



FAIRFIELD

Institute of Management & Technology

Affiliated to GGSIP University & an 'A' Grade College by DHE, Govt. of NCT Delhi
Approved by AICTE, BCI & NCTE, Recognised under 2(f) of UGC Act of 1956



FIMT's Policy Statement on Prevention of Sexual Harassment

Fairfield Institute of Management and Technology (hereinafter referred to as FIMT or the Institute) is deeply committed to fostering and maintaining a safe, inclusive, and respectful environment for all members of its academic and administrative community.

This Policy is framed to ensure a workplace and academic setting free from sexual harassment and aligns with the legal obligations under *The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013* (hereinafter referred to as "the Act") and the *University Grants Commission (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2015*.

This Policy shall be read in conjunction with and as complementary to the provisions of the Act and UGC Regulations. In cases of any ambiguity, the interpretation shall be guided by the spirit and intent of the Act and the UGC framework, which seek to uphold the fundamental rights and freedoms guaranteed under the Constitution of India.

Sexual harassment, in any form, undermines the dignity, equality, and integrity of the individual and impedes their full participation in institutional life. Recognizing this, FIMT affirms its zero-tolerance stance toward any such conduct and reiterates its commitment to providing a non-discriminatory, equitable, and supportive academic and work environment.

The Institute shall take proactive measures including, but not limited to, regular orientation programs, workshops, seminars, and awareness drives to promote gender sensitivity and prevent incidents of sexual harassment. FIMT is also committed to encouraging the reporting of such incidents without fear of retaliation and ensuring their fair, impartial, and timely redressal through a well-defined mechanism in accordance with the principles of natural justice.

FIMT Institutional Campus,
Bijwasan Road, Kapashera
New Delhi-110037



E-Mail - fimtnd@gmail.com
Web. - www.fimt-ggsipu.org



24x7 Helpline
9312352942 | 9811568155
8080804002 | 8080807002

Scope:

This Policy shall apply to all students, faculty members, administrative staff, employees, and third parties associated with Fairfield Institute of Management and Technology (FIMT), New Delhi.

It is applicable in all instances where misconduct occurs in connection with any academic, co-curricular, or administrative activity of FIMT-whether on the Institute's campus or during events, programmes, fieldwork, internships, study tours, or any other engagements conducted or sponsored by FIMT outside the campus.

The Policy also covers conduct that may have the effect of creating an intimidating, offensive, or hostile environment for one or more members of the FIMT community, regardless of whether the incident occurred within or beyond the physical boundaries of the Institute.

Prohibition of Sexual Harassment

All instances of sexual harassment at workplace are prohibited and shall be dealt as per the Act, UGC Regulations and this Policy.

Constitution of the Internal Complaints Committee (ICC)

The Management shall, by an order in writing, constitute a Committee to be called as Internal Complaints Committee (ICC hereinafter).

The Committee shall consist of the following members to be nominated by the Management:

- 1) A Presiding Officer who shall be a senior level woman faculty member-not below the rank of Director
- 2) Two members from teaching staff who have legal knowledge or expertise in the subject
- 3) Two members out of the staff/non-teaching employees who have knowledge or experience in the subject
- 4) One or two external member(s) familiar with the issues of sexual harassment from governmental/semi-governmental or non-governmental organization
- 5) Three student representatives, one each from graduate, post-graduate and research streams respectively

- In case, a particular dispute relates to faculty, representatives from nonteaching employees and students will not be the part of ICC during the resolution of complaint or during inquiry proceedings
- In a dispute relating to non-teaching employees, representatives from students will not be the part of ICC during the resolution of complaint or during inquiry proceedings
- At least half of the members of the ICC shall be women.

Who can file the complaint

Any women, member of FIMT community, in writing, a complaint of sexual harassment at workplace to the ICC. Provided that if the complainant is unable to submit the complaint in writing by herself or himself, the ICC may allow any other person to file a complaint on her behalf if it considers it reasonable and appropriate.

Filing of Complaint

1. The complainant shall file a complaint in writing before ICC in the given format at the earliest point of time or within 3 months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incidents. The ICC, for the reasons to be recorded in writing, may extend the time limit not exceeding three months.
2. The complaint may be given by hand or by post to the Presiding Officer of ICC
3. If complaint has been filed online, hard copy of the same must reach to the office of ICC within 7 working days.
4. ICC shall extend all reasonable assistance to the aggrieved person for making the complaint in writing, if required.
5. The complaint should be specific and shall include the list of witnesses, if any.

Before initiating the inquiry, the ICC at the request of the complainant, may take steps to settle the matter between the complainant and the respondent.

Inquiry into the complaint

- 1) On accepting the complaint, the ICC shall send notice to the respondent within 7 working days along with a copy of the complaint.
- 2) The respondent shall reply to the complaint in writing, along with a list of witnesses, if any, within 10 working days from the date of receiving the notice. 6
- 3) Meanwhile the complainant may be called and heard by ICC and a handwritten statement may be taken on record.
- 4) On receipt of the reply of the respondent, the ICC shall provide a copy of the same to the complainant within 5 working days.
- 5) ICC shall comply with the basic principles of natural justice with regard to both/all the parties to the complaint during the inquiry proceedings.
- 6) ICC may ask any of the parties to the complaint and the witnesses not to bring mobile phones or recorders during the deposition or proceedings, to maintain and ensure confidentiality.
- 7) ICC may try to settle the matter between the parties through conciliation, subject to the request made by the complainant.
- 8) The ICC should take steps to ensure that the complainant and the respondent are not put in a position where they may be face to face, unless it is deemed absolutely necessary and the complainant assents to the same.
- 9) The ICC, if it so requires, may at any time, call upon any person to be a witness, and may ask any questions as it deems necessary to such a witness and record their statements on oath.
- 10) If the complainant or respondent desires to cross-examine any witness(s), ICC may have to facilitate the same and records the statement(s).
- 11) No copy of any of the documents pertaining to either party be handed over to anyone except the parties, to maintain confidentiality required in the proceedings.
- 12) All notes, statements and documents are to be kept strictly confidential. Members shall be given the documents for perusal during the inquiry meetings.

13. All proceedings of the ICC shall be recorded in writing. The record of the proceedings and the statements of witnesses shall be endorsed and authenticated by the persons concerned as well as by the members of ICC present in that meeting.
14. Minutes of the proceedings may preferably be prepared and authenticated on the same day as far as possible or under exceptional circumstances may be prepared the very next day and got signed by circulation either through hard or soft copy according to the availability of members.
15. Written notes may be taken while listening to the parties or the witnesses.
16. After the completion of the inquiry, the ICC shall submit a detailed report of its findings, along with reasons to the Competent Authority.
17. If the ICC finds the respondent guilty of sexual harassment, it shall recommend the nature of remedial action to be taken against the respondent.
18. The ICC shall conclude its proceedings and submit its report to the Competent Authority along with copy of the report to the complainant as well as respondent.
19. The ICC, where the respondent is member of the University community, shall proceed to take action as per the service rules or the regulations whichever is applicable.
20. Due caution must be taken while dealing with the complaints of sexual harassment as this is not like any other type of dispute. Complainants may be embarrassed and distressed, therefore to build confidence, hearings and proceedings during the resolution must be held in a closed place.
21. Both the parties while given opportunity of hearing must also give their handwritten statements in their own words before ICC. If any/all of the parties find it difficult to read or write, due assistance may be provided, keeping in mind the confidentiality of the proceedings.
22. Care is taken to prevent any disadvantage to or victimization of either the complainant or to the respondent.
23. It must be ensured that victim(s) or witness(s) is not victimized or discriminated against while dealing with complaints of sexual harassments.
24. The inquiry may be terminated or an ex-parte decision may be given, if complainant or respondent is absent for 3 consecutive hearings, without reason. 15 days written notice may be given to the party, before termination or ex-party order.
25. ICC must ensure that the identity of complainant as well as respondent is kept confidential.

Interim Relief

During pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the employer to:

- 1) Transfer the complainant or the respondent to any other department or section
- 2) Grant leave to the aggrieved woman of maximum 3 months
- 3) Prevent the respondent from assessing complainant's work performance or to transfer him/her to any other department or section
- 4) Grant such other relief as may be appropriate

Initiation of Action

On the receipt of the inquiry report, the Competent Authority shall implement the decision of the ICC.

Confidentiality of Proceedings

1. The ICC as well as the University shall take appropriate measures to maintain confidentiality of the identity of both the parties.
2. To ensure confidentiality of proceedings of the complaint, if any member is a witness/related of either party, he/she shall recuse from the inquiry.
3. The identity of the complainant, respondent, witnesses and proceedings of ICC and its recommendations and the action taken by NLUD shall not be published, communicated or made known to the public, press or media in any manner and it will be outside the purview of the Right to Information Act, 2005.
4. No legal practitioner will be allowed to represent either the complainant or the respondent in proceedings before the ICC.
5. No decision under this Policy, except the final decision in form of Report of the Inquiry Committee or the Appellate Committee shall be made public.

Considerations while preparing Inquiry Report

While preparing the findings/recommendations, following are considered:

1. Whether the language used (written or spoken), visual material or physical behavior alleged by the complainant was of sexual nature
2. Whether the allegations or events follow logically and reasonably from the evidence
3. Credibility and consistency in the statements of complainant, respondent and witnesses and evidences recorded
4. Other similar facts etc. for e.g. if there have been any previous accounts of harassment pertaining to the complainant/respondent
5. Other cases filed before any other fora/agency/department and the result or report, whether having some basis or just to harass or humiliate or for some ulterior motive(s)
6. Both parties have been given an opportunity of being heard
7. A copy of the statements was made available to both parties enabling them to make representation against the findings