

**STANDING OPERATING  
PROCEDURE (SOP) ON**

**WORKING OF  
INTERNAL COMPLAINTS  
COMMITTEE**

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1. To ensure prevention and prohibition of sexual harassment against the employees and the students in the Adesh Institute of Medical Sciences & Research an Internal Complaints Committee (ICC) has been constituted as per "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and "University Grants Commission (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Education Institutions) Regulations, 2015".

Responsibilities of ICC are as follows:

- a. To provide assistance of any employee or a student who chooses to file a complaint with police.
  - b. To provide proper mechanism of dispute redressal.
  - c. Protect the safety of the complainant.
  - d. Provide the mandatory relief to complainant by way of sanctioned leave or relaxation of attendance requirement or transfer to another department or supervisor.
  - e. Ensure that victims or witnesses are not victimized
  - f. Ensure prohibition of retaliation/ adverse action against a covered individual
2. To solve such matters in an unbiased, non-controversial and appropriate manner following Standard Operating Procedure (SOP) is issued.
  3. The ICC shall abide by the procedure prescribed in this SOP, for making a complaint and inquiring into the complaint in a time bound manner.
  4. The ICC shall have the following composition:
    - a. A Presiding Officer - A women faculty member employed at a senior level (not below a Professor) nominated by the Principal. In case a senior level employee is not available, the presiding officer shall be nominated from administrative units.
    - b. Not less than two members from amongst the employees, committed to the cause of women or have had experience in social work or have legal knowledge
    - c. One member from amongst non-government organizations or associations committed to the cause of women or a person familiar with the issues related to sexual harassment.
    - d. At least one-half of the total members of the ICC shall be women.
    - e. Persons in senior administrative positions in Adesh Institute of Medical Sciences & Research, such as Principal, Deans, Medical Superintendent etc, shall not be members of ICC in order to ensure autonomy of the functioning.
    - f. The term of office of the members of ICC shall be for a period of three years. The one- third members of ICC may change every year.



## 5. Definitions:

- a. "aggrieved women" in relation to work place, a woman of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent
- b. "Campus" means the land on which college and its Constituent departments, other institutional facilities and other amenities like health centers, canteens, bank counters etc. are situated. Also places/locations outside the institutions visited as employee/student like transportation provided by college, field trips, short-term placements, sports meets etc.
- c. "Covered individual" are persons who have engaged in protected activity such a filing a sexual harassment charge or who are closely associated with an individual who has engaged in protected activity
- d. "Internal Complaints Committee (ICC)" means Internal Complaints Committee constituted by Adesh Institute of Medical Sciences & Research as per "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and "University Grants Commission (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Education Institutions) Regulations, 2015", for functioning against sexual harassment in College campus
- e. "Protected activity" includes reasonable opposition to a practice believed to violate sexual harassment laws on behalf of oneself or others such as participation in sexual harassment proceedings, cooperating with an internal investigation or alleged sexual harassment practices or acting as a witness in an investigation
- f. "Sexual harassment" means-
  - I. "An unwanted conduct with sexual undertones if it occurs or which is persistent and which demeans, humiliates or creates a hostile and intimidating environment or is calculated to induce submission by actual or threatened adverse consequences and includes any one or more or all of the following unwelcome acts or behavior (whether directly or by implication), namely:
    - a. Any unwelcome physical, verbal or non verbal conduct of sexual nature
    - b. Demand or request for sexual favour
    - c. Making sexually coloured remarks
    - d. Physical contact and advances, or
    - e. Showing pornography
  - II. Any one (or more than one or all) of the following circumstances, if it occurs or is present in relation or connected with any behavior that has





explicit or implicit sexual undertones:

- a. Implied or explicit promise of preferential treatment as quid pro quo for sexual favours
  - b. Implied or explicit threat of detrimental treatment in the conduct of work
  - c. Implied or explicit threat about the present or future status of the person concerned
  - d. Creating an intimidating offensive or hostile learning environment
  - e. Humiliating treatment likely to affect the health, safety, dignity or physical integrity Of the person concerned
  - g. "Student" means a person duly admitted and pursuing a programme of study either undergraduate or post-graduate programs, including short term training or observation programmes in the College.
  - h. "victimization" means any unfavorable treatment meted out to a person with an implicit or explicit intension to obtain sexual favour
  - i. "Workplace" means any place as per definition of "campus" visited by the employee or student during the course of employment or study.
6. Any aggrieved woman may complain via email or through whatsapp message or in writing to any member of ICC within three months from the date of incidence and in case of a series of incidents with in a period of three months from the date of the last incident. Provided further that the ICC for the reasons to be recorded in writing, can extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period.
7. Where the complainant is not in a position to make such complaints in writing or via any other mean, Presiding officer or any member of ICC on receiving a verbal complaint shall provide all reasonable help to the person for making the complaint in writing via any of the mean.
8. Any complaint received by the members should be immediately forwarded to the Presiding Officer, and this must be notified to other committee members at the earliest and a meeting should be called for discussing the matter.
9. The ICC shall issue a notice to the respondent within 7 working days of receipt of the complaint and upon receipt of the copy of complaint 10 working days shall be given to the respondent for submission of reply (along with the list of witnesses and documents).
10. The inquiry has to be completed within ninety days from the receipt of the complaint.

11. If the Committee finds no merit in the allegations, it shall report to the Principal.
12. In the event the Committee finds that the allegation(s) against the respondent have been proved, it shall recommend the nature of action in accordance with the service rules of Adesh Institute of Medical Sciences & Research / Adesh University, if the offender is an employee and the depending upon the severity of the offence if the respondent is a student.

The following actions may be recommended:

- a. A written apology
  - b. Withhold the access to the library, auditorium, halls of residence, transportation, scholarship, allowance, identity card, suspend or restrict entry into the campus, expel or strike off name from the rolls of the institution in case of students
  - c. Undergoing a mandatory counseling
  - d. Performing community services
  - e. Paying compensation to the aggrieved person
  - f. All above including suspension from duty, for an employee
  - g. Any other recommendation as deemed fit
13. The inquiry report with recommendations, if any, has to be submitted to the Principal within ten days from the completion of the inquiry. The findings of the inquiry should also be provided to both parties.
  14. The Principal shall forward the recommendations to the Hon'ble Vice Chancellor Adesh University as per Adesh University regulations, for action on the recommendations of the committee within the period of 30 days from the receipt of the inquiry report, unless an appeal against the findings is filed within that time by the either party.
  15. The either party can file an appeal against the findings of ICC before the Principal with in a period of 30 days from the date of recommendations.
  16. If the Principal decides not to act as per recommendations of the ICC, the ICC may be conveyed in writing, the reasons for the same and both the parties to the proceedings.
  17. If it is decided to act as per recommendations of the ICC, then a show cause notice, answerable within 10 days, shall be served on the party against whom action is decided to be taken.
  18. The Principal shall facilitate a conciliation process through ICC as the case may be, once it is sought.



19. The identities of the aggrieved party or victim or the witness or the offender shall not be made public especially during the process of inquiry.
20. If the ICC found that the allegations made were false, malicious or the complaint was made knowing it to be untrue, or forged or misleading information has been provided during the inquiry, the complainant shall be liable to be punished. However, the merely inability to substantiate a complaint or provide adequate proof will not attract attention against the complainant.

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