UNIVERSITY OF DESIGN INNOVATION AND TECHNOLOGY (UDIT)

Sector - 68, Gurugram, Haryana

SOP - INTERNAL COMPLAINTS COMMITTEE (ICC)

(In accordance with the POSH Act and UGC (Prevention, Prohibition and Redressal of sexual harassment of Women Employees and Students in Higher Educational Institutions Regulations, 2015)

This Standard Operating Procedure (SOP) shall govern the functioning of the Internal Complaints Committee (ICC) constituted at UDIT for the prevention, prohibition, and redressal of sexual harassment of women at the workplace and within the University campus.

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1. APPLICABILITY

This SOP shall apply to:

- All students (UG, PG, Doctoral)
- Teaching and non-teaching employees
- Contractual staff
- Research scholars
- Interns and trainees
- Visitors associated with the University

The ICC shall function in compliance with:

- The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act)
- UGC Regulations, 2015 on Prevention, Prohibition and Redressal of Sexual Harassment in Higher Educational Institutions
- Relevant provisions of university policies and service rules

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2. OBJECTIVES OF ICC

- To provide a safe, secure, and gender-sensitive environment.
- To prevent incidents of sexual harassment.
- To create awareness regarding rights and responsibilities.
- To provide prompt and impartial redressal of complaints.
- To maintain dignity, confidentiality, and fairness throughout proceedings.

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3. DEFINITION OF SEXUAL HARASSMENT

Sexual harassment includes any unwelcome act or behavior (direct or implied), such as:

- Physical contact and advances
- Demand or request for sexual favors
- Sexually coloured remarks
- Showing pornography
- Sending offensive messages/images/videos

- Stalking or repeated unwelcome communication
- Any verbal, non-verbal, or physical conduct of a sexual nature

4. CONSTITUTION OF ICC

The Vice Chancellor shall constitute the UDIT ICC Committee as under :

S.No.	Name	Designation	Appointment as per UGC
1	Ms. Alka Gupta	Associate Professor	Presiding Officer / Chairperson
2	Mr. Pankaj Narain	Professor of Practice	Faculty Member
3	Ms. Shalini Singh	Professor of Practice	Faculty Member
4	Dr. Gargi Datta	Associate Professor	Faculty Member
5	Ms. Rashim Mahajan	Associate Professor	Faculty Member
6	Ms. Jyothy Ramakrishnan	Deputy Registrar	Non-Teaching Employee Member
7	Mr. Tejas Arora	Student Council - Deputy PR	Student Member
8	Ms. Angela Mathew	Student Representative - CD, PG	Student Member
9	Ms. Aditi P Kaur	Founder, President and Chief Functionary of Mountain Children's Foundation (MCF), Dehradun	External Member – NGO / Non-Governmental Organization

Tenure:

- ICC members shall hold office for a period of three years.
- Student representatives may serve for one academic year.

5. POWERS AND FUNCTIONS OF ICC

- Receive and acknowledge complaints.

- Conduct preliminary assessment.
- Facilitate conciliation where appropriate.
- Conduct formal inquiry proceedings.
- Recommend disciplinary action.
- Recommend interim relief measures.
- Organize awareness and sensitization programs.
- Submit annual reports to the University authorities.

6. FILING OF COMPLAINT

Any aggrieved woman associated with the University may file a complaint. The complaint should include Place, Date/Time, and Nature of Complaint

In cases of:

- Physical incapacity
- Mental incapacity
- Death

The complaint may be filed by:

- Relative
- Friend
- Co-worker
- Student colleague
- Legal heir

7. MODE OF COMPLAINT

Complaints may be submitted:

- In writing
- Through email to the ICC official email ID
- By signing a hard copy to the Chairperson of the Committee.

8. TIME LIMIT

- A complaint should preferably be filed within 3 months from the date of the incident.
- ICC may extend the period by another 3 months if justified.

9. PROCEDURE UPON RECEIPT OF COMPLAINT

Step 1: Acknowledgment

- ICC shall acknowledge receipt within 3 working days.

Step 2: Preliminary Review

- Determine whether the complaint falls under sexual harassment jurisdiction.

Step 3: Conciliation (Optional)

- At the request of the complainant only.

Step 4: Formal Inquiry

If conciliation fails or is not requested:

- A show-cause notice shall be issued to the respondent to reply within 10 days.
- A copy of the complaint shall be shared.
- Both parties shall be given a fair opportunity to present evidence/witnesses.

10. INQUIRY PROCEDURE

The inquiry shall follow:

- Natural justice
- Fair hearing
- Confidentiality
- Impartiality

11. TIMELINE

Inquiry should ordinarily be completed within 30 days.

12. ATTENDANCE

A minimum of 3 ICC members, including the Presiding Officer, must be present during the inquiry process.

13. EVIDENCE

ICC may consider:

- Oral testimony
- Written statements
- Emails/messages/social media records
- CCTV footage
- Documentary evidence
- Any other as deemed necessary during the course of the investigation.

14. INQUIRY REPORT AND RECOMMENDATIONS

To be prepared by the committee and submitted to the Vice Chancellor within 21 days of completion of the inquiry.

15. PUNISHMENT

i) **Action against Employees:**
Any employee of the UDIT found guilty of sexual harassment shall be liable for disciplinary action and punishment in accordance with the applicable service rules of the UDIT and the provisions of the relevant regulations.

ii) **Action against Students:**
Where the respondent is a student, the UDIT may, depending upon the nature and severity of the offense, impose one or more of the following measures:

- Withhold privileges of the student, including access to the library, auditoria, halls of residence, transportation, scholarships, allowances, identity card, or other institutional facilities.
- Suspend the student or restrict the student's entry into the campus for a specified period.
- Expel the student and strike off their name from the rolls of the institution, including denial of readmission, where the gravity of the offense so warrants

or

- Impose reformative measures, including mandatory counseling and/or community service, as considered appropriate by the competent authority.

16. ACTION AGAINST FRIVOLOUS OR MALICIOUS COMPLAINTS

i) The provisions relating to protection from sexual harassment shall not be misused. Accordingly, UDIT shall publicize and implement appropriate provisions relating to false or malicious complaints.

ii) Where, following an inquiry conducted in accordance with the prescribed procedure, the ICC concludes that:

- The allegations were knowingly false or malicious;
- The complaint was made with knowledge that the allegations were untrue

or

- Forged, fabricated, misleading, or materially false information was provided during the inquiry.
- The complainant may be liable for appropriate disciplinary action in accordance with the applicable provisions of UDIT.

iii) **Mere inability to substantiate a complaint or failure to provide adequate proof shall not, by itself, attract any action against the complainant.**

iv) A finding of malicious intent shall not be made merely because a complaint could not be substantiated. Malicious intent shall be established only after an inquiry conducted in accordance with the prescribed procedure and after providing the concerned person an appropriate opportunity to be heard.

v) Any action against a complainant under this section shall be taken only based on the findings of the ICC and in accordance with the applicable rules and regulations of the UDIT.

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