



# BRAINWARE UNIVERSITY

398 Ramkrishnapur Road, Barasat, North 24 Pgs, Kolkata 700125

(Established by the West Bengal Act XXXI of 2015)

[Notified in the Kolkata Gazette vide Notification No. 165-Edn(U)/1U-125/2014 dated 24.02.2016]

## NOTIFICATION

Ref: BWU/ODN/2021/002

Date: 09 August of 2021

### **BRAINWARE UNIVERSITY ORDINANCE, 2021 – SECTION 16 (INTERNAL COMPLAINTS COMMITTEE)**

ORDINANCE No. 002 of 2021

Amendment to Section 16 of Chapter II of the Brainware University Statute, 2020  
(In accordance with UGC Regulations, 2015 on Prevention of Sexual Harassment of Women in Higher Educational Institutions and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 )

In exercise of the power conferred by Section 38, of the Brainware University act 2015 and in accordance with Section 49 of Chapter IX, First Statute, 2020, the following ordinance is hereby enacted:-

#### **1. Title and Commencement**

1.1 This Ordinance shall be called the Brainware University (Amendment) Ordinance, 2021 – Section 16 (Internal Complaints Committee).

1.2 It shall come into force on and from the date of its notification or as otherwise notified by the competent authority of the University.

#### **2. Amendment to Section 16**

*The heading and content of Section 16 titled “Board on Sexual Harassments to Female Employees” in the Brainware University Statute, 2020 shall be substituted with the following:*

**Section 16:** *Internal Complaints Committee (ICC)*



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## ***(I) Constitution and Function***

*There shall be a Committee to be known as the Internal Complaints Committee (ICC), which shall act in strict accordance with the provisions of:*

- *The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and*
- *The UGC Regulations, 2015 on the Prevention, Prohibition, and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions.*

*The ICC shall address complaints of sexual harassment and ensure that the principles of gender equality, dignity, and workplace safety are upheld across all University spaces.*

*UGC Regulations, 2015 – Section 4 (“Institutional Mechanism for Prevention and Redressal”) of the official UGC notification (UGC Notification F.91-1/2013(TFGS) dated May 2, 2016*

## ***(II) Composition of the Internal Complaints Committee***

*The ICC shall be constituted by the University as per the following structure:*

- (i) Presiding Officer: A senior woman faculty member (not below the rank of Professor)*
- (ii) Two Faculty Members: Committed to the cause of women/gender equity*
- (iii) One Non-teaching Employee*
- (iv) Three Student Representatives: Representing undergraduate, postgraduate, and research scholars*
- (v) One Member from an NGO or association committed to the cause of women or familiar with issues relating to sexual harassment*

*All members shall be nominated by the Registrar in consultation with the Vice Chancellor, with efforts to ensure diversity and adequate gender representation.*

*UGC Regulations, 2015 – Section 4 (“Institutional Mechanism for Prevention and Redressal”) of the official UGC notification (UGC Notification F.91-1/2013(TFGS) dated May 2, 2016*



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## **(III) Roles and Responsibilities of the ICC**

*The ICC shall:*

- (i) Receive and address complaints of sexual harassment*
- (ii) Conduct fair, unbiased, and confidential inquiries*
- (iii) Recommend actions based on inquiry findings*
- (iv) Organize workshops and awareness programs on gender sensitization*
- (v) Submit an annual report to the Governing Board, with copies to the State Government and UGC*
- (vi) Provide assistance if a complainant choose to file a police complaint*
- (vii) Offer mechanisms for fair conciliation and dispute resolution*
- (viii) Ensure the safety and confidentiality of the complainant, and provide temporary relief measures*
- (ix) Protect complainants and witnesses from victimization or discrimination*
- (x) Ensure that no retaliation or adverse action is taken against a complainant or witness, especially if a student is engaged in protected academic activity*

*UGC Regulations, 2015 – Section 5 (“Institutional Mechanism for Prevention and Redressal”) of the official UGC notification (UGC Notification F.91-1/2013(TFGS) dated May 2, 2016*

## **3. Continuity**

This amendment replaces the terminology and structure of the existing “Board on Sexual Harassments to Female Employees” with the “Internal Complaints Committee” while maintaining its functional responsibilities. All actions taken under the previous Board shall remain valid.

## **4. Repeal and Savings**

1. All previous provisions, rules, regulations, or orders that are inconsistent with the provisions of this Ordinance shall stand repealed to the extent of its inconsistency.
2. Notwithstanding the amendment, all actions taken under the previous section-16 of Chapter II shall remain valid and in pace unless expressly altered.



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This Ordinance is issued with the approval of the Competent Authority.

By Order of the Vice-Chancellor



**REGISTRAR**  
**Brainware University**  
**Barasat, Kolkata-700125**

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Registrar

Brainware University

Barasat, West Bengal – 700125

