

Internal Complaints Committee (ICC) -
Committee Against Sexual Harassment (CASH)

Frequently Asked Questions (FAQ)

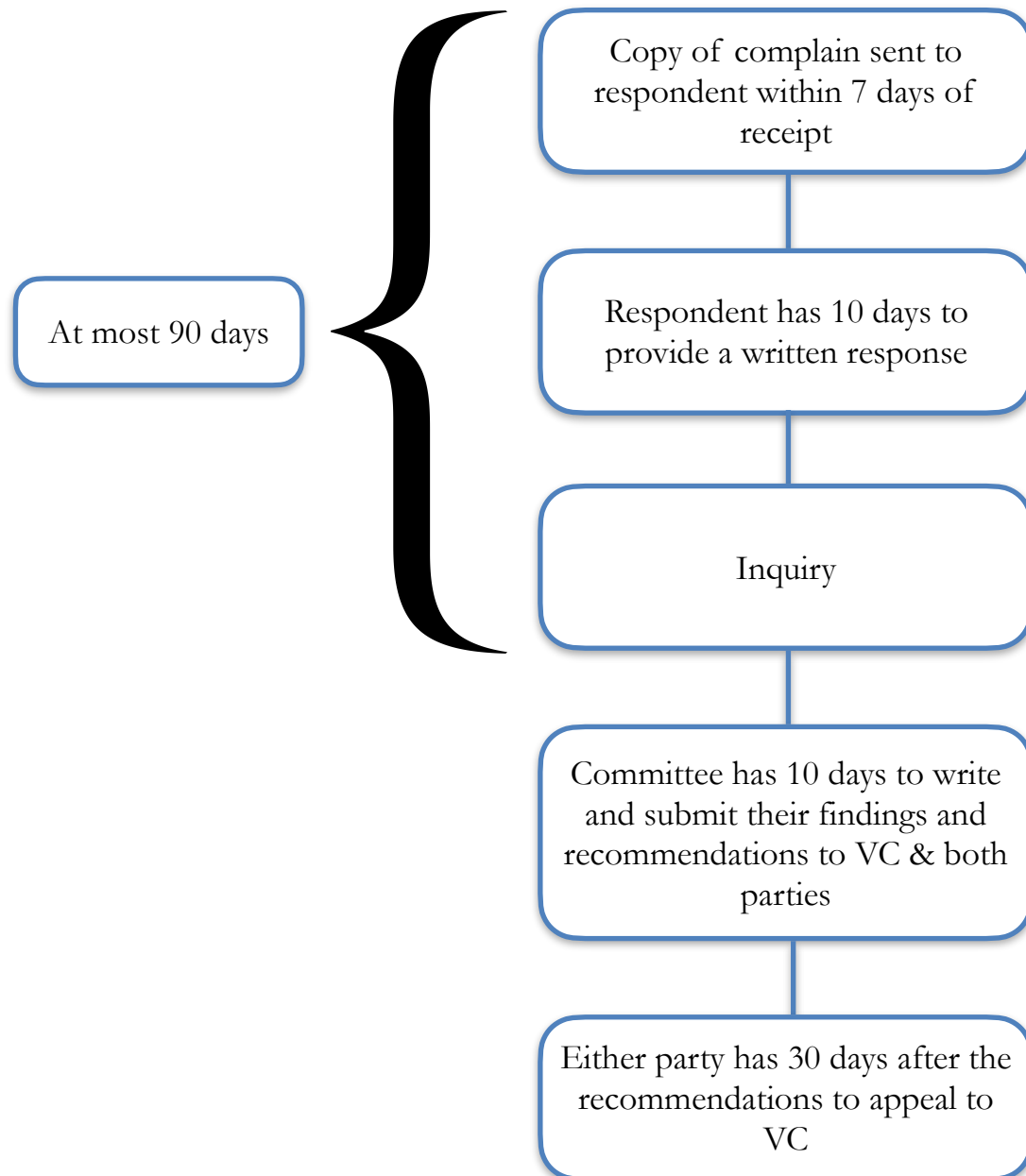
1. What is the procedure for filing a CASH case?

- To file a case, you need to send an email to cash@ashoka.edu.in with all relevant details regarding the incident(s) of sexual harassment along with the name of the accused, any witnesses present, the dates of the incident(s) that you remember, etc. or submit it in writing to the CASH Chair.
- Friends, relatives, colleagues, co-students, psychologists, 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.
- CASH Support Group can be approached (not a necessary condition) before filing a complaint to CASH in case the complainant wants to seek clarifications about how to draft a complaint, the procedure or the case in general. The accused too can approach CASH support for the same.

2. What happens after I file a case? What is the timeline of the process?

- Once a case has been filed, the committee begins its assessment of the same. First, the committee forwards the verbatim complaint to the respondent within a period of 7 days. The respondent is given a maximum of 10 days to respond to the complaint.
- Once the committee has both the complaint and the response, it has a total of 3 months to deliberate upon the case, which includes calling both the complainant and the respondent to give their testimonies in person (or online) and to add on any information that was left out. Further, this serves as an opportunity for the committee to question both the parties on their individual accounts of the incident.
- If any witnesses are involved, they are also called in by the committee to provide their testimony and answer questions regarding the incident.
- Once the committee completes its deliberation and reaches a decision and, within 10 days, creates a report detailing findings and the committees's recommendations for further action. The report is sent to both the complainant and the respondent, as well as the Vice-Chancellor and registrar.

- Both parties have up to a period of 1 month to appeal the verdict decided by the committee. The appeal is considered by the vice-chancellor thereafter.



3. How long after the incident of sexual harassment am I allowed to file a case with CASH?

- A case must be filed within a period of three months from the date of the incident of sexual harassment, and in case of a series of incidents, within a period of three months from the last incident.

- If circumstances are such that the complainant is unable to file a complaint within a period of three months, the committee may extend the time limit up to another three months at a maximum, totaling a period of 6 months from the date of the last incident. The reasons for the same will have to be mentioned.

4. What is the ICC-CASH?

- The Internal Complaints Committee (ICC) is a quasi-judicial body which oversees cases pertaining to sexual harassment at Ashoka University.
- The student members are elected by their respective bodies.
- The non-student members are appointed by the vice-chancellor.
- The committee currently consists of:
 - Chair: Professor Seema Alavi
 - Co-chair: Professor Tatyana Kostochka
 - Two faculty members: Suratna Das and (1 vacant spot)
 - Two non-teaching staff members: Shiuli Biswas and (1 vacant spot)
 - An external member: Vikram Hegde (lawyer)
 - One undergraduate student: Sarah Cherian
 - One YIF student: Mrinalini Natarajan
 - One post-graduate student: Abhishek Singh

5. Can the committee assist me in obtaining relaxations for attendance or transfer to another class if the accused is a student in my class?

- Having registered a case with CASH, the complainant can seek relaxation of attendance from classes due to any emotional/mental stress arising from the incident or the case. The complainant can request to be transferred to another class in case the accused is a student in their class. Further, the committee can at times also provide for the transfer of the offender to another class. These decisions are taken by the committee on a case-by-case basis.

6. Can the ICC help me if I want to file a formal complaint with the police?

- Yes, one of the ICC's responsibilities is to provide assistance if an employee or a student chooses to file a complaint with the police.

7. What is the CASH Support Group?

- The Support Group is a body constituted to meet both complainants and respondents in an informal manner and give clarifications or advice on the course of action open to them in matters pertaining to sexual harassment. The members are familiar with ICC guidelines and hence are a good resource to approach in case of queries regarding the CASH process, as well as in the event one merely wishes to talk about the incident and potentially steps forward.
- The support group may also provide clarification/advice on how a complaint should be drafted i.e. including the relevant information/proof etc. Alternatively, even the defendant can approach the support group to seek help with drafting their response. Note, the complaint/response has to be written by the respective parties themselves. The support group can simply provide guidance.
- The Support Group is made up of faculty members and the Director of the Ashoka Centre for Well Being.
- The advice or clarifications of the Support Group are not binding on the complainant or respondent.
- There is no obligation to approach the Support Group and a complaint can be lodged directly with ICC without first consulting a member of the Support Group.

8. Will CASH know the details of the incident/any other information that I share with the Support Group?

- CASH and the Support Group are independent bodies and their workings are completely separate. Any information shared with members of the Support Group is considered confidential and not disclosed to any individual or committee, including CASH. Similarly, any information shared with CASH is confidential, and not disclosed to members of the Support Group.

9. Who are the members of the support group?

- Dr. Arvinder Singh
- Professor Bittu
- Professor Mohammad Khan

As faculty members take certain semesters on leave, this list is subject to change as per their availability on campus.

10. How do I approach the support group?

- In order to meet a member of the support group, you need to write an email to support.cash@ashoka.edu.in, asking for a meeting. In case you would like to meet a specific member of the support group, you can mention that in the email. The support group is a resource that is available to both the complainant and the respondent.

11. Will I be penalised for the fact that substances were involved when the incident of sexual harassment took place?

- No, the committee does not take punitive action against individuals on the basis of substance abuse.
- Since CASH and CADI are independent bodies, the committee will not share details of such information with them, or any other body on campus.
- The involvement of substances should in no way discourage anyone from filing to CASH. In fact, it is incredibly important to mention the presence of substances if they were involved during the incident as consent obtained under the influence of substances does not qualify as genuine consent.

12. Is it possible for me to withdraw my CASH complaint in the middle of the proceedings?

- It is desirable that the complainant takes a considered decision that they will go through the entire process. Withdrawing complaints is allowed but usually, this only happens when there is some kind of mediation between the complainant and the respondent.

13. What if I want to file a complaint post six months from the last incident?

- The ICC legally cannot take up cases that date beyond six months. Therefore, it will not be able to carry out an enquiry. In such cases, on a case-by-case basis, the committee may bring the complaint to the notice of the administration for appropriate action.

14. Can someone file a complaint on my behalf if I do not consent to it?

- As mentioned, a complaint can only be filed on the behalf of a person in case they're unable to do so owing to mental and/or physical incapacity. However, if the complainant actively does not consent to filing a complaint, it will not be taken

forward by CASH, regardless of anyone else filing it.

15. Can someone file a complaint anonymously?

- The committee cannot take up anonymous complaints. Due process requires the respondent to know who the complainant is and the incidents in which sexual harassment was alleged to take place. However, the committee can make accommodations for complainants (see question 5).

16. Can I discuss the incident of sexual harassment or the proceedings of the case?

- One can only discuss matters pertaining to the incident prior to filing an official complaint with CASH. Once a case is filed, the incident becomes confidential and cannot be discussed with other individuals. An exception to this is the CASH Support Group which is a resource available to both parties through the duration of the case. Hence, both the defendant and complainant can discuss the case with support group members. Although not strictly required, the committee encourages the parties involved to keep the proceedings of the case confidential even after the recommendation is made and the verdict is out.