



INTERNAL COMPLAINTS POLICY

Internal Complaints (**Sexual Harassment of Women**) in any form is strictly prohibited in entire campus of the college. The College has set up an Internal Complaints Committee (ICC) under the Women Sexual Harassment Act 2013. The aim of the Internal Complaints Policy is to end the problems faced by the scholar, teacher and non-teaching staff through an internal system of relief with the help of Women Sexual Harassment Act 2013 "Vishakha Guidelines" ordered by Honorable Supreme Court. The majority of women workforce does not report sexual harassment either of being unaware of their rights or many times due to the fear of facing social stigma or losing their jobs. Increasing incidents of sexual harassment of working women in all sectors in India created the necessity of the Government's intervention to help in creating a safe work environment for women. Thus, was born The Sexual Harassment of Women at Workplace Act (Prevention, Prohibition, and Redressal here in after referred to as "POSH Act") 2013.

The Lucknow Public college of Professional Studies is associated college of University of Lucknow. It follows all Objectives, Definitions, Jurisdiction and Constitution of the ICC policy of University of Lucknow. It is given below:

OBJECTIVES OF THE POLICY

The LPCPS has set up an Internal Complaints Committee (ICC) under the Sexual Harassment Act 2013. The goal of the Sexual harassment policy is to end the problem faced by the student/employee through an internal system of relief that is easy to access, and thereby provides an effective remedy to the aggrieved complainant as quickly as possible so that she can continue to study and develop without further impediments. This is very important to recognize for two reasons. One, in relation to how cases are resolved, in that redressal does not necessarily have to be punitive and instead may be educational, (depending it is openly discussed at forums which are attended by both teachers and students; women students are encouraged to speak up freely in class or elsewhere. In this background the Sexual harassment policy of LPCPS has the following objectives:

1. To fulfill the directive of the Supreme Court enjoining all employers to develop and implement a policy against sexual harassment at the work place.
2. To evolve a permanent mechanism for the prevention and redressal of sexual harassment cases and other acts of gender based violence at the LPCPS.
3. To ensure the implementation of the policy in letter and spirit through proper reporting of the complaints and their follow-up procedures.
4. To uphold the commitment of the college to provide an environment free of gender-based discrimination.
5. To create a secure physical and social environment which will deter acts of sexual harassment.

DEFINITION OF SEXUAL HARASSMENT

The following constitute sexual harassment:

1. When submission to unwelcome sexual advances, requests for sexual favours, and verbal or physical conduct of a sexual nature are, implicitly or explicitly, made a term or condition of teaching/guidance, employment, participation or evaluation of a person's engagement in any college activity.
2. When unwelcome sexual advances, and verbal, non-verbal and/or physical conduct such as loaded comments, remarks or jokes, letters, phone calls or e-mails, gestures, exhibition of pornography, lurid stares, physical contact, stalking, sounds or display of a derogatory nature have the purpose and/ or effect of interfering with an individual's performance or of creating an intimidating, hostile, or offensive environment.
3. When a person/s uses, with a sexual purpose, the body or any part of it or any object as an extension of the body in relation to another person without the latter's consent or against that person's will, such conduct will amount to sexual assault.
4. When deprecatory comments, conduct or any such behaviour is based on the gender identity/sexual orientation of the person and/or when the classroom or other public forum of the college is used to denigrate/ discriminate against person(s), or create a hostile environment on the basis of a person's gender identity/sexual orientation.

JURISDICTION

The rules and regulations outlined in this policy shall be applicable to all complaints of sexual harassment made:

1. By a member of the college against any other member of the college irrespective of whether the harassment is alleged to have taken place within or outside the campus.
2. By an outsider against a member of the college or by a member of the college against an outsider if the sexual harassment is alleged to have taken place within the campus.
3. By a member of the college against an outsider if the sexual harassment is alleged to have taken place outside the campus. In such cases the Committee shall recommend that the college authorities initiate action by making a complaint with the appropriate authority. Further the committee will actively assist and provide available resources to the complainant in pursuing the complaint.

In the above the following definitions will apply:

- **'Members of the College'** includes students, teachers and non-teaching staff of the college.
- **'Students'** includes regular students as well as current ex-students of college.
- **'Teachers'** includes any person on the staff of the college who is appointed to a teaching and/or research post, whether full time, temporary, ad-hoc, part-time, visiting, honorary, or on special duty or deputation and shall include employees employed on a casual or project basis.
- **'Non-Teaching Staff'** includes any person on the staff of the university who is not included in the category of teacher. It shall also include contract workers and daily wagers.
- **'Resident'** includes any person who is a temporary or permanent resident of any of the accommodations or premises allotted to an employee by the college.

- **'Outsider'** includes any person who is not a member of the college or a resident. It also includes but is not limited to any private person offering residential, food and other facilities to members of college.
- **'Campus'** includes all places of work and residence in the college. It includes all places of instruction, research and administration, as well as hostel, health centers, sports grounds, staff quarters and canteens etc. on the college campus.
- **CONSTITUTION OF ICC**
- The chairperson shall be a woman faculty member employed at the middle or senior level at the educational institute.
- Not less than two teaching employees, preferably committed to the cause of women or who have had experience in social work or have legal knowledge;
- One scholar, who shall be enrolled.
- One member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.
- The term of each member (other than students) shall be of three years. The previous Committee will continue till the new Committee is constituted. Complaints can be given to any member of the Committee. It will be incumbent on the head of any department/administrative unit or any teacher to forward a complaint s/ he receives to the committee immediately.

GUIDING PRINCIPLES OF ICC

- **Confidentiality** with respect to the details of the complaint, the complainant's identity and the person(s) who she has charged must therefore be mandatorily guaranteed, but by itself, this is not enough, as confidentiality must extend both to the procedures employed in enquiries and the witnesses involved in them for the guarantee to be truly meaningful.
- **Non - Coercion and Interim relief**– The college applies this policy in letter and spirit. As per the rules an order of restraint is issued to the respondent as soon as the complaint is filed, prohibiting all direct or indirect contact with the complainant, her family or witnesses. Violations of the order of restraint are viewed as aggravating the offence committed.
- **Fair Policy**- In accordance with the fair policy all ICC enquiries are carried out in accordance with a detailed procedure for inquiry into a complaint of sexual harassment, starting from the filing of the complaint, examination and cross-examination of witnesses, right up to the submission of the report.
- **Education and Redressal**-there is zero tolerance for quid pro quo harassment involving a teacher/employee and a student or those in any other hierarchical relationship. The specific redressal a particular complaint demands vary according to individual cases, but the objective of the interventions by ICC is to ensure that the sexual harassment stops at once.
- **Ethics for Research Supervision:** The perspective that should guide ethics for research supervision is to maintain clear norms in the relationship such that neither is the student violated nor does her research suffer. Time spent with supervisors is professionally oriented and not be personal. Unnecessary requests to spend time with supervisors should be avoided. All meetings should be during office hours in office space. Doors should either have glass – and this should also include laboratory doors which usually must be kept closed --or else doors should be kept open during meeting times. Any complaint made by a student about a supervisor must be forwarded to the Sexual Harassment committee and officially acknowledged. Following this the Supervisor must be suspended and another faculty member assigned in consultation with the student.

POWER AND DUTIES OF ICC

Preventive

1. To create and ensure a safe environment that is free of sexual harassment.
2. To create an atmosphere promoting equality and gender justice.
3. To publicise the policy in Hindi and English widely, especially through website and notice boards.
4. To publicise in English and in Hindi the names and phone numbers of members of the committees.
5. To plan and carry out programmes for gender sensitisation (through workshops, seminars, posters, film shows, debates, skits) either independently or with the assistance of the Gender Sensitising Committee.

Remedial

1. The mechanism for registering complaints should be safe, accessible and sensitive.
2. To take cognisance of complaints about sexual harassment, conduct enquiries, provide assistance and redressal to the victims, recommend penalties and take action against the harasser, if necessary.
3. To recommend to the concerned authorities follow-up action and monitor the same.
4. To advise the disciplinary authority concerned to issue warnings or take the help of the law to stop the harasser, if the complainant consents.
5. To seek medical, police and legal intervention with the consent of the complainant.
6. To make arrangements for appropriate psychological and emotional support (in the form of counselling, security and other assistance) to the victim if s/he so desires.

The link of Internal Complaints Committee Policy of University of Lucknow is also given below:

<https://www.lkouniv.ac.in/article/en/icc-policy>



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