

INTERNAL COMPLAINTS COMMITTEE



Lady Brabourne College
P1/2, Suhrawardy Avenue
Kolkata 700017

POLICY DECLARATION OF THE INTERNAL COMPLAINTS COMMITTEE

The Internal Complaints Committee, Lady Brabourne College was constituted in compliance with the Gazette Notification No. F.91-1/2013 (TFGS) entitled University Grants Commission (Prevention, prohibition and redressal of sexual harassment of women employees and students in higher educational institutions) Regulations, 2015 dated 2nd May 2016 published by The Ministry of Human Resource Development (University Grants Commission).

The Internal Complaints Committee, Lady Brabourne College, (ICC LBC) was reconstituted from the erstwhile ICC or Gender Sensitization Committee against Sexual Harassment (GSCASH) in April, 2019 as per the Guidelines laid down by the Ministry of Human Resources Development (University Grants Commission) Notification No. F.91-1/2013 (TFGS).

As per the stated MHRD (UGC) Notification:

- “Aggrieved woman” means in relation to workplace, a woman of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent”.
- “Act” means the Sexual Harassment of Women at Workplace Prevention, Prohibition and Redressal Act. 2013(14 of 2013).
- “Campus “ means the location or the land on which the Higher Educational Institution and its related institutional facilities like libraries, laboratories, lecture halls, residences, halls, toilets, student centres, hostels, dining halls, stadiums, parking areas, park like settings and other amenities, like health centres, canteens, bank counters , etc., are situated and also includes extended campus and covers within its scope, places visited as a student of the HEI including transportation provided for the purpose of commuting to and from the institution, the location

outside the institution of field trips, internships, study tours, excursions, short term placements, places used for camps, cultural festivals, sports meets, and such other activities where a person is participating in the capacity of an employee or a student of the HEI.

Further also, as per the MHRD (UGC) Notification:

- An employee or fellow student or guardian of the offended person shall be deemed to be “covered individuals” i.e. “who have engaged in protected activity such as filing a sexual harassment charge”.
- For purposes of these regulations, “employee” means a person defined in the “Act” and also trainee, apprentice (called by any other name), interns, volunteers, teacher assistants, whether employed or not, including those involved in field studies, projects, short visits and camps.
- “Executive Authority” means chief executive authority of the HEI, by whatever name called, in which the general administration of the HEI is vested.
- Higher Educational Institution (HEI) means a University within the meaning of the (j) of Section 2, a college within the meaning of the (b) of Sub-section 1 of Section 12 A and an institution deemed to be a University under Section 3 of the University Grants Commission Act, 1956 (3 of 1956)
- “Internal Complaints Committee” (ICC) means Internal Complaints Committee to be constituted by an HEI under sub regulation (1) of regulation 4 of these regulations. Any existing body already functioning with the same objective (like the Gender sensitization Committee against Sexual Harassment (GSCASH) should be reconstituted as the ICC.
- Sexual harassment means :
Any unwelcome conduct, physical verbal or non-verbal with sexual overtones, any threat or promise related to sexual favours, humiliating treatment likely to affect health, safety, dignity or physical integrity of a person.
- “Student” means any person enrolled, in process of enrolment, visiting from another HEI for participating in any event of this HEI.

Composition of the Internal Complaints Committee

As per the UGC (Prevention, prohibition and redressal of sexual harassment of women employees and students in higher educational institutions) Regulations 2015 (Section-4), the Internal Complaints Committee is to be comprised of 9 members as follows:

- A Presiding Officer - a woman employed at a senior level at the workplace from amongst the employees.
- At least two Members - from amongst the employees preferably committed to the cause of women OR who have had experience in social work OR have legal knowledge.
- One Member - from amongst NGOs OR associations committed to the cause of women OR a person familiar with issues relating to sexual harassment.
- One half of the total Members nominated should be women.
- Three elected student members

- Two nominated non-teaching members.

The Presiding officers and Members will hold office for a period not exceeding three years. Three students will be elected through transparent democratic procedure. HEIs may employ a system whereby one-third of the members of the ICC may change every year.

Overview on the Internal Complaints Committee, Lady Brabourne College (ICC LBC)

- Lady Brabourne College is committed to strictly ensure a zero tolerance policy towards sexual harassment. The college has implemented the UGC guidelines for the constitution of its ICC in April 2019.
- The reconstituted ICC was formed at a meeting in April, 2019 in the presence of the “Chief Executive Officer of the HEI”, in this case the Principal, Professor Siuli Sarkar. Thereafter, composition of the ICC has been changed every three years.
- The ICC LBC has put up Display Boards at several prominent locations in the college and hostel premises giving details of the members so that students may contact them.
- The ICC LBC has also put up on its website information about its presence.

The following Awareness message has been communicated through the College Website

- Do not feel hesitation or shame in coming forward to complain in case you feel “harassment”.
- Forcefully and assertively tell the harasser that his / her behavior is unwarranted and illegal.
- Keep a detailed record of all incidents related to the sexual harassment. If you feel the need to register a formal complaint later, this record will be helpful.
- All complaints must be brought by the complainant in person to ICC.
- A complaint may be lodged through email or by a telephone call to any of the members of ICC LBC.

Procedure of action to be followed by the ICC LBC in compliance with MHRD /UGC guidelines:

- When a complaint is received the ICC LBC shall conduct a preliminary enquiry to ascertain the nature of the complaint, collect the documentary or other evidence and record statements of the complainant and possible witnesses. The enquiry shall be completed within a period of 90 days from the date of the complaint.
- ICC LBC shall then submit the preliminary Enquiry Report to the authority along with the record of the Statements and supporting documents (if any) within a period of ten days from the date of completion of the inquiry. This report may be made available to the concerned parties.

- In case, the allegations turn to be not related to sexual harassment, ICC LBC shall refer such complaints to the Grievance Redressal Cell or to the Principal.
- After verification of the Complaint, the ICC LBC shall in consultation with its Chief Executive Officer, in this case, the Principal, Lady Brabourne College, and in keeping with the MHRD-UGC guidelines recommend punitive action against the harasser.
- The employer shall act upon the recommendation within sixty days of receiving it.
- If ICC LBC concludes that the allegation made were false, the complainant shall be liable to be punished as per the relevant provision of the aforementioned UGC regulation 2015.



Principal
Lady Brabourne College
Kolkata