

As per the Rules and Procedures of the Internal Committee (IC) Under the University Grants Commission Regulations, 2015 (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) and Gazette notification of MHRD dated 2nd May, 2016 under The Sexual Harassment of Women at Workplace Prevention, Prohibition and Redressal) Act, 2013]

Responsibilities of Internal Committee (IC)

The Internal Committee shall:

- (a) provide assistance if an employee or a student chooses to file a complaint with the police;
- (b) provide mechanisms of dispute redressal and dialogue to anticipate and address issues through just and fair conciliation without undermining complainant's rights, and minimize the need for purely punitive approaches that lead to further resentment, alienation or violence;
- (c) protect the safety of the complainant by not divulging the person's identity, and provide the mandatory relief by way of sanctioned leave or relaxation of attendance requirement or transfer to another department or supervisor as required during the pendency of the complaint, or also provide for the transfer of the offender.
- (d) ensure that victims or witnesses are not victimised or discriminated against while dealing with complaints of sexual harassment; and
- (e) ensure prohibition of retaliation or adverse action against a covered individual because the employee or the student is engaged in protected activity.

Process of making complaint of sexual harassment –

An aggrieved person is required to submit a written complaint to INTERNAL COMMITTEE, RIMS RANCHI through email at rimsicc@gmail.com /or may approach any of the internal committee members for guidance, within three months from the date of the incident and in case of a series of incidents within a period of three months from the date of the last incident using proforma for complain annexed at the end of these guidelines. Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Committee shall render all reasonable assistance to the person for making the complaint in writing;

Provided further that the IC may, for the reasons to be accorded in the writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the person from filing a complaint within the said period.”

Friends, relatives, Colleagues, Co-students, Psychologist, or any other associate of the victim may file the complaint in situations where the aggrieved person is unable to make a complaint on account of physical or mental incapacity or death.

Process of conducting Inquiry-

- (1) The IC shall, upon receipt of the complaint, send one copy of the complaint to the respondent within a period of seven days of such receipt.
- (2) Upon receipt of the copy of the complaint, the respondent shall file his or her reply to the complaint along with the list of documents, and names and addresses of witnesses within a period of ten days.
- (3) The inquiry has to be completed within a period of ninety days from the receipt of the complaint. The inquiry report, with recommendations, if any, has to be submitted within ten days from the

completion of the inquiry to the Executive Authority of the institution. Copy of the findings or recommendations shall also be served on both parties to the complaint.

(4) The Executive Authority of the institution shall act on the recommendations of the committee within a period of thirty days from the receipt of the inquiry report, unless an appeal against the findings is filed within that time by either party.

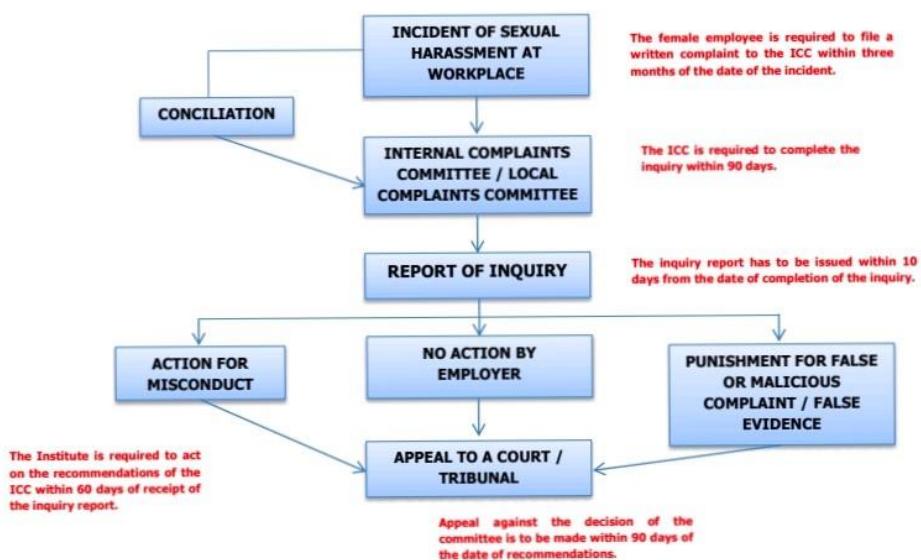
(5) An appeal against the findings or /recommendations of the ICC may be filed by either party before the Executive Authority of the institution within a period of thirty days from the date of the recommendations.

(6) If the Executive Authority of the institution decides not to act as per the recommendations of the ICC, then it shall record written reasons for the same to be conveyed to ICC and both the parties to the proceedings. If on the other hand it is decided to act as per the recommendations of the ICC, then a show cause notice, answerable within ten days, shall be served on the party against whom action is decided to be taken. The Executive Authority of the institution shall proceed only after considering the reply or hearing the aggrieved person.

(7) The aggrieved party may seek conciliation in order to settle the matter. No monetary settlement should be made as a basis of conciliation. The institution shall facilitate a conciliation process through ICC, as the case may be, once it is sought. The resolution of the conflict to the full satisfaction of the aggrieved party wherever possible, is preferred to purely unitive intervention.

(8) The identities of the aggrieved party or victim or the witness or the offender shall not be made public or kept in the public domain especially during the process of the inquiry.

PROCEDURE TO BE FOLLOWED BY THE AGGRIEVED WOMAN EMPLOYEE TO MAKE A COMPLAINT AND BY THE INSTITUTE TO INQUIRE INTO THE COMPLAINT UNDER THE PROVISIONS OF THE THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013



Interim redressal:

The Institution may,

(a) transfer the complainant or the respondent to another section or department to minimise the risks involved in contact or interaction, if such a recommendation is made by the IC;

- (b) grant leave to the aggrieved with full protection of status and benefits for a period up to three months;
- (c) restrain the respondent from reporting on or evaluating the work or performance or tests or examinations of the complainant;
- (d) ensure that offenders are warned to keep a distance from the aggrieved, and wherever necessary, if there is a definite threat, restrain their entry into the campus;
- (e) take strict measures to provide a conducive environment of safety and protection to the complainant against retaliation and victimisation as a consequence of making a complaint of sexual harassment.

Punishment and compensation:

- (1) Anyone found guilty of sexual harassment shall be punished in accordance with the service rules of the Institution ,if the offender is an employee.
- (2) Where the respondent is a student, depending upon the severity of the offence, the Institution may,
 - (a) withhold privileges of the student such as access to the library, auditoria, halls of residence, transportation, scholarships, allowances, and identity card;
 - (b) suspend or restrict entry into the campus for a specific period;
 - (c) expel and strike off name from the rolls of the institution, including denial of readmission, if the offence so warrants; and
 - (d) award reformative punishments like mandatory counselling and, or, performance of community services.
- (3) The aggrieved person is entitled to the payment of compensation. The Institution shall issue direction for payment of the compensation recommended by the IC and accepted by the Executive Authority, which shall be recovered from the offender. The compensation payable shall be determined on the basis of-
 - (a) mental trauma, pain, suffering and distress caused to the aggrieved person;
 - (b) the loss of career opportunity due to the incident of sexual harassment;
 - (c) the medical expenses incurred by the victim for physical, psychiatric treatment;
 - (d) the income and status of the alleged perpetrator and victim; and
 - (e) the feasibility of such payment in lump sum or in instalments.

Action against frivolous complaint —

To ensure that the provisions for the protection of employees and students from sexual harassment do not get misused, provisions against false or malicious complaints have to be made and publicized within the Institution. If the IC concludes that the allegations made were false, 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.

However, the mere inability to substantiate a complaint or provide adequate proof will not attract attention against the complainant. Malicious intent on the part of the complainant shall not be established without an inquiry, in accordance with the procedure prescribed, conducted before any action is recommended.

Proforma for Filing of Complaints of Sexual Harassment

I. Details of the Complainant(s):

(Student/resident/academic staff/ non-teaching staff/outsider/service provider)

1. Name	
2. Age	
3. Sex	
4. Address	
5. Department/College	
6. Phone number	
7. Email	

II. Person(s) against whom the complaint is being lodged:

(Student/resident/academic staff/ non-teaching staff/outsider/service provider)

Name(s)	
Age	
Sex	
Address	
Department/College	

Phone number	
Email	

III. The Complaint:

1. Is the defendant known to the complainant?	
2. Is this the first incident of this kind? If yes, skip 3 and 4	
3. Were exactly the same person(s) involved? If no, specify further.	
4. Was the first incident reported? To whom? When? What action, if any was taken?	
5. Approximate date(s), time(s) and location(s) of incident(s), starting from the most recent.	
6. Details of the complaint may be recorded here:	

Complaint filed by

Signature:

Date:

Name:

Place: