



**SHRI GURU RAM RAI**  
**UNIVERSITY**  
Quest for Excellence

# **HAND BOOK OF INTERNAL COMPLAINT COMMITTEE (ICC) AND REDRESSAL PROCESS**





## **Preamble:**

Sexual harassment at a workplace is considered violation of women right to equality, life and liberty. It creates an insecure and hostile work environment, which discourages women's participation in work, thereby adversely affecting their social and economic empowerment and the goal of inclusive growth. With more and more women joining the workforce both in organized and unorganized sectors ensuring and enabling working environment for women through legislation is felt imperative by the government. The Supreme Court of India in the case of Vishaka v/s State of Rajasthan (1997) 7 SCC 323, also reaffirmed that sexual harassment at workplace is a form of discrimination against woman and recognized that it violates the constitutional right to equality and provided guidelines to address this issue pending the enactment of a suitable legislation.

It is, thus, proposed to enact a comprehensive legislation to provide for safe secure and enabling environment to every woman irrespective of her age or employment status (other than domestic worker working at home), free from all the forms of sexual harassment by fixing the responsibility on the employer as well as the district Magistrate or Additional District Magistrate or the Collector or Deputy Collector of every district in the state as a district officer and laying down a statutory redressal mechanism. In this context it is mandatory that every institution is required to constitute Internal Complaints Committees to ensure safe and secured working environment for the women employees.

## **Objectives:**

The objectives of the Internal Complaint Committee for prevention, prohibition and redressal of sexual harassment of women employees and students at the campus are as follows:

- To develop a policy against sexual harassment at the Institute and its implementation 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 University.

## **Definition of sexual harassment:**

“Sexual harassment” means

(i) “ An unwanted conduct with sexual undertones if it occurs or which is persistent and which demeans, humiliates or creates a hostile and intimidating environment or is calculated to induce submission by actual or threatened adverse consequences and includes any one or more or all of the following unwelcome acts or behaviour (whether directly or by implication), namely;-

- (a) any unwelcome physical, verbal or nonverbal conduct of sexual nature;
- (b) demand or request for sexual favours;
- (c) making sexually coloured remarks
- (d) physical contact and advances; or
- (e) showing pornography”

(ii) any one (or more than one or all) of the following circumstances, if it occurs or is present in relation or connected with any behaviour that has explicit or implicit sexual undertones-

- (a) implied or explicit promise of preferential treatment as quid pro quo for sexual favours;
- (b) implied or explicit threat of detrimental treatment in the conduct of work;
- (c) implied or explicit threat about the present or future status of the person concerned;
- (d) creating an intimidating offensive or hostile learning environment;
- (e) humiliating treatment likely to affect the health, safety dignity or physical integrity of the person concerned;

### **Who can Complaint?**

- The complainant
- In case of physical incapacity by
  - Complainant’s friend
  - Complainant’s relative/ Guardian
  - Co worker
  - Any other person who has the knowledge of the incident with the consent of the complainant.

### **What should the complaint contain?**

- The written complaint should contain a description of each incident(s).
- It should include relevant dates, timings and locations; name of the respondent(s); and the working relationship between the parties.
- The complaint SHOULD NOT be anonymous.

### **When can the complainant complain?**

The submission of complaint to the internal complaints committee (ICC) need to be **within 3 months** of the last incident of alleged act of sexual harassment.

### **Where can the complainant complain?**

- To Head of the Department / Dean / Director / Internal complaints committee (ICC) / Vice Chancellor

- Sources receiving complaint other than ICC needs to forward the complaint in sealed cover to ICC for further enquiry and process of redress start immediately.

## **Introduction about ICC**

Internal Complaints Committee (ICC) is a mandatory committee that every employer is required to constitute within his organization. In the scenario where the employer has branch offices, he needs to have an ICC as each such branch office to address the issues of sexual harassment. Every company needs to base in place an effective ICC committee else the company can be penalized for non-constitution of ICC.

## **Members of the Internal Complaint Committee:-**

Chairperson/ Presiding Officer - Shall be women employed at the senior level at the workplace amongst the employees

Two Members - Shall be amongst the employees preferably committed to the cause of women/ experience in social work.

External Member - External members could be, doctors, Advocate or Among NGOs working against the cause of women.

## **Responsibilities of ICC**

Every company should have a safe and harassment-free workplace. In the case of the complaint against POSH, the ICC is solely responsible to investigate without being biased. The ICC is required to be vigilant to redress the sexual harassment complaints and resolves the same ASAP. ICC is the sole authority to inquire about the complaints and make efforts to redress the same.

The Complaints of sexual harassment at a workplace corrode the persona of not only the complainant and the accused, but of the company and its goodwill as well.

## **Scope of ICC training**

The ICC training is an important part of the complaint redressal process and helps make the Internal Complaints Committee learn about the important elements of compliance under the Act. Our ICC training focuses on the below agenda:

The powers assigned ICC under POSH ACT.

Methodology, for conducting an inquiry on a sexual harassment complaint

Important guidelines which ICC is required to comply with while conducting the sexual harassment inquiry

The timelines for resolving complaints as defined under the Act which ICC needs to follow while investigating a complaint.

## **What is POSH?**

POSH or the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (the Act) is a groundbreaking law on a much-needed and burning issue. It is India's first codified legislation that categorically deals with the prevention, prohibition, and redressal of sexual harassment of women at the workplace.

The Act came into force on December 9, 2013 and is binding on every organization, public or private, having more than 10 employees.

## **What is POSH Policy For Companies?**

The POSH Act has laid down a detailed guideline for the entities and they are free to formulate their policy to prevent, prohibit, and redress sexual harassment of women in their companies.

The "Policy" has to be formulated following the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the "Rules" must be framed keeping in mind the provisions in "Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013.

## **What is Internal Complaints Committee (ICC)?**

As per the POSH Act, an employer has 10 workers or more is required to set up an Internal Complaints Committee for the redressal of sexual harassment complaints at such entity and to regulate and administer complaints on sexual harassment. An Internal Complaints Committee is required to be constituted which shall submit an annual report to its employer and District officer.

Every company needs to have in place an effective IC, else the company can be penalized for non-constitution of IC.

Initially when the Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013 was passed Internal Committee was called ICC (Internal Complaints Committee) but on 9th May 2016, the amendment was made and ICC was substituted by Internal Committee (IC) wherever it existed. This was done to expand the role of the sexual harassment Committees so that they are not restricted to complaint resolution only.

## **Why IC Training?**

As per Section 4 of the Act, every employer must adhere to the obligation of constituting an Internal Complaints Committee if the workplace has more than ten employees. This initial in-house body gains great significance if a woman faces sexual harassment at the workplace as the Internal Complaints Committee must be approached for filing a complaint by the aggrieved women.

As the entire effectiveness of the POST I Act depends on the Internal Complaints Committee Policy, therefore, the members of the IC need complete clarity and competency. This POSIT training will give them the much-needed Insight into the formation, functioning, powers, responsibilities, and mechanism of IC's functionality.

By attending this training the IC members will understand the A-Z of the POSH Act and also the nitty-gritty of the sexual harassment redressal system.

### **Scope of IC Training**

The Internal Complaints Committee training is an integral part of the complaint and redressal process of the Internal Complaints Committee Policy. This training will help make the Internal Complaints Committee Members learn about the important elements of compliance under the Act. For example:

The powers assigned to IC under POSH ACT.

Methodology for conducting an inquiry of sexual harassment complaints.

Important guidelines which IC is required to comply with while conducting the sexual harassment inquiries.

Timeline for resolving complaints as defined under the Act. which the Internal Complaints Committee needs to follow while investigating a complaint.

### **Composition of Internal Complaints Committee**

Under the Act. Internal Complaints Committee Policy is required to prevent instances of sexual harassment and also to receive and effectively deal with complaints related to such acts. Accordingly, the Internal Complaints Committee (IC) is to be constituted at all administrative units and offices of a company, and once the committee is appointed the details of the Internal Complaints Committee Policy is to be notified to all persons at the workplace.

### **The Internal Complaints Committee must comprise of:**

- i) **Presiding Officer:** The presiding officer must be a woman employed at a senior level in the organization or workplace to work according to the Internal Complaints Committee Policy.
- ii) **Internal Members:** At least 2 Internal Complaints Committee members must be selected from among the employees who are committed to the cause of women or who have had the experience of social work or have legal knowledge.
- iii) **External Member:** The external member of the IC has to be selected from non-

governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.

iv) **50% Women:** At Least one half of the total members nominated In the IC must be women.

### **Powers of the Internal Complaints Committee**

The Internal Complaints Committee plays an important role in the functioning of the provisions of the Act and to mule the fulfilment of its objectives attic Internal Complaints Committee Policy.

Thus, the main function of the Internal Complaints Committee is: Implementation of the Internal Complaints Committee Policy relating to the prevention of sexual harassment.

Resolving complaints by the aggrieved based on the guidelines of the Internal Complaints Committee Policy.

Recommending actions to be taken by the Employer.

As per Section 11(3) the Internal Complaints Committee enjoys the powers same as that of a Civil Court and therefore:

It is empowered to initiate an inquiry into a complaint of sexual harassment at the workplace according to the Internal Complaints Committee Policy.

IC has the power to summon witnesses and parties to state the committee.

It enjoys the discretion of summoning evidence to be examined if it may be deemed necessary to do so by the members of the Committee.

### **Responsibilities of Internal Complaint Committee**

Every organization is bound by POSH law to publish the names and details of the current IC members on the premises at prominent places as well as on their official website.

The main responsibility that lies with the IC is:

Receive complaints of sexual harassment at the workplace Initiate and conduct an inquiry as per the company's procedure Submit findings and recommendations of all such inquiries

Coordinate with the Employer in implementing appropriate action Maintain strict confidentiality throughout the process as per established guidelines of the Internal Complaints Committee Policy

Submit annual reports in the prescribed format as prescribed

The Internal Complaints Committee is required to be vigilant to redress the sexual harassment

complaints and resolve the same ASAP.

## **REDRESSAL PROCESS**

### **1.) Conciliation**

Procedure for Conciliation:

Before initiating an inquiry, the Internal Complaints Committee may, at the written request of the Complainant take steps to settle the matter between the Complainant and the Respondent through conciliation.

Monetary settlement cannot be made the basis of such conciliation. In case a settlement has been arrived at, the IC shall record it and forward it to the Company to take action as specified in the recommendation of the IC.

The Internal Complaints Committee will also provide copies of the settlement as recorded to the Complainant and the Respondent.

If conciliation has been reached, the IC will not be required to conduct any further inquiry.

If Complainant feels that the terms of Settlement are not being complied with by the Respondent or action has not been taken by the Company, Complainant can make a written complaint to the IC to conduct an inquiry into the complaint.

### **2.) Inquiry**

The procedure of inquiry begins when a settlement is not feasible or could not be arrived at through conciliation and the Internal Complaints Committee is then bound to conduct an inquiry into the complaint.

An inquiry may also be initiated if the aggrieved person informs the IC that any terms of the settlement have not been complied with by the respondent.

The Internal Complaints Committee within 7 working days of receiving the complaint shall forward one copy to the respondent and seek a response.

The respondent shall file his/her reply to the complaint along with a list of supporting documents, names, and addresses of witnesses, within 10 working days of receiving the complaint.

The complainant or the respondent to the complaint shall not be allowed to bring any legal practitioner to represent them.

At any stage of the proceedings before the IC, neither the complainant nor the respondent shall be allowed to bring any legal practitioner to represent them.

The Internal Complaints Committee shall hear both the complainant and the respondent on the date(s) intimated to them in advance and the principles of natural justice will be



followed accordingly.

If the complainant or the respondent fails to attend a personal hearing before the IC on three consecutive dates without sufficient cause, the IC shall have the right to terminate the inquiry proceedings or give an ex-parte decision.

However before such termination or the ex-parte order, the IC shall serve a notice in writing to the party/parties, 15 days in advance.

The process of inquiry shall be completed by the Internal Complaints Committee within 90 days from the date of receipt of the complaint.

From the date of completion of the inquiry, the IC shall provide a report of its findings and recommendation(s) within 10 days to the concerned authorities as well as complainant(s) and respondent(s).

### **3.) Interim Relief**

As per the Internal Complaints Committee Policy, during the period of pendency of the inquiry. If a written request is made by the complainant. The Internal Complaints Committee may recommend to the employer:

To transfer either the aggrieved or the respondent to some other workplace.

To grant leave to the aggrieved individual for a period of a maximum of 3 months, but this should be in addition to the leave she would be otherwise entitled to.

To accord any other relief to the aggrieved as may be found to be appropriate.

To restrain the respondent from reporting on the performance of the complainant.

### **4.) Compensation**

Internal Complaints Committee Policy mandates that the compensation by IC shall be determined based on:

The mental trauma, pain, suffering, and emotional distress caused to the aggrieved employee,

The loss in career opportunity due to the incident of sexual harassment; Medical expenses incurred by the victim for physical/ psychiatric treatment;

The income and status of the alleged perpetrator, and Feasibility of such payment in a lump sum or installments.

# श्री गुरु राम राय विश्वविद्यालय

उत्तराखण्ड सरकार के अधिनियम संख्या 03/2017  
द्वारा स्थापित एवं यूजीसी के अधिनियम 1956  
की धारा 2 (एफ) के अन्तर्गत मान्यता प्राप्त



# SHRI GURU RAM RAI UNIVERSITY

Estd. By Govt. of Uttarakhand, vide Shri Guru  
Ram Rai University Act No. 03 of 2017 &  
Recognized by UGC u/s 2(f) of UGC Act 1956

"Quest for Excellence"

Ref: SGRRU/RO/UC/2024/06/03

11<sup>th</sup> June 2024

## OFFICE-ORDER

### RE- CONSTITUTE OF UNIVERSITY INTERNAL COMPLAINTS COMMITTEE

University Grant Commission (Prevention, prohibition and redressal of sexual harassment of women employees and students in higher educational institutions) Regulations, 2015 and in continuation supersession to office order no. SGRRU/RO/UC/2023/03/01 dated on 17<sup>th</sup> March 2023, with immediate effect and until further orders, as per the Shri Guru Ram Rai University, Statutes of 2017, Section 14, 2.02(n), the Vice-Chancellor has re-constituted the University Internal Complaints Committee following.

SL	Name of the officer	Name of the school & e-mail address	Designation
1.	Dr. Maneesha Singh	Professor, SBAS (Mob: 9720006689, e-mail: singhmaneesha2@gmail.com)	Chairperson
2.	Dr. Neeraj Kumar	Professor, SPS (Mob: 8279710700, e-mail: neeraj_sidana2007@rediffmail.com)	Member
3.	Dr. Mmi Srivastava	Associate Professor, SMCS (Mob: 9634701734, e-mail: mini_ahhi13@gmail.com)	Member
4.	Dr. Anuja Rohilla	Assistant Professor, SHSS (Mob: 7579191251, e-mail: anuja.rohilla@gmail.com)	Member
5.	Dr. Preeti Mishra	Clinical Psychologist, Pediatrics, SGRRIM&HS (Mob: 8192000583, e-mail: drpreetimishra84@gmail.com)	Member
6.	Ms. Geeta Mandola	Office Clerk, School of Nursing (Mob: 8279750917, e-mail: geetamandola2011@gmail.com)	Member
7.	Dr. Pratibha Sharma	Director, (NGO) Doon Psychotherapeutic Centre (Mob: 8755020938, e-mail: info@doonpsycho.com)	External Member
8.	Mr. Akash Naithani	B.Sc Yogic Science 2022-25, SYSN Mob: 9045992836 e-mail- akashnaithani@gmail.com	Member
9.	Miss. Joya Khan	B.Sc(H) Microbiology- 2022-25, SBAS Mob: 7302089490 e-mail- zoy38906@gmail.com	Member
10.	Ms Shivani Bhagat	B. Sc (Nursing 2022-26), SON (Mob: 8077183771, e-mail newshivanihbhagat3@gmail.com )	Member
11.	Dr. Kamla Jakhmola	Associate Professor, School of Agricultural Sciences (Mob: 9410134809, e-mail: dhyani.k@rediffmail.com)	Member Secretary

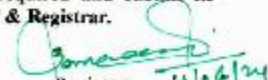
The University Internal Complaints Committee should meet as and when required and submit its proceedings to the Director (IQAC) regularly under the intimation to Hon. V.C & Registrar.

#### Distribution:

1. All above members
2. Normal
3. Head I.T- to upload the same in the University Website.
4. Office file

#### Copy forwarded for kind information to:

- 1- Hon'ble President, SGRRU
- 2- Hon'ble Vice- Chancellor, SGRRU

  
Registrar 11/06/24

  
Registrar 11/06/24

Shri Guru Ram Rai University, Patel Nagar/Pathri Bagh, Dehradun, Uttarakhand-248001

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## **INTERNAL COMPLAINTS COMMITTEE**

### **Proforma for Filing of Complaints of Sexual Harassment**

#### **I. Complainant(s):**

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

Name	
Age	
Sex	
Address	
School/ College	
Phone number	
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	
School/ 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.	

**Additional details of the complaint may be recorded here:**

#### **Complaint filed by**

Signature:

Date:

Name:

Place:



**SOP INTERNAL COMPLAINTS COMMITTEE, SGRRU,**  
**DEHRADUN**

1. A complaint received in ICC is processed if it is a matter of sexual harassment of women at work place and comes under the preview of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
2. The members of the Internal Complaints Committee are the members of the Enquiry Committee and the whole process of enquiry is to be completed within the stipulated time of 90 days.
3. After the complaint is received it is mandatory to take action within 7 days of receipt of the complaint.
4. The Complainant is requested by the Enquiry Committee to appear before the Committee in a given date to present her case.
5. A letter is sent to the respondent with the remark to provide the clarification within 10 days of the receipt of the intimation sent by the Enquiry Committee.
6. After receipt of the response of the Respondent in ICC, the Respondent is requested by the Enquiry Committee to appear before the Committee in a given date to defend his case.
7. If the Enquiry Committee is of the opinion that the matter is sensitive then immediate interim relief under Chapter V, Clause 12 (1) (a) of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 is provided to the Complainant.
8. The interim relief to the Complainant is also given in the shape of leave/ transfer of the Complainant to any other department for the time being until the case is resolved.
9. The Enquiry Committee also request the Complainant through a letter to provide the list of names of witness/es, documents if any, to the Enquiry Committee within 3 days time.
10. The concerned department is also requested to provide CCTV Camera footage of the incident if any through the IT manager to the Enquiry Committee of ICC.
11. The Enquiry Committee also request the Respondent through a letter to provide the list of names of witness/es, documents if any, to the Enquiry Committee within 3 days time.
12. The witness/es are requested by the Enquiry Committee to appear before the Committee in a given date to present the case.
13. The Enquiry Committee after hearing the witness/es again request the Complainant as well as the respondent to appear before the Committee in different dates for further clarification in the case.
14. After going through all the documents and witness the Enquiry Committee submits the report and recommends the same to the higher institutional authority.
15. The Complainant as well as the Respondent is also intimated through a letter regarding the submission of report to the higher institutional authority.
16. All the files and reports are kept confidential in the office of the Internal Complaints Committee and the keys of almirah are in custody of the Presiding Officer, ICC. After the closure of the case the original file is confidentially submitted to the Honourable Vice Chancellor, SGRRU, Dehradun and a copy of the same is kept confidential in the ICC for office record.



**Quest for Excellence"**

# **SHRI GURU RAM RAI UNIVERSITY**

**(Established By Govt. of Uttarakhand, vide Shri Guru Ram Rai University, Act no. 3 of 2017)**

*Enlightening lives  
through Education...*

