

POLICIES OF CIMAT

ICC POLICY

INTERNAL COMPLAINTS COMMITTEE (ICC)

PREVENTION OF SEXUAL HARASSMENT

The Internal Complaints Committee, known as ICC, consisting of four members from the Institute's employees, shall be constituted, out of which at least one-half of the total Members of the committee, including the Presiding Officer, shall be women.

The Presiding Officer and every Member of ICC shall hold office for a period for which he or she is appointed, and such period in any circumstances shall not exceed three years from the date of his / her nomination.

All members of the ICC shall have one vote each, and all issues at ICC shall be decided by majority vote only. The presiding officer shall have an extra vote if members are equally divided. All members of ICC shall work on an honorary basis.

COMPLAINT

Any aggrieved woman may make, in writing, a complaint of sexual harassment at the Institute to the ICC within three months from the date of the incident and in case of a series of incidence within three months from the date of the last incident. Provided that such a complaint cannot be made in writing, the Presiding Officer or any other Member of the ICC shall render all reasonable assistance to the woman for making the complaint in writing.

For reasons to be recorded in writing, the ICC can extend the time limit not exceeding three months if it is satisfied that the circumstances prevented the woman from filing a complaint.

Where the aggrieved woman cannot make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or close relative can make a complaint to the ICC.

The ICC will maintain a register to endorse the complaint received and keep the contents confidential, except to use the same for discreet investigation.

CONCILIATION PROCEEDINGS

Before initiating an inquiry and at the written request of the aggrieved woman, the ICC may take steps to settle the matter between her and the respondent through conciliation, provided that no monetary settlement shall be made as a basis of conciliation.

Where a settlement has been arrived at, the ICC shall record the settlement so arrived and forward the same to the Director of the concerned institutions to take action as specified in the recommendation.

The ICC shall provide the copies of the settlement as arrived at to the aggrieved woman and the respondent.

The ICC shall conduct no further inquiry where a settlement has arrived.

INQUIRY INTO THE COMPLAINT

If no conciliation is desired or the terms of conciliation are violated, the ICC, where the respondent is an employee, shall inquire into the complaint by applicable service rules.

Where the aggrieved woman informs the ICC that any term or condition of the settlement arrived at earlier has not been complied with by the respondent, the ICC shall inquire into the complaint.

Where both the parties are employees, parties shall be given an opportunity of being heard, and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the ICC.

To inquire, the ICC shall have the same powers vested in a Civil Court under the Code of Civil Procedure, 1908. The inquiry shall be completed within ninety days.

ACTION DURING PENDENCY OF INQUIRY

During the pendency of an inquiry, on a written request made by the aggrieved woman, the ICC may recommend to the employer to:-

1. Transfer the aggrieved woman or the respondent to any other department; or
2. Grant leave to the aggrieved woman for up to three months; or
3. Grant such other relief to the aggrieved woman as ICC may consider desirable.

On the recommendation of the ICC, the employer, wherever he feels that recommendation is appropriate, shall proceed to implement the same and send a report about such implementation to the ICC. However, if recommendations are not appropriate, he shall discuss and finalize recommendations in consultation with ICC and proceed to implement the same.

INQUIRY REPORT

On the completion of an inquiry under this act, the ICC shall provide a report of its findings to the employer within ten (10) days from the date of completion of the inquiry, and such report shall also be made available to the concerned parties.

Where the ICC concludes that the allegation against the respondent has not been proved, it shall recommend to the employer that no action is required to be taken in the matter.

Where the ICC concludes that the allegation against the respondent has been proved, it shall recommend to the employer: -

1. To take action for sexual harassment as misconduct by the provisions of the Service Rules applicable to the respondent
2. To deduct, notwithstanding anything in the Service Rules applicable to the respondent, from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the aggrieved woman or her heirs.
3. The employer shall act upon the recommendation of ICC within 60 days of its receipt.

However, where the employer cannot make such a deduction from the respondent's salary due to his being absent from duty or cessation of employment, the respondent may directly pay such a sum to the aggrieved woman.

If the respondent fails to pay the sum referred to in clause (4) above, the ICC may forward the order to recover the sum as an arrear of land revenue to the concerned District officer.

PUNISHMENT FOR FALSE OR MALICIOUS COMPLAINT AND FALSE EVIDENCE

Where the ICC concludes that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false, or the aggrieved woman or any other person making the complaint has produced any forged or any misleading document, it may recommend to the employer to take action against the woman or the person who has made the complaint by the provisions of service rules. However, the inability to substantiate a complaint or provide adequate proof does not attract action against the complainant under this section.

Where the ICC concludes that during the inquiry, any witness has given false evidence or

produced any forged or misleading document, it may be recommended to the employer of the witness to take action by the provisions of the Service Rules applicable to said witness or where no such rules exist, in such manner as may be prescribed by the Govt. in this regard.

EMPLOYEE SUPPORT

An employee filing a bonafide harassment complaint shall be protected from reprisals or retaliation due to filing the complaint. Investigators will make every effort to balance the parties' desires for privacy and the need to conduct a fair and effective investigation.

The employer shall take all necessary steps to ensure that the contents of the complaint made, the identity and address of the aggrieved woman, respondent and witness, any information related to conciliation and inquiry proceedings, recommendations of the committee and, as the case may be, the action was taken on them, shall not be published, communicated and made known to the public, press and media in any manner.


OTHERS

Any person aggrieved from the recommendation of ICC or publication or making available contents of a complaint or any inquiry proceedings may prefer an appeal to the court.

The ICC members at each campus shall send a detailed report.

S.No	NAME AND DETAILS OF THE MEMBER	DESIGNATION AS PER IQAC
1	Dr. Latha V	Chairperson
2	Dr. Babu Vinothkumar.Y	Head of the Department - MBA
3	Dr.S.Ramachandran	Senior Faculty
4	Ms. Harini.K	Student Representative
5	Mr. Hari Ram K	Student Representative
6	Mr. Varadharajan P	Senior Administrative Officer




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