

# **(Relevant Pages from the Internal Complaints Committee(ICC) Policy)**

## **XIX. ANNUAL REPORT OF ICC**

ICC shall forward an Annual Report on the discharge of its functions of gender sensitization and orientation, crisis mediation and formal enquiry and redressal to the Vice-Chancellor of Kurukshetra University. The Annual Report shall also be presented and discussed in atleast one public meeting called for the purpose by ICC.

## **XX. REGISTRATION OF COMPLAINTS**

Where, despite the preventive and conciliatory efforts of ICC, incidents of sexual harassment do take place, registration of complaints about such incidents shall follow a two-stage procedure. At the first stage there shall be a preliminary system for filing of complaints and subsequently there shall be follow-up by a Complaints Screening Committee. Both these stages are spelt out in the outline given below.

### **(A) Procedure for Filing Complaints**

- (i) Any woman student, resident, service provider, outsider, or a member of the academic or non-teaching staff may lodge a complaint of sexual harassment against a student, resident, service, provider, outsider, or a member of the academic or non-teaching staff. Third party<sup>11</sup> complaints and witness complaints shall be entertained.
- (ii) Complaints can be lodged directly with any member of ICC, or through existing channels for lodging grievances, such as the University authorities, wardens, teachers, students, union/association representatives, administrative superiors 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 ICC within two working days of its receipt by her/him.
- (iii) Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed may make a complaint under this section<sup>12</sup>.

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<sup>11</sup> Third Party here refers to any individual who is not party to the incident. Third party complaints may only be pursued if there is enough evidence (eye witness/material evidence) to establish a prima facie case of sexual harassment, and/or the complaint himself/herself agrees to testify.

<sup>12</sup> The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, Section 9 (2)

- (iv) Upon receipt of the complaint, the ICC member to whom the complaint is made shall forward the same to the Chairperson, ICC.
- (v) The ICC may, before initiating an inquiry under section (ii) and at the request of the aggrieved woman take steps to settle the matter between her and the respondent through conciliation<sup>13</sup>.
- (vi) Provided that no monetary settlement shall be made as a basis of conciliation<sup>14</sup>.
- (vii) Where a settlement has been arrived at under section (v), the ICC shall record the settlement so arrived and forward the same to the Vice-Chancellor to take action as specified in the recommendation<sup>15</sup>.
- (viii) The ICC shall provide the copies of the settlement as recorded under section (vii) to the aggrieved woman and the respondent<sup>16</sup>.
- (ix) Where a settlement is arrived at under section (v), no further inquiry shall be conducted by ICC<sup>17</sup>.
- (x) As far as possible an attempt should be to explore whether conciliation can provide a suitable solution of the case. This would be desirable in so far as it can spare the trauma of formal procedures for both the complainant and the accused. In cases where there is a possibility of success of such an effort, the time span between receipt of first information about an incident and bringing it formally to the notice of ICC by the faculty or other concerned person, may be enhanced beyond two days but to a period less than a week from the date of the initial complaint.
- (xi) The complaint may be oral or in writing. If the complaint is oral, it shall be reduced in writing by a Complaints Screening Committee or the ICC member receiving the complaint, on Form I, prescribed for the purpose (Schedule-II), and authenticated by the complainant under her dated signature or thumb impression as the case may be.

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<sup>13</sup> *Ibid*, Section 10 (1)

<sup>14</sup> *Ibid*, Section 10 (1)

<sup>15</sup> *Ibid*, Section 10 (2)

<sup>16</sup> *Ibid*, Section 10 (3)

<sup>17</sup> *Ibid*, Section 10 (4)



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