

ICC, ANTIRAGGING,
GRIEVANCE
COMMITTEE
POLICY

DTE Code : **EN6315**



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AMTS ID : 10019451
SRIIL CODE : 0-11140

HOLY WOOD ACADEMY'S
SANJEEVAN

ENGINEERING & TECHNOLOGY INSTITUTE, PANCHALA
Sanjeevan Knowledge City, Somwar Peth, Panhala, Tal. Panhala, Dist. Kolhapur
Pin - 416201 (Maharashtra) Phone : 8146995500

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Policy for The sexual harassment of women at workplace (prevention, prohibition and redressal) act 2013

An Act to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

Ministry of law and Justice (22 April, 2013)

Whereas Sexual harassment results in violation of the fundamental rights of a woman equality under articles 14 and 15 of the Constitution of India and her right to life and to live with dignity under article 21 of the Constitution and right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual] harassment;

Whereas the protection against sexual harassment and the right to work with dignity are universally recognized human rights by international conventions and instruments such as Convention on the Elimination of all Forms of Discrimination against Women, which has been ratified on the 25th June, 1993 by the Government of India; And whereas it is expedient to make provisions for giving effect to the said Convention for protection of women against sexual harassment at workplace.

The following actions come under the purview of Sexual harassment:

- (i) physical contact and advances; or
- (ii) a demand or request for sexual favours; or
- (iii) making sexually coloured remarks; or
- (iv) showing pornography; or
- (v) any other unwelcome physical, verbal or non-verbal conduct of sexual nature;


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Punishable Ingredients of Sexual harassment:

1. Where the respondent is a student, the penalties will include a written apology and one or more of the following penalties:

- Warning
- Undergoing counseling session(s) and/or gender sensitization training programme
- Debarring from holding any position of responsibility or contesting elections or holding positions in any student bodies
- Carrying out community service
- Fixed-time suspension during which the student may not enroll for any course, stay in the hostel or enter the campus
- Payment of fine
- Withholding award of degree for a fixed period
- Expulsion
- Other similar or appropriate punishment

2. Where the respondent is a resident, recommended action may include:

- Warning to the employee and concerned resident
- Informing the ICC of the employing institute/organization where the resident works
- Declaring the campus out of bounds to the resident
- Helping the complainant to file FIR
- Other similar or appropriate punishment

3. Where the respondent is a service provider or outsider, recommended action may include:

- Warning to employing company if any
- Informing the ICC of the employing institute/organization where the respondent works
- Declaring the campus out of bounds to the respondent
- Withdrawal of the right to run/manage/work in any commercial enterprise, or to provide services, on the campus.
- Helping the complainant to file FIR
- Other similar or appropriate punishment.


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ICC Committee

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 and the other is the woman's right to life and live with dignity. 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.

As per the mandate of AICTE, New Delhi and the University Grants Commission (UGC), Sanjeevan Engineering and Technology Institute (SETI), Panhala has constituted the Committee for Managing Gender Issues as the Internal Complaints Committee that 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, counseling 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.

Objectives of ICC

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.

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Members of the Internal complaint committee.


Sr.No.	Name of Employee	Designation	Status in the committee
1	Mrs. Momin A.M		Presiding officer
2	Prof. N. S. Jadhav	Nominated teaching staff	Member
3	Prof. N. B. Tharkar	Nominated teaching staff	Member
4	Prof. Na. G. Khan	Nominated teaching staff	Member
5.	Dr.V.H.Deokar	Nominated teaching staff	Member
6.	Mr.Arun N.Bagade	Nominated Non-teaching staff	Member
7	Adv. Smt. Shital Bhosale	Legal Expert	Member
8	Mrs.Deepa Sunil Kashid	NGO Representative	
9	Miss. Vaishnavi S Patil	Student	Member
10	Miss Neha Mensagare	Student	Member

Frequency of Meetings

General meetings - Twice a year

The main functions of the committee are

- forceful implementation of the policies relating to the prevention of sexual harassment, issued by India Sexual Harassment Act by the Supreme Court in (POSH Act) 2013 Maharashtra, AICTE Regulations 2016, UGC and Dr. Babasaheb Ambedkar Technological University, Lonere.
- To display Provisions of the POSH Act and UGC regulations, throughout the institute
- To organize awareness Programmes on gender equity, human rights and dignity, moral and ethical values.
- strive to resolve complaints by the aggrieved complainant.
- To formulate strategies to prevent sexual harassment on and off the campus.
- Install CCTV cameras at vital points and maintain the same for continuous monitoring of the probable incidences


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- Organize gender sensitization workshops and awareness seminars for the students and employers of institute.
- Details about the complaining procedure, Contact information of the ICC members and Penalty for sexual harassment. This can be done through posters in conspicuous places in the campus, publishing in the college website.
- Regular training or workshop must be conducted to all staff and students according to the guidelines indicated in the SAKSHAM Report (Measures for Ensuring the Safety of Women and Programmes for Gender Sensitization on Campuses).
- comprehensive and interactive eLearning on Prevention of Sexual Harassment.
- Institutions should give guidelines to ICC on their role and responsibilities in preventing and redressing sexual harassment at workplace.

Procedure and rules of the ICC Committee

- All meetings of the Committee will be called by the Chairperson and a notice of at least 5 working days must be given for the meeting while in exceptional cases, an emergency meeting may be convened as per the requirement. No person who is a complainant, witness, or defendant in the complaint of sexual harassment shall be a member of the Committee.
- Any Committee member charged with sexual harassment in a written complaint must step down as member during the enquiry into that complaint.
- If the ICC decides not to conduct an enquiry into a complaint, it shall record the reasons for the same in the minutes of the Committee meeting. The Committee shall make the same available to the complainant in writing.
- Within not more than five working days on the receipt of the first intimation of the enquiry, the complainant and the defendant shall submit, to the Convener of the Committee in writing, a list of witnesses, together with their contact details, that she/he desires the Committee to examine.
- The Committee shall have the power to summon any official papers or documents pertaining to the complaint under enquiry
- The Committee may consider as relevant any earlier complaints against the defendant. However, the past sexual history of the complainant shall not be probed into as such information shall be deemed irrelevant to a complaint of sexual harassment.
- The Committee shall have the right to summon, as many times as required, the defendant, complainant and/or any witnesses for the purpose of supplementary testimony and/or clarifications
- The defendant, the complainant, and witnesses shall be intimated at least seventy two hours in advance in writing of the date, time and venue of the enquiry proceedings. The responsibility of communicating with the witnesses lies with the complainant/defendant regarding the date, time and venue of the meeting.
- All proceedings of the Committee shall be recorded in writing. The record of the proceedings and the statement of witnesses shall be endorsed by the persons concerned in token of authenticity there of.

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- All persons heard by the Committee, as well as observers/nominees, shall take and observe an oath of secrecy about the proceedings to protect the dignity of the complainant and the defendant. Any violation of the oath of secrecy may invite penalties.

Exception: A complainant has the right to go public about the complaint of sexual harassment if she so desires. If the Complainant goes public before filing the complaint with the Committee against Sexual Harassment, the same shall not prejudice the Committee members

- If the complainant desires to tender any documents by way of evidence, the Committee shall supply true copies of such documents to the defendant. Similarly, if the defendant desires to tender any documents in evidence, the Committee shall supply true copies of such documents to the complainant.
- In the event that the Committee thinks that supplementary testimony is required, the Convener of the Committee shall forward to the persons concerned a summary of the proceedings and allow for a time period of seven days to submit such testimony, in person or in writing, to the Committee.
- All information received in the course of the examination and enquiry into a complaint of sexual harassment shall be held in trust by the concerned Committee against Sexual Harassment and the same shall not be made available pursuant to an application under the Right To Information Act, 2005. Such information shall constitute an exception under Section 8 (e) of the Right to Information Act, 2005, as the same is held by the Committee Against Sexual Harassment in a fiduciary relationship and the non-disclosure of the same will not be against public interest. To the contrary disclosure of such information may endanger the life or physical safety of the complainant or any of the witnesses. An exception to this Rule will be when the complainant herself applies for information under the Right to Information Act, 2005.

How to Lodge a Complaint?

- All complaints must be brought by the complainant in person.

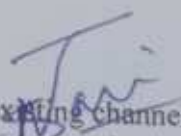
The following exceptions will be admitted:

1. In cases of forced confinement of the person. In such a case, brought by another person on behalf of the complainant, the Committee will examine whether an enquiry, intervention or some other assistance is needed.

2. In exceptional cases, third party/witness complaints may be entertained. In such cases, the Committee will ascertain whether the woman alleged to have been sexually harassed wishes to lodge a formal complaint. Once such a complaint is received the Committee shall proceed to inquire into it as per the procedure specified.

3. Where the Committee takes suo-moto notice.

- Complaints can be lodged directly with any member of the ICC, or through existing channels for lodging grievances, such as the RGUKTB administration, academic and non-academic staff


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association etc. If the complaint is made through any such channel, the person to whom the complaint is made should bring it to the notice of the Committee within two working days of its receipt by her/him.

- The complaint may be oral or in writing. If the complaint is oral, it shall be documented in writing by the ICC member receiving the complaint and the same shall be authenticated by the complainant under her dated signature or thumb impression as the case may be. The members of the Committee shall maintain confidentiality about the proceedings conducted by them.
- Suspension/ transfer of the alleged harasser from his official position can be considered during the pendency of the enquiry if his presence is likely to interfere with the enquiry.
- The victim of sexual harassment will have the option to seek transfer of the perpetrator or her own transfer where applicable.
- All complaints made to any Committee member must be received and recorded by the member, who shall then inform the Chairperson about the complaint, who in turn shall call a meeting of the Committee.
- The proceedings under these Rules and Procedures of ICC shall not, in any way, be affected by any other proceedings against the defendant taken up by the complainant under any other provision of civil or criminal law, except to the extent specifically ordered by a court of law.
- The provisions of these Rules and Procedures of ICC shall not restrict the powers of the University or the complainant to proceed against the defendant for any other misconduct or pursue criminal or civil remedies, whether or not connected with the misconduct within the purview of these rules

Penalties:

The penalties listed below are indicative, and shall not constrain the administration from considering others, in accordance with the rules governing the conduct of all members of ICC.

1. Written apology
2. Bond of good behavior
3. Gender sensitization
4. Counseling
5. Adverse remarks in the Confidential Report
6. Debarring from supervisory duties
7. Suspension
8. Denial of membership of statutory bodies
9. Denial of re-employment
10. Stopping of increments/promotion

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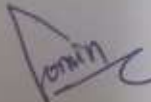
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11. Reverting, demotion
12. Transfer
13. Dismissal
14. Withdrawal of residential facilities and prohibition from entry on the campus etc.
15. Any other relevant mechanism.

Zero tolerance policy in Sanjeevan campus

- It is decided at SETI, Panhala that no any type of sexual harassment go unnoticed. The institute never permit or condone any reported incident of harassment in any form. No any respondent shall go unpunished.
- The institute initiated all the necessary and required measures suggested by Supreme/High Court. AICTE and UGC for the prohibition, prevention and elimination of any kind of sexual harassment.
- As per the orders of The Supreme Court, in its judgement dated 08 May 2009, we are strictly implementing a harassment prevention programme comprising, setting up a toll-free ICC helpline/ call center, a committee of experienced faculty members for immediate actions.
- The institute takes an immediate action in accordance with.


Mrs.A.M.Momin
Presiding Officer


Dr. Sanjeev Jain

Sanjeevan Engg. & Tech. Institute
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Grievance Redressal Policies

1. Anti-Ragging

AICTE has notified regulation for the establishment of a mechanism for grievance redressal Committee for all the AICTE-approved technical Institutions vide no. 37-3/Legal/2012 dated 25.05.2012. To ensure transparency by technical institutions imparting technical education in admission to prevent unfair practices and provide a mechanism to the student to redress their grievances.

2. Definition

"Grievances or Complaint" includes any communication that expresses dissatisfaction or harassment concerning the conduct or any act of omission or commission or deficiency of services and in the nature of seeking remedial action.

The grievances may broadly include the following complaints of the aggrieved students.

- a) Academic
- b) Non-Academic
- c) Grievances Related to Assessment
- d) Grievances Related to Victimization
- e) Grievances Related to Attendances
- f) Grievances related to charging of fee
- g) Grievances regarding the conduction of Examinations
- h) Harassment by colleague students or the teachers etc.
- i) Harassment of Women at a Workshop
- j) Harassment of SC/ST students and faculty

3. Objectives

This Policy aims to set forth the policies and procedures to be followed in receiving, handling, responding to, and resolving any grievance against persons/departments/institutes concerning



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its services. While dealing with the complaint the committee at all leaves will observe law of natural justice and hear the complaint and concerned people.

The students [Gents & Ladies] and faculty [Teaching and non-teaching] are the main stakeholders in any institution imparting education, and it's our endeavour to make all efforts to ensure transparency in all the activities at different stages. Considering this spirit, the Institute has decided to provide a mechanism to students to redress their grievances.

- The following are broad objectives for handling the grievances:
- To provide fair and equal treatment to all stakeholders without bias.
- To ensure that all issues raised by stakeholders are dealt with kindly and resolved in stipulated timelines.
- To develop an adequate and timely organizational framework to address and resolve stakeholders' Grievances fairly and equitably promptly.
- To provide an enhanced level of stakeholder satisfaction.
- To provide easy accessibility to the stakeholders for an immediate Grievance redressal.
- To put in place a monitoring mechanism to oversee the functioning of the Grievance Handling Policy.

4. How to raise the grievance

The stakeholders can raise grievances through the following modes:

Phone Message / Call: Message /call to contact number specified on the institute website to register the complaint

Email: The stakeholders may write a complaint on the email id specified on the institute website to register the complaint

Letter: The stakeholders can write a letter to the authorities.




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Website: The stakeholders may also raise grievances by writing complaints on the grievance redressal portal (<http://www.seti.edu.in/>). The grievance redressal portal is available on the Institute's official website. (<http://www.seti.edu.in/>).

5. Maintenance of records of grievance and reporting

The Chairman of the grievance committee preserves all records pertaining to the grievance/complaint received, the resolution, and the closure of the grievance. The complaint shall be transferred to the concerned intermediary within three working days, provided that resolution time shall not exceed 30 days from the date of the receipt of the complaint from the complainant.

6. Closure of grievance

Every grievance shall be disposed within thirty days of receipt, and a final reply shall be sent to the complainant, containing details of the resolution or rejection of the complaint, with reasons recorded in writing.

7. Escalation of grievances

The stakeholders whose grievance has not been resolved by the intermediary within thirty days from the date of submission or who are not satisfied with the resolution provided by the respective committee shall prefer an appeal to the Head of the institution against the concerned intermediary or entity.

8. Policy to handle major grievances

Major grievances, such as problems involving legal matters, are referred to the Institute's management. Appropriate action is carried out as per guidance provided by management.

If a grievance involves external agencies, the matter is referred to appropriate authorities for future action.



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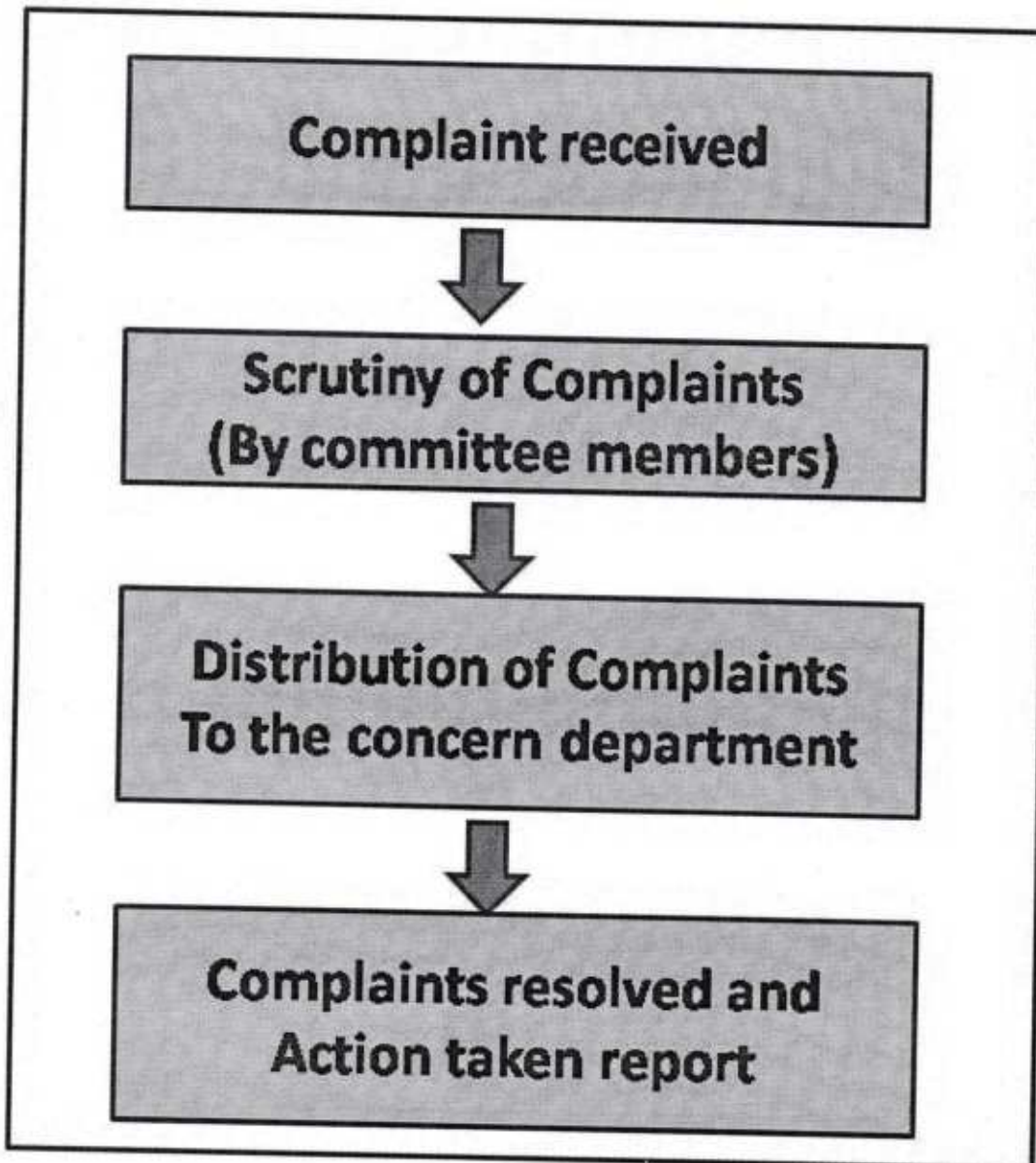
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9. Process for Grievances Redressal

The process to resolve the complaints is as shown below.




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I/We, hereby, undertake to constitute the following committees as per the AICTE Handbook before the commencement of the academic session.

1. Establishment of Anti Ragging Committee (As per All India Council for Technical Education notified regulation for prevention and prohibition of ragging in AICTE approved technical Institutions vide No. 37- 3/Legal/AICTE/2009 dated 01.07.2009). [Pl. refer **Annexure 11**]
2. Establishment of Grievance Redressal Committee in the Institute and appointment of chairman/coordinator by the Institute. (As per All India Council for Technical Education (Establishment of Mechanism for Grievance Redressal) Regulations, 2012, F. No. 37-3/Legal 12012, dated 25.05.2012). [Pl. refer **Annexure 2**]
3. Establishment of Internal Complaint Committee (ICC) (As per section 4 of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013). [Pl. refer **Annexure 3**]
4. Establishment of Committee for SC/ST (As per the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, No. 33 OF 1989, dated 11.09.1989). [Pl. refer **Annexure 4**]



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