides a definition of sexual harassment and behaviors that are not acceptable.
7. Provide the policy and other relevant information on sexual harassment to new staff as a standard part of induction; Periodically review the policy to ensure it is operating effectively and contains up to date information.
8. Display anti-sexual harassment posters on notice boards in common work areas and distribute relevant brochures.
9. Ensure that complaints processes:
  - are clearly documented;
  - are explained to all employees;
  - offer both informal and formal options for resolution;
  - address complaints in a manner which is fair, timely and confidential;
  - are based on the principles of natural justice;
  - provide clear guidance on internal investigation procedures and record keeping;
  - Give an undertaking that no employee will be victimized or disadvantaged for making a complaint.

### **Internal Complaints Committee (ICC)**

Our college has instituted a Internal Complaints Committee for redressal of sexual harassment complaint (made by the victim) and for ensuring time bound treatment of such complaints. It needs extensive orientation for effective functioning and cannot function like a criminal court. It needs to handle complaints in a confidential manner and within a time bound framework. The committee needs to submit an annual report on sexual harassment to the Principal and the Management.

**Members of the ICC:**

Presiding Officer Woman employed at a senior level at the workplace from amongst the employees.

Three women teaching employees are included as member in the committee.

**POWERS OF THE ICC**

1. The Committee shall have the power to summon witnesses and call for documents or any information from any employee/student.
2. If the Committee has reason to believe that an employee/student is capable of furnishing relevant documents or information, it may direct such person to produce such documents or information by serving a notice in writing on that person, summoning the person, or calling for such documents or information at such place and within such time as may be specified in the written notice.
3. Whether any relevant document or information is recorded or stored by means of a mechanical, electronic or other device, the Committee shall have the power to direct that the same be produced, or that a clear reproduction in writing of the same be produced.
4. Upon production of documents / information called for by it, the Committee shall have the power to (i) make copies of such documents / information or extracts there from; or (ii) retain such documents / information for such period as may be deemed necessary for purposes of the proceedings before it.
5. The Committee has the power to issue directions to / with regard to any person participating in the proceedings before it.
6. The Committee shall have the power to recommend the action to be taken against any person found guilty of (a) sexually harassing the complainant; (b) retaliating against / victimizing the complainant or any other person before it; and (c) making false charges of sexual harassment against the accused person.

**FUNCTIONS OF THE ICC****PREVENTIVE STEPS**

- a. To facilitate a safe environment that is free of sexual harassment;
- b. To promote behaviors that creates an atmosphere that ensures gender equality and equal opportunities.

**REMEDIAL STEPS:**

1. To ensure that the mechanism for registering complaints is safe, accessible and sensitive.
2. To take cognizance of complaints about sexual harassment, conduct enquiries, provide assistance and redressal to the victims, recommend penalties and take action against the harasser, if necessary.
3. To advise the competent authority to issue warnings or take the help of the law to stop the harasser, if the complainant consents.
4. To seek legal intervention with the consent of the complainant.
5. To make arrangements for appropriate psychological, emotional and physical support (in form of counseling, security and other assistance) to the victim if so desires.

**PROCEDURE TO BE FOLLOWED BY THE ICC:**

1. The Committee shall conduct meeting when any complaint is received. Complaint may be received by any member of the committee.
2. The Committee instructs the complainant to prepare and submit a detailed statement of incidents happened within a period of two days.
3. The Committee shall direct the accused employee(s) to prepare and submit a written response to the complaint / allegations within 3 days from such direction or such other time period as the Committee may decide.
4. Each party shall be provided with a copy of the written statement submitted by the other.
5. 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.
6. 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 copy.
7. The party against whom the document / witness is produced shall be entitled to challenge / cross-examine the same.
8. The Committee shall sit on a day-to-day basis to record and consider the evidence produced by both parties.
9. As far as practicable, all proceedings of the Committee shall take place in the presence of both parties.

10. Minutes of all proceedings of the Committee shall be prepared and duly signed by the members of the Committee.
11. The Committee shall make all effort to complete its proceedings within a period of ten days from the date of receipt of complaint.
12. The Committee shall record its findings in writing supported with reasons and shall forward the same with its recommendations, to the Principal, 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.
13. If, in the course of the proceedings before it, the Committee is satisfied that the 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 in the form of:-
  1. Warning
  2. Written apology
  3. Bond of good behavior
  4. Debarring from supervisory duties
  5. Denial of membership of statutory bodies
  6. Denial of re-employment/re - admission
  7. Stopping of increments / promotion/denying admission ticket
  8. Suspension
  9. Dismissal
  10. Any other relevant mechanism

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 assisting the complainant 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 Principal, with reasons and with recommendations of the action to be taken against such person.

### **Annual Repot**

An annual report has to be prepared by the Presiding officer at the end of each academic year, giving full detail of the activities of the Committee during the year gone by. A copy of the report may be sent to the College Management.





MIT-Manakula Vinayagar  
Institute of Technology

