



Internal Complaints Committee (ICC)

Policy Document



**Shahid Matangini Jhapa Government General
Degree College For Women
Government of West Bengal
(Affiliated to Vidyasagar University)**

Internal Complaints Committee (ICC)

Shahid Matangini Hazra Government General Degree College For Women adheres to the UGC Notification dated 2nd May, 2016 on Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and students in higher educational institutions, Regulations 2015 and other applicable guidelines issued time to time.

Objectives:

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

- To develop a policy against sexual harassment of women at the Institute.
- To ensure the implementation of the policy in letter and spirit through proper reporting of the complaints and their follow-up procedures.
- To uphold the commitment of the Institute to provide an environment free of gender based discrimination.
- To promote a social and psychological environment to raise awareness on sexual harassment in its various forms.
- To create a secure physical and social environment to deter any act of sexual harassment.
- To evolve a permanent mechanism for the prevention and redressal of sexual harassment cases and other acts of gender-based violence at the Institute.

Background & Rationale:

Sexual harassment infringes on the following two fundamental rights provided by the Constitution of India: One is the right of a woman to gender equality under Article 14 and the other is the woman's right to life and live with dignity under Article 21.

Supreme Court provided clear guidelines for dealing with sexual harassment in 1997. These guidelines which are legally binding and must be enforced include definition of sexual harassment at the workplace, prevention of such harassment, disciplinary action against the erring employee, and employer's responsibility in ensuring a harassment-free workplace.

The Committee for Managing Gender Issues has been set up as the Internal Complaints Committee that the College was required to set up as per the Supreme Court Guidelines. This would normally limit its outcomes to resolution, settlement, or prosecution. However, ICC was set up not only to deal with complaints of sexual harassment of women in the workplace but also to focus on creating awareness, counselling and educating about gender issues. For example, specific components of induction programmes were formally introduced and are based on creating awareness and informing students about the Institute's framework for dealing with such issues. In addition, gender sensitization workshops for staff and students are also conducted.

Jurisdiction:

The policy and the rules & regulations would apply to all students, faculty and nonteaching staffs on active roles of SMHGGDCW. The policy and the rules & regulations would also apply to service providers and outsiders who may be within the territory of the SMHGGDCW at time of commission of the act coming under the purview of the policy.

Composition of Internal Complaints Committee (ICC) – 2022-23

ICC has a membership of six persons including an external member, of which at least half the members are women and Convenor of the Committee is a woman faculty member.

Power and Duties of the Committee:

The role of the Committee is to create awareness about sexual harassment and to deal with and recommend punishment for non-consensual acts of sexual harassment, and not to curtail sexual expression within the campus.

A. Preventive

To create and ensure a safe environment that is free of sexual harassment, including safety from persons/visitors coming into contact at the workplace.

B. Gender Sensitization

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

C. Remedial

The mechanism for registering complaints should be safe, accessible, and sensitive.

Complaints Procedure:

On receipt of a complaint, the ICC shall conduct a preliminary enquiry so as to ascertain the truth of the allegations by collecting the documentary evidence as well as recording statements of any possible witnesses including the complainant. ICC shall then submit the preliminary enquiry report to the Principal, along with all the original documents adduced during the preliminary enquiry proceedings.

In case the allegations are not in the nature of sexual harassment, the ICC may refer such complaints to the Grievance Redressal Cell or to the Principal. Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the ICC shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action. The ICC shall comply with the procedure prescribed in the aforementioned UGC Regulations 2015 and the Sexual Harassment Act for inquiring into the complaint in a time bound manner. If the ICC concludes that the allegations made were false or malicious, or the complaint was made knowing it to be untrue or forged, or misleading information has been provided during the inquiry, the complainant shall be liable to be punished as per the relevant provision of the aforementioned UGC Regulations 2015 and other applicable guidelines.

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The Convenor, ICC shall receive the written complaints of sexual harassment, if any, on behalf of ICC and shall coordinate the deliberations of the ICC on the complaints received

Who can approach ICC for help?

Any faculty member, student or non-teaching staff member of SMHGGDCW can seek redressal from the ICC.

Definition of Sexual Harassment:

"Sexual harassment" includes any unwelcome sexually inclined behaviour, whether directly or indirectly, such as:

- a) Physical contact and advances
- b) A demand or request for sexual favours
- c) Making sexually coloured remarks (including jokes)
- d) Showing pornography (books, photographs, paintings, films, pamphlets, packages, etc. containing 'indecent representation of women')
- e) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature. Under the Act, the following also count as sexual harassment:
 - a) Implied or explicit promise of preferential treatment in her employment.
 - b) Implied or explicit threat of detrimental treatment in her employment
 - c) Implied or explicit threat about her present or future employment status
 - d) Interference with her work or creating an intimidating or offensive work environment for her.
 - e) Humiliating treatment likely to affect her health or safety.