

MEMORANDUM OF PROCEDURE BY GRIEVANCE COMMITTEE, SNDT WOMEN'S UNIVERSITY

Whereas in exercise of the powers conferred by Sub Section 2 of Section 1 of the Maharashtra Public Universities Act, 2016 (hereinafter referred to as the 'Said Act'); Government of Maharashtra has published the Said Act in the Maharashtra Government Gazette on January 11th, 2017, which came into force on March 1st, 2017 by repealing the Maharashtra Universities Act, 1994;

And

Whereas in exercise of the powers conferred by Section 79 of the Said Act, a Grievance Committee has been instituted to entertain and decide grievances or complaints relating to service of the employees, which are not within the jurisdiction of the University Tribunal;

And

Whereas the Said Act is silent on the procedure to be adopted by the duly constituted Grievance Committee in exercise of the powers granted to it by the Said Act;

Therefore, in order to maintain complete transparency in the entire exercise, to adhere to the principles of natural justice, fair play and to give reasonable opportunity of being heard to all parties, the members of the University Grievance Committee find it expedient to formulate its own procedure to regulate the proceedings before it interalia including:

Process to be followed by the Complainant

In case of an employee (teaching or non-teaching staff) having any Complaint / Grievance as per Section 79 (7) of the Maharashtra Public Universities Act, 2016, following procedure is to be followed:

1. Step 1:

- a. The Complaint / Grievance will have to be routed to the University Grievance Committee through a proper channel.
- b. Pre-stage: In case of a college, 'Head of the Institution' shall be the 'first authority' to be contacted by the aggrieved person for redressal of his/her Complaint / Grievance through a written complaint.
- c. In case of a Complaint / Grievance against the University, the 'Registrar' of the University shall be the 'first authority' to be contacted by the aggrieved person for redressal of his/her Complaint / Grievance through a written complaint.
- d. Written Complaint to be filed within 3 months from the date of incident or within 3 months of accrual of cause of action, whichever is later.

2. Step 2:

- a. In case there is no response from the 'first authority' within 15 days of submission of the written complaint, or;
- b. If the Complainant is aggrieved by the decision of the 'first authority', then the aggrieved person may file the complaint / grievance before the University Grievance Committee.

Language of the Committee

3. Language of the University Grievance Committee shall be Marathi and / or English.

How to file a Complaint with Grievance Committee?

4. The Complaint / Grievance shall be submitted before the University Grievance Committee through the Registrar of the University in a format as per Annexure 1 inter alia including the following points:
- a. Details of the Complainant – name, address, mobile number, email id, employee code, designation, department, institute connected with.

- b. Details of the Adversary – name, address, mobile number, email id, employee code, designation, department, institute connected with.
 - c. Facts of the case.
 - d. Relevant Rules / Sections from the said Act, Notifications / Circulars of the University, if any, relevant to the grievance / complaint be quoted.
 - e. Copy of correspondence exchanged with ‘first authority’.
 - f. Reliefs sought in view of the facts mentioned.
 - g. Verification: The Complaint / Grievance shall be duly self-verified as per Annexure 1.
5. The Complaint / Grievance can be filed in any of the following languages – Marathi or English.
6. Minimum 2 sets of the Complaint / Grievance shall be submitted to the University Grievance Committee.
7. The Complaint will need to be accompanied by a fee as follows:
 - a. Fee for Teaching / Non-teaching staff (Class I) – Rs 1,000/-
 - b. Fee for Teaching / Non-teaching staff (Class II) – Rs 500/-
 - c. Fee for Teaching / Non-teaching staff (Class III & IV) – Rs 300/-
8. The Registrar (or the duly authorised person) of the University shall provide an acknowledgment of the Complaint / Grievance received.
9. The person who is a party to any proceedings before the University Grievance Committee shall appear in person (in case of the said University, through its duly nominated person) before the University Grievance Committee as and when, if required.

Procedure for Admission

10. On receipt of the Complaint / Grievance, the Registrar (or duly authorised person), at the first instance, shall scrutinize it as early as possible, but not later than 4 days. If any deficiency is noticed, the complainant shall be asked to rectify the same within 7 days of the intimation given.
11. Thereafter, the Registrar (or duly authorised person) shall place the Grievance / Complaint before the University Grievance Committee.
12. On receipt of the Complaint / Grievance, the University Grievance Committee shall decide whether to admit it or summarily reject it, and on rejection reasons for the same shall be communicated to the complainant / person who submitted the Complaint / Grievance.
13. The University Grievance Committee shall adhere to the prescribed period to dispose off the Complaint / Grievance as per the provisions of Section 79 (6) of the said Act.

Procedure to be followed by the University Grievance Committee on admission

14. One copy of the Complaint / Grievance received shall be served to the adversary within 5 days of receipt of the Complaint / Grievance.
15. The adversary shall be given 15 days to submit his / her written statement in response to the Complaint / Grievance filed against him / her.
16. 2 sets of written statement shall be submitted to the University Grievance Committee by the adversary.
17. On receipt of the written statement from the adversary, 1 copy of the written statement shall be served on the Complainant within 5 days of the receipt of the same.
18. The documents, if any, be submitted by both the parties on the date of the first hearing.
19. The first hearing of the case shall be summoned within 10 days of service of the written statement on the Complainant.

20. Hearing of both the parties will be 'in-camera' proceedings, i.e., no party other than the parties to the proceedings shall be allowed to remain present or participate except with due permission of the University Grievance Committee.
21. Parties to submit their respective evidence, if any, on Affidavit.
22. The University Grievance Committee in its discretion may allow oral evidence which shall be recorded in Memorandum Form either in Marathi and / or English.
23. The University Grievance Committee in its discretion may call for any document, record from the parties to the proceedings or the University including its Departments.
24. On completion of the Evidence stage, both parties shall be asked to submit their written briefs (arguments), if any, in a time fixed by the University Grievance Committee.
25. The University Grievance Committee, thereafter, shall proceed to record its report containing the decisions.
26. The report shall be forwarded to the Vice Chancellor of the University for consequent appropriate action, to implement the recommendations of the University Grievance Committee.
27. Copies of the report shall be submitted to both the parties.

Service of Notice / Summons / Communication, etc.

28. Notice / Summons / Communication, etc. to be served on the party to the proceedings / other person by hand delivery or by registered post acknowledgment due or by Speed Post or through electronic media, e.g., E-mail on the address given in the Complaint / Grievance and / or supplied by the party and / or as per office record of the University / Department / College.

Limitation to dispose of the complaint/Grievance

29. The University Grievance Committee shall adhere to the prescribed period to dispose off the Complaint / Grievance as per the provisions of Section 79 (6) of the said Act.

Place of sitting of the Grievance Committee

30. The sittings of the University Grievance Committee shall normally be at the Head Quarter of the University at Churchgate, Mumbai: 400020. However the chairperson may, if the circumstances so warranted and/or taking into consideration convenience of all concerned, may direct to hold the sitting at any other place.

Quorum

31. In a meeting / sitting of the University Grievance Committee, there shall be a quorum of at least three members and the Chairperson.

Powers to correct / rectify the errors in the report containing decision of the University Grievance Committee

32. The University Grievance Committee has inherent powers to rectify any arithmetical / clerical / typographical errors in the report.

Right to modify, etc.

33. The University Grievance Committee reserves its right to add / modify the Memorandum of Procedure.

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