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NOTIFICATION NO. KU/POL./2022/006

Date: 16th February 2022

**Subject: Karnavati University - Rules related to the Constitution of Internal
Complaints Committee (Issue 01 Revision 01)**

Karnavati University hereby notifies 'Rules related to the Constitution of Internal Complaints Committee' as appended herewith. These rules shall provide a fair, timely, and transparent mechanism for the resolution, settlement, and prosecution of acts of sexual harassment against women, by employees or students. These will also promote gender equality among students and employees.

This comes into immediate effect.


Tariq Ali Saiyed
Registrar



**Enclosure: Karnavati University - Rules related to the Constitution of Internal
Complaints Committee (Issue 01 Revision 01)**

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Rules related to the Constitution of Internal Complaints Committee

Policy title	Rules related to the Constitution of Internal Complaints Committee
Key stakeholders	Students Teaching Employees Non-Teaching Employees
Approved on	16 th February 2022
Date effective from	17 th February 2022
Next version	
Relevant policies	
Relevant committees/ centre/ cell	
Related Statutory Guideline	The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. UGC (Prevention, Prohibition and redressal of sexual harassment of women employees and students in higher educational institutions) Regulations, 2015.

1. Short Title

These rules shall be called the “*Rules related to the Constitution of Internal Complaints Committee*”.

2. Objective

These rules are framed to achieve the following objectives –

- i. To prevent cases of sexual harassment against women,
- ii. Promote gender equality amongst students and employees,
- iii. Provide a fair, timely and transparent mechanism for resolution, settlement and prosecution of the acts of sexual harassment against women, by the employees or students.

3. Definitions

- i. “**Complainant**” shall mean any person (employee or student) who has been a victim of sexual harassment, it shall also include friends, relatives, colleagues, co-student or any other person (on behalf of the victim).
- ii. “**Employee**” shall mean any person appointed by the University, including teaching, non-teaching, employees on muster roll and daily wages.
- iii. “**Respondent**” shall mean any person (employee or student) against whom the complaint of sexual harassment has been made.
- iv. “**Student**” shall mean all the students who are enrolled in the various undergraduate, post graduate, diploma, programs offered by the constituent Institutes of the University.

4. Internal Complaints Committee – Constitution, Composition, Removal and Meetings

The University shall constitute an Internal Complaints Committee (hereinafter referred to as “**ICC**”) as an inbuilt grievance redressal mechanism for gender sensitization against sexual harassment, under the provisions of *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013* (hereinafter referred to as “**Act**”) and the *UGC (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2015* (hereinafter referred to as “**Regulation**”).

- i. **Composition –**
 - a. A women who is a senior level teaching employee (teaching or non – teaching) of the University, who shall be the Presiding Officer of ICC, nominated by the Vice – Chancellor (Provost);
 - b. Two (2) teaching employee and two (2) non – teaching employees, preferably who have experience in social work or have legal knowledge, who shall be nominated by the Vice – Chancellor (Provost);
 - c. One (1) member from an NGO or associations working on issues related to sexual harassment, nominated by the Vice – Chancellor (Provost).
 - d. Three (3) students, **only in those cases** where the matter involves students, who shall be enrolled at the undergraduate, postgraduate and PhD program/courses.
 - e. One – half ($\frac{1}{2}$) of the total members of the ICC shall be women.
- ii. **Term –** The term of the members shall be of three (3) years.
- iii. **Removal or Vacancy –** a member (including the Presiding officer) shall be removed from the ICC on the following grounds, namely:
 - a. Publishes or makes known the contents of the complaints and the inquiries to the public in contravention to section 16 of the Act,
 - b. Has been accused of or convicted for an offence, under any law for the time being in force,
 - c. Has been found guilty in any disciplinary proceedings conducted by the Disciplinary committee, or such disciplinary proceeding is pending against him/her,
 - d. Has abused his/her position, making his/her continuation in the office prejudicial to public interest.

The vacancy created due to removal of the member or due to any vacancy, the same shall be filled by fresh nomination.

5. Responsibilities of the ICC

- i. The ICC shall publically notify the provisions against sexual harassment and commit itself to a zero tolerance policy towards sexual harassment. Reinforce the Universities commitment to create a discrimination and harassment free campus.
- ii. It shall organise training and orientation programmes, workshops, seminars, counselling for the students and employees of all genders to sensitize them and generate awareness about sexual harassment, gender based discrimination, their

rights, the recourse available to them and redressal mechanism against sexual harassment.

- iii. It shall display prominently at all such places which are frequently accessed, on notice boards, hostels, classes, corridors, offices, rooms, laboratories the penalty and consequences of sexual harassment and information about the mechanism put in place for the redressal of complaints related to sexual offences.
- iv. To book and initiate proceedings as required by law against such employees and students against those who are guilty of sexual harassment.
- v. Provide more protection to the vulnerable section (i.e., research, Ph.D. scholars and doctoral students).
- vi. It shall provide assistance to the employees and students who wish to file a complaint with the ICC. It shall address the complaints through just and fair conciliation without undermining the rights of the complainant.
- vii. It shall keep confidential the identity of the complainant (victim) and the offender, the inquiry report, evidence, contents of the complaint and inquiry proceedings or any other related documents and information.

6. Process of making complaint and conducting inquiry by the ICC

- i. The complainant shall submit a written complaint to the Presiding Officer within three (3) months from the date of incident, the members of the committee shall provide all assistance to the complainant for making the complaint in writing,
- ii. The ICC for reasons to be recorded in writing, extend the time limit of three (3) months,
- iii. The ICC shall within seven (7) days of the receipt of such written complaint, send one copy to the respondent,
- iv. The respondent shall within ten (10) days from the date of receipt of such copy of complaint file a reply,
- v. The ICC may, if so requested by the complainant, before initiating the inquiry, take steps to settle the matter by conciliation, no monetary settlement shall be made. In case a settlement has been arrived, the report of the same shall be forwarded to the Vice – Chancellor (Provost) by ICC
- vi. In case, the complainant does not agree to take recourse of conciliation, then the ICC shall conduct an inquiry of the said complaint, within ninety (90) days from the date of receipt of complaint. The inquiry report shall be sent to the Vice – Chancellor (Provost), with recommendations within ten (10) days from the date of

completion of the inquiry. A copy of the inquiry report along with recommendations shall also be sent to the complainant and respondent.

- vii. The Vice – Chancellor (Provost) shall act upon the recommendations of the ICC and do the needful within thirty (30) days from the date of receipt of the inquiry report.
- viii. An appeal may be filed by either party against the findings or recommendations of the ICC, before the Vice – Chancellor (Provost) within a period of thirty (30) days from the date of receipt of the inquiry report.

7. Action to be taken by the ICC

- i. The ICC may recommend the following relief as interim measures while conducting the inquiry, in case of employee to the HR department and in case of student to the Dean of Student Welfare -
 - a. Recommend transfer of the complainant or the respondent to another department to minimise the risks of any interaction or contact between them,
 - b. Grant leave to the complainant with benefits until the inquiry is completed,
 - c. Restrain the respondent from reporting on or evaluating the work, performance, tests, and examinations of the complainant.
 - d. Take measures to provide a safe environment and protection to the complainant against the retaliation and victimization as a consequence of making a complaint of sexual harassment.
- ii. In case, the respondent, who is an employee, is found guilty of sexual harassment by the ICC, then he/she shall be dealt as per the provisions of the Act and according to the decision of the HR Department.
- iii. In case, the respondent, who is a student, is found guilty of sexual harassment by the ICC, then the ICC may recommend the following punishments and compensation, to the Dean of Student Welfare –
 - a. Withholding student privileges like access to the library, auditoriums, hostels, transportations, scholarships, University events, workshops, seminars conferences and the like, for a specific period, or until completion of course.
 - b. Suspend or restrict entry into the campus for a certain period,
 - c. Expel the student from the University, with no refund of fees and no right to re-admission.
 - d. Award punishments as provided under the act, mandatory counselling, and community services.

8. Action against false complaints

If the ICC concludes on inquiry that the complainant had filed a false or malicious complaint or that any misleading information was provided during the inquiry, the complainant shall be liable to be punished accordingly. Any inability to substantiate a complaint or failure to provide adequate proof will not be considered as a false complaint.