

Procedure of the NALSAR Internal Complaints Committee

The following procedure, framed under the ICC Regulations of NALSAR University of Law, shall govern the functioning of the Internal Complaints Committee. In case of conflict between these procedures and the ICC Regulations or extant law, the latter shall prevail.

All terms used shall have the same meaning as in the ICC Regulations unless otherwise stated.

Meetings

1. **Categories of meetings:-** There shall be two categories of ICC meetings:
 - a. Category A: Meetings involving an official complaint made to the ICC;
 - b. Category B: Meetings to discuss other matters within the mandate of the ICC, such as sensitisation and preventative action.
2. **Calling a meeting:-** A meeting may be called, with a reasoned request giving not less than three days' notice, by any member of the ICC.
3. **Quorum:-**
 - a. The quorum for a meeting of the ICC shall be 50% of the total strength of the Committee, rounded off to the next whole number.
 - b. In case of a Category A meeting, the quorum shall include the presence of at least one member of the ICC representing the groups (i.e., students, faculty, non-teaching staff) to which the parties involved belong and the Chairperson of the ICC.
4. **Form:-** A meeting of the ICC may be held in person, online, or in hybrid mode.
5. **Documentation:-** The proceedings of all meetings shall be minuted. The officiating Chairperson shall have the duty to ensure the same.
6. **Exceptional Circumstances:-** In the event of an unforeseen emergency requiring immediate action:
 - a. The notice period for calling a meeting of the ICC may be waived with the approval of 50% of the total strength of the Committee, rounded off to the next whole number;

- b. The quorum required for the meeting may be reduced to three members including the officiating Chairperson;
Provided that, any decision taken in such a meeting shall be laid before the ICC and ratified in accordance with provision 13, below, in a full meeting or by circular resolution within 72 hours.

Conflict of Interest

7. **Recusal:-** A member of the ICC shall recuse themselves from the proceedings before the Committee should they have any doubt as to their ability to be impartial or independent in considering the matter before them.
8. **Charge of Conflict:-**
 - a. In the event that the possibility of a conflict of interest is raised by a party to the proceedings, against a member of the ICC, the remaining members of the Committee shall hear the party and arrive at a decision on the point before commencing proceedings.
 - b. If the Committee finds that a conflict of interest exists, the member in question shall recuse themselves from the proceedings in the matter.
 - c. Should such recusal impact the ability of the Committee to achieve quorum, the temporary vacancy shall be filled in accordance with the ICC Regulations read with the POSH Act and UGC Guidelines before the commencement of proceedings.

Access to Information

9. **Access to Material:-** All material submitted for the consideration of the ICC shall be accessible to all members of the ICC under conditions of strict confidentiality.
Provided that, members who have recused themselves from particular proceedings shall not have access to the materials involved in those proceedings.
10. **Access to the Official E-mail ID:-**
 - a. The log-in credentials for the Committee's official e-mail ID shall be held by the Chairperson, one student representative and one staff-member of the ICC at any given time.

- b. The Committee shall designate one, amongst the three with access, as the member in-charge of the official ID, whose responsibility it shall be to check the ID every 24-hours and share relevant information with the Committee.

11. Confidentiality:- All proceedings, minutes of meetings, and information shared with the ICC shall be confidential, and any breach of confidentiality will attract penalties as under Section 17 of the PoSH Act.

Decision-making

12. Consensus as the norm:- The ICC shall endeavour to reach decisions by consensus.

13. Decisions without consensus:- In the event that the Committee is unable to arrive at consensus, decisions shall be taken on the basis of a majority.

- a. In Category A meetings, for routine decisions, the majority required shall be half of the members present, rounded off to the next whole number;
- b. In Category A meetings, for decisions involving the recommendation of interim measures under Regulation XIII(1) and XIII(2) as well as the imposition of penalties under Regulation XIV (1)(vii-xiv), XIV(2)(vi-xiii), XIV(3)(iii) and XIV(4)(iii-iv), the majority required shall be two-thirds of the members present, rounded off to the next whole number;
- c. In Category B meetings, the majority required shall be half of the members present, rounded off to the next whole number;
- d. To amend this procedure, the majority required shall be two-thirds of the members present, rounded off to the next whole number;
- e. The ICC shall record the dissent of each member voting against a motion, including a dissent note should the member wish to put the same on record.