



SIKKIM ALPINE UNIVERSITY

Kamrang, Namchi, South Sikkim – 737126

(Established under Sikkim Alpine University Act, 2021)

INTERNAL COMPLAINTS COMMITTEE (ICC) POLICY

(Policy Document – 2025)

Prepared by

Internal Complaints Committee (ICC)

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Recommended By:
Academic Council: Date 03 December, 2025

Approved by:
Board of Governors: Date 05 December, 2025

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INTERNAL COMPLAINTS COMMITTEE (ICC) POLICY

**SIKKIM ALPINE UNIVERSITY
KAMRANG, NAMCHI
SIKKIM**

1. Preamble

Sikkim Alpine University (SAU), as a young and growing private university, is committed to upholding the constitutional mandate of gender equality and ensuring a workplace and academic environment that is free from discrimination, harassment, and abuse of any kind.

Recognizing the importance of providing a safe, respectful, and inclusive environment for all, the University establishes the Internal Complaints Committee (ICC) as a statutory body to address and redress grievances related to sexual harassment at the workplace.

The University affirms that sexual harassment, in any form, violates an individual's dignity, rights, and equal opportunity. It adversely affects productivity, morale, and the academic environment. Therefore, Sikkim Alpine University strives to create a campus culture that promotes gender sensitivity, inclusivity, and mutual respect among all its members.

2. Legal Basis

The establishment and functioning of the Internal Complaints Committee (ICC) at Sikkim Alpine University are in accordance with the following laws, regulations, and directives issued by the Government of India and the University Grants Commission (UGC):

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. This Act mandates that every institution, organization, or workplace with more than ten employees must constitute an Internal Complaints Committee (ICC) to prevent, prohibit, and redress incidents of sexual harassment at the workplace.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013

These rules provide procedural guidelines for the functioning of the ICC and outline the responsibilities of the employer in ensuring a safe workplace.

UGC Regulations, 2015 on the Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions. These regulations make it obligatory for all higher educational institutions to set up an ICC and implement policies for creating gender-sensitive environments.

2.1 Constitutional Provisions

Article 14 – Equality before the law

Article 15 – Prohibition of discrimination on grounds of sex

Article 19(1)(g) – Right to practice any profession or to carry on any occupation, trade, or business

Article 21 – Protection of life and personal liberty, which includes the right to live with dignity and free from sexual harassment.

Guidelines of the Supreme Court of India (Vishaka vs. State of Rajasthan, 1997)

The Vishaka Guidelines laid the foundation for recognizing sexual harassment at the workplace as a violation of fundamental rights and directed all employers to establish mechanisms for redressal.

Hence, the Sikkim Alpine University ICC operates under these legal provisions to ensure a safe, equitable, and dignified environment for all members of the university community — including students, teaching and non-teaching staff, and visitors.

3. Internal Complaint Committee (ICC), Sikkim Alpine University:

The "Internal Complaints Committee" (ICC) at Sikkim Alpine University has been established in accordance with sub-regulation (1) of the University Grants Commission of India's Gazette Notification dated May 2, 2016. This committee is tasked with the prevention, prohibition, and redressal of sexual harassment involving female employees and students within higher educational institutions. This responsibility aligns with the 2015 Regulations following the letter [D.O.No. 91-1/2024 (GS)] issued by the UGC on May 30, 2025.

This document shall serve as a university-level implementation manual in alignment with UGC guidelines.

4. Responsibilities of the Sikkim Alpine University-

SAU, shall, - Wherever required, publicly notify the provisions against sexual harassment and ensure their wide dissemination;

- (a) organise training programmes or as the case may be, workshops for the officers, functionaries, faculty and students, as indicated in the SAKSHAM Report (Measures for Ensuring the Safety of Women and Programmes for Gender Sensitization on Campuses) of the Commission, to sensitize them and ensure knowledge and awareness of the sexual harassment, entitlements and responsibilities enshrined in the Act and under these regulations;
- (b) act decisively against all gender-based sexual violence perpetrated against employees and students of all sexes recognising that primarily women employees and students and some male students and students of the third gender are vulnerable to many forms of sexual harassment;
- (c) publicly commit itself to a zero tolerance policy towards sexual harassment;

- (d) reinforce its commitment to creating its campus free from discrimination, harassment, retaliation or sexual assault at all levels; create awareness about what constitutes sexual harassment including hostile environment harassment and quid pro quo harassment;
- (e) include in its prospectus and display prominently at conspicuous places or Notice Boards the penalty and consequences of sexual harassment and make all sections of the institutional community aware of the information on the mechanism put in place for redressal of complaints pertaining to harassment, contact details of members of Internal Complaints Committee, complaints procedure and so on.
- (f) Any existing body already functioning with the same objective (like the Gender Sensitization Committee Against Sexual Harassment (GSCASH)) should be reconstituted as the ICC;
- (g) Provided further that such a Body shall be bound by the provisions of these regulations;
- (h) inform employees and students of the recourse available to them if they are victims of sexual harassment; organise regular orientation or training programmes for the members of the ICC to deal with complaints, steer the process of settlement or conciliation, etc., with sensitivity;
- (i) proactively move to curb all forms of harassment of employees and students whether it is from those in a dominant power or hierarchical relationship within HEIs or owing to intimate partner violence or from peers or from elements outside of the geographical limits of the HEI;
- (j) be responsible to bring those guilty of sexual harassment against its employees and students to book and initiate all proceedings as required by law and also put in place mechanisms and redressal systems like the ICC to curb and prevent sexual harassment on its campus;
- (k) treat sexual harassment as a misconduct under service rules and initiate action for misconduct if the perpetrator is an employee;
- (l) treat sexual harassment as a violation of the disciplinary rules (leading up to rustication and expulsion) if the perpetrator is a student;
- (m) ensure compliance with the provisions of these regulations, including appointment of ICC, within a period of sixty days from the date of publication of these regulations;
- (n) monitor the timely submission of reports by the ICC;
- (o) prepare an annual status report with details on the number of cases filed and their disposal and submit the same to the Commission.

5. Objectives

- (a) To ensure zero tolerance towards sexual harassment in the University.
- (b) To establish a transparent, accessible, and confidential complaint redressal mechanism.
- (c) To create awareness through training, sensitization, and capacity-building.
- (d) To encourage gender-just, equitable, and safe academic and work environments.
- (e) To ensure timely inquiry, justice, and redressal of complaints.
- (f) To promote preventive and promotional measures for behavioural change and campus safety.

6. Scope & Applicability

This Policy applies to:

“Persons Covered” are any individual who has engaged in protected activity, such as filing a sexual harassment charge, or who are closely associated with an individual who has engaged in protected activity and such person can be an employee or a fellow student or guardian of the offended person;

- (a) All students (regular, distance, short-term, research scholars)
- (b) Teaching and non-teaching employees (permanent, temporary, ad-hoc, part-time).
- (c) Contractual staff, consultants, service providers, support staff.
- (d) Visitors, research partners, interns, and participants in university programmes.

“Spaces Covered” means the location or the land on which a Higher Educational Institution and its related institutional facilities are located. It also includes extended campus and covers within its scope places visited as a student of the HEI & participating in the capacity of an employee or a student of the HEI;

- (a) Within the university campus (classrooms, labs, hostels, libraries, fields, cafeterias, offices, toilets, park-like settings, health centres, stadium, bank counters etc.).
- (b) University transportation.
- (c) Off-campus academic activities (fieldwork, excursions, internships, community engagement, research sites, sports meets & other activities).
- (d) Online academic environments (emails, LMS platforms, social media interactions involving university members).

7. Definition of Sexual Harassment

(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 behaviour (whether directly or by implication), namely:

- (a) any unwelcome physical, verbal or non-verbal conduct of a 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 to or connected with any behaviour 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;

8. Constitution of the ICC

A. Composition

1. The ICC shall consist of:

- (a) A Presiding Officer who shall be a woman faculty member employed at a senior level (not below a Professor in case of a university, and not below an Associate Professor or Reader in case of a college) at the educational institution, nominated by the Executive Authority; Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the workplace referred to in sub-section 2(o); Provided further that in case the other offices or administrative units of the workplace do not have a senior level woman employee, the Presiding Officer shall be nominated from any other workplace of the same employer or other department or organization;”
 - (b) two faculty members and two non-teaching employees, preferably committed to the cause of women or who have had experience in social work or have legal knowledge, nominated by the Executive Authority;
 - (c) Three students, if the matter involves students, who shall be enrolled at the undergraduate, master’s, and research scholar levels respectively, elected through transparent democratic procedure;
 - (d) one member from amongst non-government organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment, nominated by the Executive Authority.
2. At least one-half of the total members of the ICC shall be women.
3. Persons in senior administrative positions in the HEI, such as Vice-Chancellor, Pro Vice-Chancellors, Rectors, Registrar, Deans, Heads of Departments, etc., shall not be members of ICCs in order to ensure autonomy of their functioning.
4. The Member appointed from amongst the non-governmental organisations or associations shall be paid such fees or allowances for holding the proceedings of the Internal Committee, by the Executive Authority, as may be prescribed
5. Where the Presiding Officer or any member of the Internal Committee:
- (a) contravenes the provisions of section 16 of the Act; or
 - (b) has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him; or

- (c) or he has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or
- (d) has so abused his position as to render his continuance in office prejudicial to the public interest,

such Presiding Officer or Member, as the case may be, shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provisions of this section.”

B. Tenure

1. The term of office of the members of the ICC shall be for a period of three years. HEIs may also employ a system whereby one –third of the members of the ICC may change every year.
2. Students: one year.

9. Roles & Functions of ICC

- (a) Receive and address complaints of sexual harassment.
- (b) Maintain strict confidentiality during and after proceedings.
- (c) Conduct prompt, neutral, and fair inquiries.
- (d) Recommend interim relief for complainants.
- (e) Submit inquiry reports within 90 days of the complaint.
- (f) Provide assistance in filing police reports when required.
- (g) Document all proceedings systematically.
- (h) Advise the University on preventive strategies.
- (i) Conduct awareness, sensitization, and training programmes regularly.
- (j) Guide campus infrastructure planning to enhance safety.

10. Responsibilities of Internal Complaints Committee (ICC) - The Internal Complaints Committee;

1. shall provide assistance if an employee or a student chooses to file a complaint with the police;
2. provide mechanisms of dispute redressal and dialogue to anticipate and address issues through just and fair conciliation without undermining complainant's rights, and minimize the need for purely punitive approaches that lead to further resentment, alienation or violence;
3. protect the safety of the complainant by not divulging the person's identity, and provide the mandatory relief by way of sanctioned leave or relaxation of attendance requirement or transfer to another department or supervisor as required during the pendency of the complaint, or also provide for the transfer of the offender;
4. ensure that victims or witnesses are not victimised or discriminated against while dealing with complaints of sexual harassment; and
5. ensure prohibition of retaliation or adverse action against a covered individual because the employee or the student is engaged in protected activity.

11. Prevention & Promotional Measures

The ICC shall ensure:

1. Mandatory gender-sensitisation workshops every semester.
2. Counselling and support linkages.
3. Visible display of ICC contact details across campus.
4. Safety audits of infrastructure (transport, hostels, classrooms).
5. Orientation sessions for new faculty, staff, and students.
6. Ensuring respectful conduct during field visits where mixed environments prevail.

12. Complaint Mechanism

A. Who Can File

- (a) Aggrieved person (woman, as per SHW Act; UGC regulations extend to all genders).

“aggrieved woman” means, in relation to the workplace, 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) A friend, relative, or co-worker with written consent.
- (c) ICC may also take suo motu cognizance if necessary.

B. Process of making complaint of sexual harassment - An aggrieved person is required to submit a;

- (a) Written complaint to the ICC within three months from the date of the incident and in case of a series of incidents within a period of three months from the date of the last incident.
- (b) Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Committee shall render all reasonable assistance to the person for making the complaint in writing;
- (c) Provided further that the ICC may, for the reasons to be accorded in the writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the person from filing a complaint within the said period.”
- (d) Friends, relatives, Colleagues, Co-students, Psychologist, or any other associate of the victim may file the complaint in situations where the aggrieved person is unable to make a complaint on account of physical or mental incapacity or death.

C. How to File

Complaints may be submitted:

- (a) In written form to the ICC Presiding Officer.
- (b) Through email to the ICC official address.
- (c) In a sealed envelope to any ICC member.

- (d) Verbally, with the ICC converting it into a written record.

D. Time Limit

Within three months from the date of the incident, and in case of a series of incidents within a period of three months from the date of the last incident (extendable by ICC if justified).

13. Process of conducting Inquiry

- (1) The ICC shall, upon receipt of the complaint, send one copy of the complaint to the respondent within a period of seven days of such receipt.
- (2) Upon receipt of the copy of the complaint, the respondent shall file his or her reply to the complaint along with the list of documents, and names and addresses of witnesses within a period of ten days.
- (3) The inquiry has to be completed within a period of ninety days from the receipt of the complaint. The inquiry report, with recommendations, if any, has to be submitted within ten days from the completion of the inquiry to the Executive Authority of the HEI. Copy of the findings or recommendations shall also be served on both parties to the complaint.
- (4) The Executive Authority of the HEI shall act on the recommendations of the committee within a period of thirty days from the receipt of the inquiry report, unless an appeal against the findings is filed within that time by either party.
- (5) An appeal against the findings or /recommendations of the ICC may be filed by either party before the Executive Authority of the HEI within a period of thirty days from the date of the recommendations.
- (6) If the Executive Authority of the HEI decides not to act as per the recommendations of the ICC, then it shall record written reasons for the same to be conveyed to ICC and both the parties to the proceedings. If on the other hand it is decided to act as per the recommendations of the ICC, then a show cause notice, answerable within ten days, shall be served on the party against whom action is decided to be taken. The Executive Authority of the HEI shall proceed only after considering the reply or hearing the aggrieved person.
- (7) The aggrieved party may seek conciliation in order to settle the matter. No monetary settlement should be made as a basis of conciliation. The HEI shall facilitate a conciliation process through ICC, as the case may be, once it is sought. The resolution of the conflict to the full satisfaction of the aggrieved party wherever possible, is preferred to purely punitive intervention.
- (8) The identities of the aggrieved party or victim or the witness or the offender shall not be made public or kept in the public domain especially during the process of the inquiry.

14. Inquiry Procedure

A. Preliminary Steps;

- i. Acknowledgment to complainant within 7 days.
- ii. Notice to respondent within 10 days with details of allegations.
- iii. Formation of inquiry sub-committee (if needed).

B. Inquiry process

- i. Neutral, unbiased, and confidential inquiry.
- ii. Both parties are allowed to:
 - a. Present evidence
 - b. Produce witnesses
 - c. Submit written statements
- iii. No legal practitioner permitted inside ICC inquiry (as per Act).
- iv. Inquiry completed within 90 days.

C. Findings & Report

- i. ICC submits a reasoned report to the University within 10 days of completion.
- ii. Recommendations for penalties, counselling, or corrective measures.
- iii. University must act on recommendations within 60 days.

D. Appeal

Either party may appeal within 90 days to the appropriate authority specified under the Act/UGC regulations.

15. Interim Relief

Pending inquiry, ICC may recommend protective measures to ensure safety and reduce distress for the complainant.

A. For the Complainant

- (a) Temporary transfer to another class/lab/hostel/work unit.
- (b) Permission to attend classes remotely (if needed).
- (c) Grant of up to 3 months leave (not counted as academic loss).
- (d) Change in supervisor, evaluator, or project group.
- (e) Protection from retaliation or intimidation.

B. For the Respondent

- (a) Temporary transfer from shared spaces to avoid proximity.
- (b) Administrative order restricting access to complainant.
- (c) Suspension (in serious prima facie cases).
- (d) Removal from classroom or academic responsibilities (if faculty).
- (e) Restriction on entering certain buildings/spaces.

C. Additional Measures

- (a) No-contact order between both parties.
- (b) Temporary halt on the evaluation roles of faculty respondent.

- (c) Safety escorts or modified movement timings if needed.
- (d) Fieldwork-specific protections (alternate guide, volunteer support, limited exposure to risk zones).

D. Confidentiality During Interim Measures

All interim steps must protect:

- (a) Identity of both parties
- (b) Academic integrity
- (c) Fairness of the inquiry process

16 (a). Punishment & Penalty (as per UGC & SHW Act)

Based on the gravity of misconduct, the ICC may recommend one or more of the following to the University Authority:

I. For Students

- (a) Written apology and undertaking of good conduct.
- (b) Warning/censure with mandatory counselling.
- (c) Withholding of exam results or academic privileges.
- (d) Debarring from:
 - i. leadership roles
 - ii. fieldwork permission
 - iii. internships
 - iv. cultural/sports events
 - v. Suspension for a defined period.
 - vi. Rustication or expulsion in severe cases.

II. For Employees (Teaching/Non-Teaching/Contractual)

- (a) Warning, reprimand or written apology.
- (b) Withholding of promotions or increments.
- (c) Transfer to another department or assignment.
- (d) Suspension from duties.
- (e) Termination of employment.
- (f) Blacklisting from university-affiliated roles or future employment.

III. For Outsiders/Visitors

- (a) Cancellation of work contracts.
- (b) Debarment from entering the campus.
- (c) Filing of FIR when required by law.

16 (b). Compensation to the Aggrieved Person

ICC may recommend monetary and non-monetary compensation considering:

- (a) Trauma, emotional distress, and mental anguish.
- (b) Loss of educational or employment opportunities.
- (c) Medical expenses related to physical or psychological harm.
- (d) Loss of professional reputation or academic standing.
- (e) Necessary relocation or counselling costs.

- (f) Any other financial or non-financial impact.

Compensation may be recovered from the respondent's salary, scholarship, stipend, or future dues, as applicable.

17. Record Keeping & Reporting

ICC shall maintain a confidential digital and physical repository of complaints, inquiry notes, and action taken reports. Annual report to be submitted to:

- (a) The University Authority
- (b) The UGC
- (c) District Officer under SHW Act

Records shall be stored for three years or longer when mandated.

18. Action Against Frivolous or Malicious Complaints

ICC recognises that false complaints are extremely rare, but to ensure fairness, the following applies:

- (a) If the ICC concludes that a complaint was made maliciously, with deliberate falsehood, or fabricated evidence, it may recommend disciplinary action.
- (b) Lack of proof does NOT make a complaint false. Action is taken only when malicious intent is established.

Possible actions include:

- (a) Written apology
- (b) Warning/censure
- (c) Mandatory counselling
- (d) For students: disciplinary probation, suspension from certain activities
- (e) For employees: formal warning, withholding increments
- (f) For severe cases: suspension or removal from position

However, ICC will take great caution not to discourage genuine complaints

19. Consequences of Non-Compliance

Failure to comply with ICC recommendations or processes will lead to institutional action.

A. For the Respondent

If the respondent refuses to participate in the inquiry, the ICC may proceed ex parte (without their response). Non-compliance with imposed penalties will result in:

- (a) Academic hold (for students)
- (b) Salary hold/administrative action (for employees)
- (c) Cancellation of contract (for external persons)

B. For University Authorities

UGC regulations mandate action. Non-compliance may result in:

- (a) University being labelled “non-compliant” under UGC Regulations.
- (b) Withholding of grants or approvals in extreme cases.
- (c) Liability for failure to ensure a safe environment.
- (d) Administrative penalties under the SHW Act by the District Officer.

C. For ICC Members

Non-performance, breach of confidentiality, or bias may result in:

- (a) Removal from ICC
- (b) Administrative inquiry
- (c) Disciplinary action under university rules

20. Policy Dissemination

To ensure accessibility:

- (a) Upload policy on the University website and Learning Management System.
- (b) Display ICC details prominently in departments, hostels, and public spaces.
- (c) Conduct annual orientation of all members of the university community.
- (d) Include policy excerpts in prospectus, staff handbooks, and field-visit guidelines.
- (e) Ensure visibility through posters, email circulars, and awareness campaigns.