

ANTI - SEXUAL HARASSMENT

Regulation for Prevention, Prohibition and Redressal of Sexual Harassment

Policy:

In adherence to UGC (Prevention, prohibition, and redressal of sexual harassment of women employees and students in higher educational institutions) Regulations, 2015 (hereinafter referred to as UGC Regulation) Seicom Degree College, Tirupati shall have an independent regulatory framework to ensure preventive, remedial, and/or disciplinary measures against sexual harassment of its employees and students. The Institution shall be committed to creating and maintaining an environment that is free of all forms of gender-based discrimination and sexual harassment. The Institution shall have a zero-tolerance policy towards sexual harassment and shall ensure timely and adequate compliance of the directions in this regard contained in the UGC Regulation.

Regulation:

1. Applicability and Commencement:

This Regulation shall apply to all Students, Employees (irrespective of their Tenure, Position, Designation, or Gender), and any other person who belongs to the organisation.

2. Definition

In this Regulation, unless the context otherwise requires, all the terms specified or contemplated herein shall have the same meaning and interpretation of such term/s as contained in Section 2 of the UGC Regulation except where differently specified. For immediate reference, the definition of certain important terms is reproduced in the Schedule hereto.

3. Authorities:

In order to ensure effective administration of the objectives of the Regulation, the Institution shall have the following Authorities duly appointed with the approval of the Head of the Institution

a) Internal Complaints Committee (ICC):

a) The Internal Complaints Committee shall be the primary authority responsible for

dealing with and adjudicating any complaint/grievance in the nature of sexual harassment and shall function with full autonomy with power to make recommendations and/or to pass disciplinary orders in accordance with this Regulation. The ICC shall consist of the following members:

- b) Senior Woman Professor of the Institution – Convener.
- c) 2 faculty members and 1 non-teaching employee preferably committed to the cause of women or who have had experience in social work or have legal knowledge.
- d) Three students, if the matter involves students, who shall be enrolled at the undergraduate and postgraduate levels respectively nominated in consultation with the Head of Institution and the faculty Convener.
- e) All the members of the ICC shall be nominated by or with the approval of the Head of Institution
- f) At least one-half of the total members of the ICC shall be women.
- g) The ICC may meet as many times as the need arises for the purpose of the Enquiry stated under Clause 4(2) herein but shall be obliged to meet once in a year to review its performance and compliance under this Regulation. At least 2/3 of its members shall be the required quorum.
- h) The Head of Institution may also invite any faculty member, staff member, student, or other covered individuals to appear as witnesses or provide substantial evidence in connection with the investigation or complaint.
- i) The Head of Institution may also appoint a Secretary to record and document all of the proceedings of the ICC.
- j) The term of office of members of the ICC shall be two years. However, they may be eligible for re-election at the discretion of the Head of Institution
- k) The Head of Institution or any other member of the ICC who is nominated to serve shall resign from office if and when they are disqualified from being a member due to misconduct or incompetence.
- l) The Head of Institution or any other member of the ICC who has been convicted for an offense or an enquiry into an offense may not maintain confidentiality while serving as a member of the institution.
- m) has not informed the public about his/her interest in the enquiry proceedings of the ICC.

- n) Designated members of the Committee who have been removed from office due to misconduct or incompetence shall be replaced by fresh nominations.

4. Complaint of Sexual Harassment and Enquiry Procedure:

1. Complaint Procedure:

- a) An aggrieved individual is required to submit a written complaint to the ICC Council within three months after the date of the incident.
- b) Where no written complaint can be made, the person should contact the presiding officer or any other member of the ICC for assistance.
- c) If the person has not been able to file a complaint within the stipulated time limit, the deadline may be extended. The delay in reporting the incident may be regarded as a failure on the part of the individual.
- d) Sometimes, the victim's relatives, friends, or co-workers can also file a complaint on the basis of the victim's mental or physical condition.
- e) In cases where the victim is not able to contact the members of the ICC immediately, the complaint can be forwarded to the appropriate authorities.

2. ICC Enquiry Procedure:

Upon receipt of the Complaint, the ICC shall immediately contact a Select Committee which a Member of the Commission shall head to look into the said complaint and make a report on its authenticity.


- a) The Committee's report will clearly state the reason why it has to look into the Complaint and its decision on its authenticity. It will also include the opinion of experts about the accused's behavior.
- b) The following steps shall be taken if the complaint is to be further investigated: The Officer shall, in the event that the inquiry is to be expanded, send a Notice to the Respondent and provide him or her with a copy of the Complaint along with a response in writing.
- c) Suppose the Select Committee is not satisfied with the correctness of the complaint. In that case, the investigating officer shall send a Notice to the accused and furnish a copy

of the Committee's report along with a response to the same. A shorter Notice period may be sought if the case requires urgent attention.

- d) The enquiry or hearing conducted by the ICC shall be conducted in a manner that is consistent with the normal judicial procedures. Neither the parties nor any third party shall be allowed to represent them.
- e) The ICC may, in its own or joint presence, hear and/or cross-examine the parties. If the respondents fail to appear on the specified date, the hearing may be cancelled and the case may be decided on an Ex-Parte basis.
- f) Either the parties or the defendant may request to extend the time limit to defend their case to not more than 7 days.
- g) If the parties fail to appear on the specified date, the ICC may proceed with its inquiry and decide the case on an Ex-Parte basis.
- h) The Head of the institution may, at any time, act on the recommendation of the Commission and extend the time limit for the inquiry by 15 days unless an appeal is made against the same.
- i) In certain circumstances, the ICC may allow the parties to resolve the matter by conciliation or by signing a reconciliation agreement.
- j) If the parties fail to reach a conciliation agreement, the ICC may recommend appropriate punitive action under the code of conduct and ethics of the College. Any such action shall be independent of this regulation and there shall be no appeal allowed.

5. Frivolous Complaint:

- a) Any employee of the College who is found guilty of sexual harassment will be punished according to the applicable legislation.
- b) Where a student has been found guilty of sexual harassment, the severity of the offense shall be considered by the ICC.
- c) Withhold the student's privileges, such as access to the library and auditorium.
- d) Suspend or restrict the student's entry to the campus for a certain period. Prominent punishments include, but are not limited to, suspending or revoking the student's name from the rolls.
- e) In certain circumstances, such as the severity of the offense, the victim may be entitled to monetary compensation.


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- f) The compensation that the victim is entitled to is based on the damages caused by the sexual harassment. These include mental trauma, loss of career opportunities, and medical expenses.

6. Confidentiality Responsibility of ICC:

- a) Any complaint that is made to the ICC shall be treated as confidential and shall not be made public. The details of the complaint shall be kept strictly confidential.
- b) The information collected by the ICC regarding a complaint shall not be shared or forwarded to third parties.

7. Supportive Responsibilities of ICC:

- a) With reference to any complaint enquired in to by the ICC under this Regulation and to the extent, it is warranted, it shall be the responsibility of the ICC to:
- b) If a student or an employee file a complaint with the police, the appropriate assistance will be provided to the employee or the student. There should also be a mechanism for dispute redressal and dialogue to address the issues.
- c) The police should not reveal the identity of the person who filed the complaint. They should also provide the required relief for the victim, such as leave or transfer to another department.
- d) Adhere to this policy to ensure that victims of sexual harassment are not subjected to discrimination or harassment while they are dealing with the complaints.
- e) Adhere to this policy to ensure that all individuals who commit sexual harassment are identified and warned to stay away from the victims.

8. Institutional Responsibilities:

The Head of the Institution may nominate

- a) The Convenor will oversee the operations of the ICC and ensure that it adheres to all the requirements of this Regulation. This includes, but is not limited to, the publication of all the relevant documents on the website of the College.



- b) This role also involves organising training programs for the various staff members and students of the College. These programs should be carried out according to the guidelines set by the College.
- c) Through the various channels, the Convenor will help the various groups and individuals in the College community to be aware of the issue and to report it.
- d) The Convenor should also organise regular orientation programs for the members of the ICC to enhance their skills.
- e) The Convenor should also introduce gender-sensitive modules to the various programs and courses offered by the Academic Staff College.
- f) The Convenor should also provide the necessary administrative support to the ICC, including the provision of infrastructure and support.
- g) Conduct a half-yearly review to identify the effectiveness of the Regulation in preventing sexual harassment and sexual misconduct.
- h) The Convenor should also monitor the documentation and procedures of the ICC and ensure that they are regularly updated and should also prepare and submit an annual report.

9. General Provisions:

- a) The provisions of this regulation are applicable to all matters which are covered under its different clauses or regulations.
- b) Any sexual harassment or misconduct of any kind shall be considered misconduct and shall be subject to appropriate action.
- c) Any sexual harassment by a student shall be considered a violation of the College's rules and regulations and shall be subject to appropriate action.
- d) The heads of the College's academic and administrative offices shall be accountable for the conduct of the employees in their workplaces.
- e) The College's registered email address as the recipient of electronic communication is the recognized model for this program.
- f) All documents referred to in Clauses 2, 3, and 9 of this regulation shall be prepared in a specified format and kept in the custody of the presiding officer. These documents shall include Minutes of meetings, reports, and orders of the various commissions and bodies, as well as annual reports to the College.

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- g) If the Aggrieved individual decides to file a complaint with the State Police, the proceedings under this regulation will not be pursued. The ICC shall be authorized to share in confidence all details related to the complaint.
- h) Any matter not specifically stated in this regulation may be subject to the provisions of the College's regulations.

Schedule of Definitions of Important Terms

'Campus' means the campus is the area where the various facilities of the College are situated. These include libraries, laboratories, student centre's, and other ancillary areas.

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2. This section covers the places visited as students of the College when they are away from their studies and facilities. It also includes the places used for various activities such as camps, cultural festivals, sports meet, and transportation.
3. 'Employee' for the purpose of this Regulation shall mean person as defined in the UGC Regulation and also include any visitor to the College as Research Supervisor, Consultant, Auditor, Audit Assistants, or for any other purpose whether employed or not.
4. 'Sexual Harassment' means:

An unwanted sexual act or behaviour that is perceived as sexual in nature is defined as any action or behaviour that could provoke submission or cause submission by a person or group of people.

- (a) any unwelcome physical, verbal or non-verbal conduct of sexual nature;
 - (b) demand or request for sexual favours;
 - (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 behaviour that has explicit or implicit sexual undertones-



5. An implied promise or threat of preferential treatment for sexual favours is often used to describe situations where a person is likely to be treated in a way that is offensive or hostile.
6. 'College Community' It shall include all its employees, including those who are contracted or full-time, as well as its Service Providers and its Members of the Board of Studies.
7. 'Victimisation' means any unfavourable treatment meted out to a person with an implicit or explicit intention to obtain sexual favour.
8. 'Workplace' means the Campus or Campuses of the College including-
 - (a) Any department, organization, establishment, or branch of the College which is not owned or controlled by the College is not allowed to operate or carry out activities related to the College unless its funds are provided directly or indirectly.

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