

Sr. No. :

Date :

O. R. No. :

06/12/2021

Office Order
**ESTABLISHMENT OF INTERNAL COMPLIANCE
COMMITTEE (ICC)**

**(As per section 4 of Sexual Harassment of Women at Workplace
(Prevention, Prohibition and Redressal) Act, 2013)**

Aim

Prevention, prohibition and redressal of sexual harassment of women employees and students in higher educational institutions.

Associated Activities

Internal Complaints Committee (ICC) to be constituted by an Higher Education Institute (HEI). HEI shall ensure that the constitution of such a Body is as required for ICC under these regulations. Provided further that such a Body shall be bound by the provisions of these regulations.

Publicly notify and commit itself to a zero tolerance policy towards sexual harassment by organize training programmes or as the case may be, workshops for the officers, functionaries, faculty and students.

The Internal Complaints Committee must remember

- It needs extensive orientation for effective functioning.
- It cannot function like a criminal court.
- The complainant, when she complains, has at stake her personal life and career.
- The impact sexual harassment has on a woman
- It is difficult for a woman to talk about anything sexual. Hence there can be long time interval between the harassment and the actual complaint.
- It needs to handle complaints in a confidential manner and within a time-bound framework
- It needs to submit an annual report on sexual harassment to the appropriate government authority.

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Powers of the Committee

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. Where 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 shall have the power to issue interim 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 Committee

Preventive Steps

It will be the endeavor of the committee:

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

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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 medical, police and 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 Committee

1. The Committee shall meet as and when any complaint is received by it. Complaint may be received by any member of the committee.
2. 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 such other time period that the Committee may decide.
3. The Committee shall direct the accused employee(s) to prepare and submit a written response to the complaint / allegations within a period of four (4) 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(s) 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, the Committee shall continue ex parte.