

NavganShikshan Sanstha Rajuri (N)

# Mrs.Kesharbai Sonajirao Kshirsagar Alias Kaku Arts,Science &Commerce College,Beed-431122



Principal

Dr. S.V. Kshirsagar NAAC recredited -A Grade ISO- 21001:2018 Green audit Dr. B. S. Kshirsagar  
[ 3.18 CGPA as per New RAF]

Secretary

Website-kskcollegebeed.com E-mail-kskbeed123@rediffmail.com Ph. (02442)222641 Fax-(02442)230197



## CRITERION V: - STUDENT SUPPORT AND PROGRESSION

### ANTI-RAGGING, DISCIPLINE, GRIEVANCE AND REDRESSAL COMMITTEE

#### 4. PROOF FOR IMPLEMENTATION OF GUIDELINES OF STATUTORY/REGULATORY BODIES.

Sr.no	Particulars
01	UGC Letters
02	Gazette of India/Maharashtra
03	University Circulars
04	Awareness Program/Guest Lectures

प्रो (डॉ) जसपाल एस सन्धु  
सचिव  
Prof. Dr. Jaspal S. Sandhu  
MBBS MS (Ortho) DSM FAIS FASM FAFSM FFIMS FAMS  
Secretary

विश्वविद्यालय अनुदान आयोग 18  
University Grants Commission 19  
(मानव संसाधन विकास मंत्रालय, भारत सरकार)  
(Ministry of Human Resource Development, Govt. of India)  
बहादुरशाह ज़फ़र मार्ग, नई दिल्ली-110002  
Bahadur Shah Zafar Marg, New Delhi-110002  
Ph.: 011-23239337, 23236288,  
Fax 011-23238858, email : jssandhu.ugc@nic.in

D.O. No. F. 1-15/2009(ARC) pt-III

8<sup>th</sup> August, 2016

**Sub: Curbing the menace of ragging in higher educational institutions.**

Dear Sir Madam,

In pursuance to the Judgment of the Hon'ble Supreme Court of India dated 8.5.2009 in Civil Appeal No. 887/2009, the UGC notified "Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009". The Regulations are available on the UGC website i.e. [www.ugc.ac.in](http://www.ugc.ac.in).

Any violation of these regulations will be viewed seriously. If any institution fails to take adequate steps to prevent ragging or does not act in accordance with these Regulations or fails to punish perpetrators of incidents of ragging suitably, it will attract punitive action against itself by the UGC.

You are requested to step up anti-ragging mechanism by way of adequate publicity through various mediums: constitution of anti-ragging committee and anti ragging squad, setting up of Anti Ragging Cell, installing CCTV cameras at vital points, Anti-Ragging workshops, updating all websites with nodal officers complete details, alarm bells etc. Regular interaction and counseling with the students, identification of trouble-triggers, mention of Anti-ragging warning in the institution's prospectus and information booklets/brochures shall be ensured. Surprise inspection of hostels, students accommodation, canteens, rest cum recreational rooms, toilets, bus-stands and any other measure which would augur well in preventing/quelling ragging and any uncalled for behavior/incident shall be undertaken.

Students in distress due to ragging related incidents can call the National Anti-ragging Helpline **1800-180-5522 (24x7 Toll Free)** or e-mail the Anti-Ragging Helpline at [helpline@antiragging.in](mailto:helpline@antiragging.in). For any other information regarding ragging, please visit the UGC website i.e. [www.ugc.ac.in](http://www.ugc.ac.in) & [www.antiragging.in](http://www.antiragging.in) and contact UGC monitoring agency i.e. AmanSatyaKachroo Trust on following No. 09871170303, 09818400116 (only in case of emergency).

You are requested to hold the workshops, seminar on eradication of ragging in higher educational institutions and are requested to display Anti Ragging posters at all prominent places like Admission Centre, Departments, Library, Canteen, Hostel, Common facilities etc. The size of posters should be 8X6 feet.

You are requested to get your institution accredited by NAAC/NBA and submit the compliance report and implement the special Drive on anti-Ragging prevention programme

Contd.....2

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You are requested to immediately instruct all the colleges under your purview to submit online compliance of anti-ragging Regulations on curbing the menace of ragging in higher educational institutions, 2009 at [www.antiragging.in](http://www.antiragging.in)

In compliance of the 2<sup>nd</sup> Amendment in UGC Regulations, you are requested to make it compulsory for each student and every parent to submit an online undertaking every academic year at [www.antiragging.in](http://www.antiragging.in) & [www.amanmovement.org](http://www.amanmovement.org)

UGC has notified the 3<sup>rd</sup> Amendment in UGC Regulations on 29<sup>th</sup> June, 2016 to expand the definition of ragging by including the following:-

3 (j) Any act of physical or mental abuse (including bullying and exclusion) targeted at another student (fresher or otherwise) on the ground of colour, race, religion, caste, ethnicity, gender (including transgender), sexual orientation, appearance, nationality, regional origins, linguistic identity, place of birth, place of residence or economic background.

This Circular may also be brought to the notice of colleges affiliated to your esteemed University.

With kind regards,

Yours sincerely,

\

(Jaspal S. Sandhu)

**The Vice-Chancellor of all Universities**

**Copy to:-**

✓  
Publication Officer, UGC, New Delhi for uploading on the UGC website.

  
(Jaspal S. Sandhu)



डॉ. एन. गोपुकुमार  
संयुक्त सचिव  
Dr. N. Gopukumar  
Joint Secretary



विश्वविद्यालय अनुदान आयोग  
University Grants Commission  
(मानव संसाधन विकास मंत्रालय, भारत सरकार)  
(Ministry of Human Resource Development, Govt. of India)  
पश्चिम क्षेत्रीय कार्यालय, गणेशखिंड, पुणे- ४११००७  
Western Regional Office, Ganeshkhind, Pune - 411007  
Ph: 020 - 25696896/97, 25691477  
Email: wrougc@gmail.com

By Email

No.F 2-35/13(Ragging/WRO)

July 23, 2019

The Principal  
(All the Colleges in the States of  
Maharashtra, Gujarat, Goa and UTs of  
Daman & Diu and Dadra & Nagar Haveli)

Subject: UGC Regulations on Curbing the Menace of Ragging in Higher  
Educational Institutions, 2009 - reg.

Dear Sir/Madam,

As you are aware the University Grants Commission has notified "**UGC Regulations on curbing the menace of ragging in higher educational institutions, 2009**" in order to prohibit prevent and eliminate the scourge of ragging. These Regulations are mandatory and all institutions are required to take necessary steps for its implementation in toto, including the monitoring mechanisms as per provisions in the Regulations and ensure its strict compliance. Any violation of these Regulations will be viewed seriously. Any institution fails to take adequate steps to prevent ragging or does not act in accordance with these Regulations or fails to punish perpetrators of incidents of ragging suitably, will attract punitive action under the UGC Act.

In this regard, please find enclosed herewith copy of a letter from the Secretary, UGC which is self-explanatory in the matter. As multiple mechanisms are required to ensure a ragging-free campus, some recommendations and action steps which are required to be deployed in your esteemed institution are mentioned in the referred letter. You are requested to take all necessary steps for the implementation and strict compliance of Regulations/recommendations and action steps provided in the enclosed letter.

With regards

Yours sincerely

  
(N. Gopukumar) 23/7/19  
Joint Secretary

Encl: As above

Prof. Pote B.T.  
Antiragging committee

  
Principal  
N.S.S.R.(N.) Mrs. Kesha Bai  
Sonajira, Kesha Bai  
Arts, Science and Commerce  
College, Bead.



प्रो. राजनीश जैन  
सचिव

Prof. Rajnish Jain  
Secretary



सत्यमेव जयते

विश्वविद्यालय अनुदान आयोग  
University Grants Commission

(मानव संसाधन विकास मंत्रालय, भारत सरकार)  
(Ministry of Human Resource Development, Govt. of India)

बहादुरशाह जफर मार्ग, नई दिल्ली-110002  
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Ph. 011-23236288/23239337

Fax : 011-2323 8858

E-mail secy.ugc@nic.in

D.O. No 1-15/2009 (ARC) pt III

04 JUL 2019 27<sup>th</sup> June, 2019

Respected Sir/Madam:

In pursuance to the Judgment of the Hon'ble Supreme Court of India dated 08.05.2009 in Civil Appeal No. 887/2009, the UGC had notified "Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009". The Regulations are available on the UGC website i.e. [www.ugc.ac.in](http://www.ugc.ac.in). These regulations are mandatory for all higher educational institutions in the country.

As multiple mechanisms are required to ensure a ragging-free campus, here are some recommendations and action steps which are required to be deployed in your esteemed university and all institutions under your ambit.

**A. Basic Measures:**

1. Constitution of anti-ragging committee, anti-ragging squad, setting up of Anti-Ragging Cell and adequate publicity for these measures through various media are to be undertaken.
2. Mention of anti-ragging warning in the institution's prospectus and information booklets/prochures shall be ensured.
3. Updating websites of institutions with the complete address and contact details of nodal officers related to anti-ragging committee.
4. In compliance with the UGC Regulations and its 2<sup>nd</sup> Amendment regarding submission of undertaking by each student and every parent, an online undertaking in every academic year to be submitted.
5. UGC has notified 3<sup>rd</sup> Amendment in UGC Regulations on 29<sup>th</sup> June, 2016 to expand the definition of ragging by including the following:  
"3. (i) Any act of physical or mental abuse (including bullying and exclusion) targeted at another student (fresher or otherwise) on the ground of colour, race, religion, caste, ethnicity, gender (including transgender), sexual orientation, appearance, nationality, regional origins, linguistic identity, place of birth, place of residence or economic background."
6. Installing CCTV cameras at vital points.

**B. Counseling and monitoring measures**

1. Regular interaction and counseling with the students can detect early signs of ragging and identification of trouble-triggers.
2. Surprise inspection at hostels, students accommodation, canteens, rest-cum-recreation rooms, toilets, bus-stands and any other measure which would augur well in preventing/quelling ragging and any uncalled for behaviour/incident shall be undertaken.

**C. Creative Dissemination of the idea of ragging-free campus**

1. Events like Anti-Ragging workshops, seminars and other creative avenues to spread the idea.
2. Safety and security apps without affecting the privacy of individuals can be creatively deployed.

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**D. Using other UGC initiated measures**

- 1 Students in distress due to ragging related incidents can call the National Anti-Ragging Helpline **1800-180-5522 (24x7 Toll Free)** or e-mail the Anti-Ragging Helpline at [helpline@antiragging.in](mailto:helpline@antiragging.in).
- 2 For any other information regarding ragging, please visit the UGC website i.e. [www.ugc.ac.in](http://www.ugc.ac.in) & [www.antiragging.in](http://www.antiragging.in) and contact UGC monitoring agency i.e. Aman Satya Kachroo Trust on mobile No. 09871170303, 09818400116 (only in case of emergency).
- 1 UGC also drives an Anti-Ragging Media Campaign through different modes and UGC has got developed the following entities to promote anti-ragging which are available on UGC website i.e. [www.ugc.ac.in](http://www.ugc.ac.in).
  - a UGC has developed 05 TVCs of 30 seconds each from different perspective i.e. Parents, Victim and Offenders
  - b UGC has designed and distributed posters amongst Universities/Regulatory Authorities/Councils/IITs/NITs/Other educational institutions for the prominent display.
  - c UGC has consecutively organized 02 Anti-Ragging Competitions for students/faculty /general public for the wider awareness of the menace of ragging.

Any violation of UGC Regulations or failure of institution to take adequate steps to prevent ragging in accordance with these Regulations or failure to punish perpetrators of incidents of ragging suitably will attract punitive action under the UGC Act.

You are requested to implement the recommendations communicated vide this office letter of even number dated December 27, 2018 and thereby ensure a ragging-free campus, a fundamental requirement for a supportive and fair institutional climate which is open to change, learning and progress.

With personal regards,

Yours sincerely,

(Rajnish Jain)

The Vice-Chancellor of all Universities.

**Copy to :**

Dr. N. Gopukumar Joint Secretary, UGC Western Regional Office, Ganeshkhind,  
Pune – 411 007

  
(Rajnish Jain)  
Secretary

उच्चतम न्यायालय की मतिदवा

उच्चतम न्यायालय न्यायालय में दायर दिनांक 08 मई, 2009 की सिविल अपील संख्या 887/2009 का निर्णय पर विनियम के अनुपालन में, विश्वविद्यालय अनुदान आयोग ने "उच्चतर शिक्षा संस्थानों में रैगिंग" की समस्या पर रोक लगाने संबंधी विनियम, 2009 को अधिसूचित किया है। यह विनियम विश्वविद्यालय अनुदान आयोग की वेबसाइट अर्थात् [www.ugc.ac.in](http://www.ugc.ac.in) पर उपलब्ध है। यह विनियम देश के सभी उच्चतर शिक्षा संस्थानों में अनिवार्य है।

इस संकेत गुप्त परिसर सुनिश्चित करने के लिए, बहु प्रणालियों की आवश्यकता है, आपके अधिकार के तहत आपके सम्मानित विश्वविद्यालय तथा सभी संस्थानों में लागू किए जाने वाली रैगिंग रोकथाम तथा कार्रवाई का ब्योरा नीचे दिया गया है।

क. मूलभूत उपाय

रैगिंग रोधी समितियों, रैगिंग रोधी दस्तों का गठन, रैगिंग रोधी प्रकोष्ठ की स्थापना और विभिन्न मीडिया के माध्यम से इन उपायों का पर्याप्त प्रचार किया जाए।

संस्थान की विकसित और सूचना पुस्तिकाओं/ ब्रोशर में रैगिंग रोधी चेतावनी का उल्लेख शामिल किया जाएगा।

रैगिंग रोधी समिति से संबंधित नोडल अधिकारियों के पूर्ण पते और संपर्क संबंधी ब्योरे के साथ संस्थानों की वेबसाइट अद्यतन करना।

रैगिंग रोधी और प्रत्येक माता-पिता द्वारा वचनपत्र प्रस्तुत करने के संबंध में विश्वविद्यालय अनुदान आयोग विनियमों तथा इसके द्वितीय संशोधन के अनुपालन में प्रत्येक शिक्षा वर्ष में एक ऑनलाइन वचनपत्र जमा करना होगा।

विश्वविद्यालय अनुदान आयोग ने निम्नवत को शामिल करते हुए रैगिंग की परिभाषा को विस्तार देने के लिए दिनांक 29 जून, 2019 को विश्वविद्यालय अनुदान आयोग विनियमों में तीसरे संशोधन को अधिसूचित किया:

3. किसी दूसरे छात्र (नए अथवा अन्यथा) पर रंग, नस्ल, धर्म, जाति, नृजातीय (दूसरे तरह से कहें), यौन सुकाय, रूपरंग, राष्ट्रीयता, क्षेत्रीयता, भाषायी पहचान, जन्म स्थान, निवास स्थान अथवा आर्थिक पृष्ठभूमि के आधार पर शारीरिक अथवा मानसिक दुर्बलता (जिसमें दबगई तथा बहिष्करण शामिल हैं) का कोई भी कृत्य

क. महत्वपूर्ण स्थानों पर सीसीटीवी कैमरे लगाना।

ख. परामर्श तथा निगरानी संबंधी उपाय

1. छात्रों के साथ नियमित रूप से बातचीत और परामर्श से रैगिंग के शुरुआती लक्षणों और समस्याओं को पैदा करने वाले अन्य कारकों की पहचान की जा सकती है।
2. छात्रावासों, छात्रों के आवास, जलपानगृह, विश्राम-सह-मनोरजन कक्ष, शौचालय, बस-स्टैंड का औद्योगिक निरीक्षण, और कोई भी अन्य उपाय जो रैगिंग को रोकने/ लगाने/ लगाने और अनुचित व्यवहार/ घटना के रोकने में प्रभावी साबित होंगे।

ग. रैगिंग मुक्त कैम्पस के विचार का सृजनात्मक रूप से प्रसार

1. विचार के प्रसार के लिए रैगिंग रोधी कार्यशालाएं, संगोष्ठियां जैसे कार्यक्रम और अन्य रचनात्मक उपाय करना।
2. व्यक्तियों की गोपनीयता को प्रभावित किए बिना सुरक्षा और संरक्षा ऐप रचनात्मक रूप से तैनात किए जा सकते हैं।

घ. विश्वविद्यालय अनुदान आयोग द्वारा आरंभ किए गए अन्य उपायों का उपयोग करना

1. रैगिंग संबंधित घटनाओं के कारण परेशान छात्र राष्ट्रीय रैगिंग रोधी हेल्पलाइन नम्बर 1800 180 5522 (24 X 7 टोल नि:शुल्क) पर कॉल कर सकते हैं अथवा हेल्पलाइन [helpline@antiragging.in](mailto:helpline@antiragging.in) पर रैगिंग रोधी हेल्पलाइन पर ई-मेल कर सकते हैं।
2. रैगिंग के संबंध में किसी भी अन्य जानकारी के लिए कृपया विश्वविद्यालय अनुदान आयोग की वेबसाइट अर्थात् [www.ugc.ac.in](http://www.ugc.ac.in) और [www.antiragging.in](http://www.antiragging.in) पर जाएं और विश्वविद्यालय अनुदान आयोग की निगरानी एजेंसी अर्थात् अमन सत्य कचरू ट्रस्ट से मायाइल नंबर 09871170303, **0981841116** (केवल आपात स्थिति में) पर संपर्क करें।

09818400116





प्रो. रजनीश जैन  
सचिव

Prof. Rajnish Jain  
Secretary



विश्वविद्यालय अनुदान आयोग  
University Grants Commission

(शिक्षा मंत्रालय, भारत सरकार)  
(Ministry of Education, Govt. of India)

बहादुरशाह जफ़र मार्ग, नई दिल्ली-110002  
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E-mail : secy.ugc@nic.in

D. O. No. F. 1-15/2009 (ARC) pt.III

16 SEP 2022 September, 2022

Dear Madam/Sir,

In pursuance to the Judgment of the Hon'ble Supreme Court of India dated 08.05.2009 in Civil Appeal No. 887/2009, in exercise of the powers conferred by clause (g) of sub-section (1) of section 26 of the University Grants Commission Act, 1956, the UGC notified "Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009". The Regulations are available on the UGC website i.e. [www.ugc.ac.in](http://www.ugc.ac.in) & [www.antiragging.in](http://www.antiragging.in).

It is once again brought to your kind notice that ragging is a criminal offence and UGC has framed regulations on curbing the menace of ragging in higher educational institutions in order to prohibit, prevent and eliminate the scourge of ragging. These regulations are mandatory and all institutions are required to take necessary steps for its implementation in toto including the monitoring mechanism. Any violation of these regulations will be viewed seriously. If any institution fails to take adequate steps to prevent ragging or does not act in accordance with these Regulations or fails to punish perpetrators of incidents of ragging suitably, it will attract punitive action against itself by the UGC.

You are requested to step up anti-ragging mechanism by way of adequate publicity through various mediums; constitution of Anti-Ragging committee and Anti-Ragging squad, setting up of Anti-Ragging Cell, installing CCTV cameras at vital points, Anti-Ragging workshops and seminar, updating all websites with nodal officers' complete details, alarm bells etc. Regular interaction and counseling with the students, identification of trouble-triggers and mention of Anti-Ragging warning in the institution's E-prospectus and E-information booklets/brochures must be ensured. Surprise inspection of hostels, students' accommodation, canteens, rest cum recreational rooms, toilets, bus-stands must be carried out & Anti-Ragging posters must be displayed at all prominent places like Admission Centre, Departments, Library, Canteen, Hostel, Common facilities etc. These posters are available on UGC website [www.ugc.ac.in](http://www.ugc.ac.in). The size of posters should be 8x6 feet. Any other measure which would augur well in preventing/quelling ragging and any uncalled for behaviour/incident must be undertaken.

Students in distress due to ragging related incidents can call the National Anti-Ragging Helpline 1800-180-5522 (24x7 Toll Free) or e-mail the Anti-Ragging Helpline at [helpline@antiragging.in](mailto:helpline@antiragging.in). For any other information regarding ragging you may please visit the UGC website i.e. [www.ugc.ac.in](http://www.ugc.ac.in) & [www.antiragging.in](http://www.antiragging.in) and contact UGC monitoring agency i.e. Centre for Youth (C4Y) on Mobile No. 09818044577 (only in case of emergency).

UGC also drives an Anti-Ragging Media Campaign through different modes and has undertaken the following activities to promote the campaign which are available on UGC website i.e. [www.ugc.ac.in](http://www.ugc.ac.in)

- UGC developed 05 TVCs of 30 seconds each with different perspective i.e. Parents, Victim and Offenders.
- UGC designed and distributed 04 types of posters amongst Universities / Regulatory Authorities / Councils / IITs / NITs / other educational institutions for their prominent display.
- UGC consecutively organized 02 Anti-Ragging Competitions for students/faculty/general public for the wider awareness of the menace of ragging.

Dr. Pote B.T.  
19/9/22

**CONTINUATION SHEET**

-02-

In compliance of the 2<sup>nd</sup> Amendment in UGC Regulations, you are requested to make it compulsory for each student and every parent to submit an online undertaking every academic year at [www.antiragging.in](http://www.antiragging.in)

You are also requested to implement the revised procedure for students to file online Anti-Ragging affidavit. The student will receive an e-mail with his/her registration number. The student will forward that e-mail to the Nodal officer in his/her university/college e-mail. **(Please note that the student will not receive pdf affidavits and he/she is not required to print & sign it as it used to be in the earlier case).**

Universities/Colleges have to display the email address and contact number of the Nodal Officer of Anti-Ragging Committee of their university/college on their website and campus areas like Admission Centre, Departments, Library, Canteen, Hostel, and Common facilities, etc.

Universities and Colleges are requested to insert a mandatory column in their university/colleges admission form as per the given format:

Anti Ragging Undertaking Reference no:	<input type="text"/>
--	----------------------

Universities are also requested to fill online compliance on [www.antiragging.in](http://www.antiragging.in) and also immediately instruct all the colleges under their purview to follow it.

With kind regards,


Yours sincerely,

  
(Rajnish Jain)

**The Vice-Chancellor of all Universities**

Copy to:

1. All Regulatory Authorities (As per list attached) with a request to take necessary steps to ensure these activities in all the Universities/Institutions under your ambit.
2. UGC, Regional Offices (As per list attached) with a request to take necessary steps to ensure these activities in all the Colleges/Institutions under your ambit.
3. Ms. Jasleen Kaur, Under Secretary (HE), Department of Higher Education, Ministry of Education, Room No. 221, 'C' Wing, Shastri Bhawan, New Delhi-110001([jasleen.kaur@nic.in](mailto:jasleen.kaur@nic.in)).
4. Deputy Secretary, (website), UGC(for uploading on UGC website & under ragging related circulars).
5. Ms. Alka Tomar, Centre for Youth (C4Y)([alka.tomar@c4yindia.org](mailto:alka.tomar@c4yindia.org)) (for uploading on [antiragging.in](http://antiragging.in))

  
(Dr. Archana Thakur)  
Joint Secretary



ज्ञान-विज्ञान विभूक्तये



सत्यमेव जयते

विश्वविद्यालय अनुदान आयोग  
University Grants Commission

(शिक्षा मंत्रालय, भारत सरकार)  
(Ministry of Education, Govt. of India)

बहादुरशाह जफ़र मार्ग, नई दिल्ली-110002  
Bahadur Shah Zafar Marg, New Delhi-110002

Ph.: 011-23236288/23239337

Fax: 011-2323 8858

E-mail: secy.ugc@nic.in

प्रो. रजनीश जैन  
सचिव  
Prof. Rajnish Jain  
Secretary

सितंबर, 2022

अ०श०मि.स० 1-15/2009 (एआरसी) पीटी.111

16 SEP 2022

प्रिय महोदय / महोदय,

भारत के माननीय सर्वोच्च न्यायालय के सिविल अपील संख्या 887/2009 दिनांक 8.5.2009 से प्राप्त निर्देशों तथा भारत सरकार और विश्वविद्यालय अनुदान आयोग के रैगिंग- निषेध तथा रैगिंग रोकने के संकल्प को ध्यान में रखते हुए यू.जी.सी. के अधिनियम 1956 धारा 26 उपखंड (G) उपखंड (1) के अधिकारों का प्रयोग करते हुए, यू.जी.सी. ने "उच्चतर शिक्षण संस्थानों में रैगिंग निषेध से संबंधित विश्वविद्यालय अनुदान आयोग के अधिनियम, 2009" को अधिसूचित किया है। संपूर्ण जानकारी के लिये यह अधिनियम विश्वविद्यालय अनुदान आयोग की वेबसाइट: [www.ugc.ac.in](http://www.ugc.ac.in) और [www.antiragging.in](http://www.antiragging.in) पर उपलब्ध है। यू.जी.सी. द्वारा अधिसूचित किया गया यह अधिनियम सभी शिक्षण संस्थानों के लिये अनिवार्य है और सभी संस्थानों से अपेक्षा की जाती है कि वे इसे पूरी तरह कार्यान्वित करने के लिए निगरानी प्रक्रिया सहित अन्य आवश्यक कदम उठावेंगे और इस अधिनियम में उल्लिखित भागों के किसी भी तरह के उल्लंघन को उनके द्वारा गंभीरता से लिया जाएगा। यदि कोई संस्थान रैगिंग को रोकने के लिए पर्याप्त कदम उठाने में विफल रहता है या यू.जी.सी. द्वारा अधिसूचित अधिनियम के अनुसार कार्रवाई नहीं करता है और रैगिंग की घटनाओं के दोषियों के विरुद्ध दंडात्मक कार्यवाही करने में विफल रहता है तो यूजीसी द्वारा उस संस्थान के खिलाफ उचित कार्यवाही की जाएगी।

इस संदर्भ में सभी संस्थानों से अनुरोध है कि विभिन्न रैगिंग-रोधी माध्यमों के पर्याप्त प्रचार प्रसार, रैगिंग-रोधी समिति एवं रैगिंग-रोधी दस्ते का गठन, रैगिंग-रोधी प्रकोष्ठ की स्थापना, महत्वपूर्ण स्थानों पर सीसीटीवी कैमरे लगाकर, रैगिंग-रोधी कार्यशालाएं और सेमिनार का आयोजन, सभी वेबसाइटों को नोडल अधिकारियों के पूर्ण विवरण सहित अपडेट कर, अलार्म घंटी आदि द्वारा रैगिंग-रोधी तंत्र को आगे बढ़ाएं। छात्रों से नियमित बातचीत और काउंसलिंग, शरारती छात्रों की पहचान और संस्थान के ई- प्रोस्पेक्टस और ई- सूचना पुस्तिकाओं / विवरणिकाओं में रैगिंग-रोधी चेतावनी का उल्लेख सुनिश्चित किया जाए। इसके अतिरिक्त, हॉस्टल, छात्रावास, जल पान गृह, विश्राम व मनोरंजन कक्ष, शौचालयों व बस अड्डों का औचक निरीक्षण किया जाए तथा संस्थान का प्रवेश केंद्र, बिभागों, पुस्तकालयों, जल पान गृह, हॉस्टल, सार्वजनिक सुविधाएं आदि जैसे सभी प्रमुख स्थानों पर रैगिंग-रोधी पोस्टर लगाये जाएं। ये पोस्टर यूजीसी की वेबसाइट [www.ugc.ac.in](http://www.ugc.ac.in) पर उपलब्ध है। पोस्टरों का आकार 8 x6 फीट होना चाहिए। संस्थान रैगिंग व किसी अनुचित व्यवहार / घटना की रोकथाम के लिये कोई अन्य उचित उपाय भी कर सकते हैं।

रैगिंग में जुड़ी घटनाओं के कारण संकट में पड़े छात्र राष्ट्रीय रैगिंग-रोधी हेल्पलाइन नंबर 1800-180-5522 (24x7 टोलफ्री) पर कॉल कर सकते हैं या रैगिंग-रोधी [helpline@antiragging.in](mailto:helpline@antiragging.in) पर ई-मेल कर सकते हैं। रैगिंग संबंधित अन्य जानकारी के लिये कृपया यूजीसी की वेबसाइट [www.ugc.ac.in](http://www.ugc.ac.in) और [www.antiragging.in](http://www.antiragging.in) पर जाएं और यूजीसी की निगरानी एजेंसी अर्थात सेंटर फॉर यूथ (सी4वाई) के मोबाइल नंबर 09818044577 पर संपर्क करें (केवल आपातकाल के मामले में)।

यूजीसी विभिन्न प्रकार के रैगिंग - रोधी मीडिया अभियान भी चलाती है और यूजीसी ने रैगिंग निषेध को बढ़ावा देने के लिए निम्नलिखित गतिविधियां शुरू की हैं जो यूजीसी की वेबसाइट [www.ugc.ac.in](http://www.ugc.ac.in) पर उपलब्ध हैं:-

- यूजीसी ने माता-पिता, पीड़ित और दोषियों के परिप्रेक्ष्य में पांच टीवी क्लिप (प्रत्येक 30 सेकंड) तैयार की हैं।
- यूजीसी ने चार प्रकार के पोस्टर तैयार किये हैं और इनको विश्वविद्यालयों/ नियामक प्राधिकरणों / परिषदों / आईआईटी / एनआईटी / अन्य शैक्षणिक संस्थानों में प्रमुख रूप से प्रदर्शित करने के लिए आवंटित किया है।

रजनीश जैन

ग) यूजीसी ने छात्रों/ शिक्षकों/ आम जनता के बीच व्यापक जागरूकता लाने के लिये रैनिंग-रोधी विषय से संबंधित दो प्रतियोगिताओं का आयोजन किया है।

यूजीसी विनियमों के दूसरे संशोधन के अनुपालन में, आपसे अनुरोध है कि प्रत्येक छात्र और प्रत्येक माता-पिता द्वारा [www.antiragging.in](http://www.antiragging.in) पर प्रत्येक शैक्षणिक वर्ष में एक ऑनलाइन वचनबंध (Undertaking) जमा करना अनिवार्य बनाएँ।

आपसे यह भी अनुरोध है कि छात्रों द्वारा ऑनलाइन रैनिंग-रोधी शपथ-पत्र दाखिल करने के लिए संशोधित प्रक्रिया को लागू करें। छात्रों को उसकी पंजीकरण संख्या के साथ एक ई-मेल प्राप्त होगा। छात्र उस ई-मेल को अपने विश्वविद्यालय/महाविद्यालय के नोडल अधिकारी के ई-मेल में अग्रपिप्त करेंगे। (कृपया ध्यान दें कि छात्रों को पीडीएफ शपथ-पत्र प्राप्त नहीं होगा और उन्हें इसे प्रिंट कर हस्ताक्षरित करने की आवश्यकता नहीं है जैसा कि पहले के मामले में हुआ करता था)।

विश्वविद्यालयों/महाविद्यालयों को अपने विश्वविद्यालय/महाविद्यालय की रैनिंग रोधी समिति के नोडल अधिकारी का ई-मेल, पता और संपर्क नंबर अपनी वेबसाइट और परिसर के महत्वपूर्ण क्षेत्रों जैसे प्रवेश केंद्र, विभागों, पुस्तकालय, कैंटीन, छात्रावास और सामान्य सुविधा आदि स्थानों पर प्रदर्शित करना होगा।

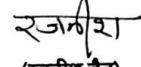
विश्वविद्यालयों और महाविद्यालयों से अनुरोध है कि वे दिए गए प्रारूप के अनुसार अपने विश्वविद्यालय / महाविद्यालयों के प्रवेश पत्र में निम्नवत एक अनिवार्य कॉलम डालें:

रैनिंग रोधी वचन पत्र संदर्भ संख्या:

विश्वविद्यालयों से यह भी अनुरोध है कि वे ऑनलाइन अनुपालन [www.antiragging.in](http://www.antiragging.in) पर भरें और अपने क्षेत्राधिकार में आने वाले सभी महाविद्यालयों को भी इसका पालन करने का निर्देश दें।

सादर,

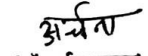
भवदीय,

  
(रजनीश जैन)

सभी विश्वविद्यालयों के कुलपति

प्रतिलिपि:

1. सभी नियामक प्राधिकरणों (संलग्न सूची के अनुसार) से अनुरोध किया जाता है कि आप अपने परिधि क्षेत्र में आने वाले सभी विश्वविद्यालयों/संस्थानों में इन गतिविधियों को सुनिश्चित करने के लिए आवश्यक कदम उठाएं।
2. विश्वविद्यालय अनुदान आयोग, क्षेत्रीय कार्यालय (संलग्न सूची के अनुसार) से अनुरोध किया जाता है कि आप अपने परिधि क्षेत्र में आने वाले सभी महाविद्यालयों/संस्थानों में इन गतिविधियों को सुनिश्चित करने के लिए आवश्यक कदम उठाएं।
3. सुश्री जसलीन कौर, अवर सचिव (एचई), उच्च शिक्षा विभाग, शिक्षा मंत्रालय, नई दिल्ली-110001(jasleen.kaur@nic.in)।
4. उप सचिव, (वेबसाइट), विश्वविद्यालय अनुदान आयोग (यूजीसी की वेबसाइट पर रैनिंग से संबंधित परिपत्रों को अपलोड करने के लिए)
5. सुश्री अलका तोमर, सेंटर फॉर यूथ (C4Y) (alka.tomar@c4yindia.org) (antiragging.in पर अपलोड करने के लिए)

  
(डॉ अर्चना ठाकुर)  
संयुक्त सचिव



आन-विज्ञान विभूक्तये

डॉ. तेजस प्रद्युम्न जोशी  
संयुक्त सचिव

Dr. Tejas Pradyuman Joshi  
Joint Secretary



सत्यमेव जयते



भारत 2023 INDIA

विश्वविद्यालय अनुदान आयोग  
University Grants Commission

(शिक्षा मंत्रालय, भारत सरकार)  
(Ministry of Education, Govt. of India)

D.O. F. No. 1-15/2009(ARC)PT.III

12<sup>th</sup> June, 2023

To,

The Vice Chancellor of all University  
The Principal of all Colleges

**Subject: Regarding revised procedure of Anti Ragging Undertaking & Compliance submission.**

Sir/Madam,

As part of UGC's initiative towards reduction of compliance burden of its stakeholders, UGC has revised the procedure for students to file online Anti Ragging undertaking. Now the procedure is completely online and student is not required to submit any hard/printed affidavit in institute.

This procedure has been changed with the view to conserve paper, to protect our environment and to reduce compliance burden of our stakeholders.

It has been observed that some prominent institutions are still following the previous exercise. You are therefore requested to adopt the revised procedure and not to receive any hard/ printed affidavit by students.

Anti-Ragging Undertaking must be filled by the students online on <http://www.antiragging.in> only. Universities/Colleges will not accept Anti Ragging Undertaking by students in Hard/Printed copy/Affidavits. (Please note that the student is not required to print & sign it as it used to be in the earlier case).

Further the compliance submission is not upto the mark by the institutions, therefore you are also requested to submit compliance on the following link:

[https://www.antiragging.in/compliance\\_disclaimer.html](https://www.antiragging.in/compliance_disclaimer.html)

Soft copy of the Anti-Ragging Posters are also enclosed with a request to display on the prominent places in your campus areas like Admission Centre, Departments, Library, Canteen, Hostel, and Common facilities etc.

For any query in this matter, you may contact National Anti-Ragging Helpline 1800-180-5522 or email us at [helpline@antiragging.in](mailto:helpline@antiragging.in)

With regards,

TEJAS Date: Yours faithfully.  
PRADYUM 2023.06.1  
AN JOSHI 2 17:55:24  
+05'30' (Tejas P. Joshi)

Dr. Pote

03/08/23

नेट ब्यूरो, दिल्ली विश्वविद्यालय का साउथ कैंपस, बेनितो जुआरेज मार्ग, नई दिल्ली - 110021.

NET Bureau, South Campus of Delhi University, Benito Jhuarez Marg, New Delhi - 110021.

Ph. No.: 011-24115424 Email: [tejas.ugc@gov.in](mailto:tejas.ugc@gov.in) ; [tejas2709@gmail.com](mailto:tejas2709@gmail.com)



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग चार-ब

वर्ष ५, अंक ३०]

बुधवार, फेब्रुवारी २७, २०१९/पु.मा.नु.नं. ८, शके १९४०

[पृष्ठे १५, किंमत - रुपये १.००

असाधारण क्रमांक ६७

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाने महाराष्ट्र अधिनियमान्वये तयार केलेले  
(भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांव्यतिरिक्त) नियम व आदेश.

उच्च व तंत्र शिक्षण विभाग

मादाम कामा मार्ग, हुतात्मा राजगुरू चौक, मंत्रालय  
मुंबई ४०० ०३२, दिनांक २५ फेब्रुवारी २०१९

अधिसूचना

महाराष्ट्र सार्वजनिक विद्यापीठ अधिनियम, २०१६.

क्रमांक परिनि. २०१८/प्र.क्र.१२५/विशि-२.— महाराष्ट्र सार्वजनिक विद्यापीठ अधिनियम, २०१६ (२०१७ चा महा. ६) याच्या कलम ५६ च्या पोट-कलम (२) चा खंड (ख) आणि कलम ७१ चे पोट-कलम (११) तसेच कलम ७२ चे पोट-कलम (१०) याद्वारे प्रदान करण्यात आलेल्या अधिकारांचा वापर करून, महाराष्ट्र शासन, याद्वारे, विद्यार्थी तक्रार निवारण कक्षाच्या कामकाजाच्या कार्यकारी यंत्रणेशी संबंधित एकरूप परिनिियम विहित करित आहे :-

सन २०१९ चा एकरूप परिनिियम क्रमांक ५

१. संक्षिप्त नाव.—या परिनिियमास, महाराष्ट्र सार्वजनिक विद्यापीठ (विद्यार्थी तक्रार निवारण कक्षाच्या कामकाजाची कार्यकारी यंत्रणा) एकरूप परिनिियम, २०१९, असे म्हणावे.

२. व्याख्या.—या परिनिियमांत संदर्भानुसार दुसरा अर्थ अपेक्षित नसेल तर,—

(एक) "व्यथित विद्यार्थी" याचा अर्थ, या परिनिियमान्वये व्याख्या केलेल्या तक्रारीशी संबंधित बाबीमध्ये, ज्या विद्यार्थ्यांची कोणतीही फिर्याद असेल तो विद्यार्थी, असा आहे आणि त्यामध्ये उच्च शिक्षण देणाऱ्या कोणत्याही विद्यापीठात किंवा महाविद्यालयात किंवा मान्यताप्राप्त परिसंस्थेत प्रवेश घेणाऱ्या व्यक्तीचा समावेश होतो ;

(दोन) "प्रवेशाचे घोषित धोरण" याचा अर्थ, विद्यापीठ किंवा महाविद्यालय किंवा मान्यताप्राप्त परिसंस्था यांच्याकडून प्रस्तुत करण्यात आले असेल आणि माहितीपुस्तिकेत प्रसिद्ध करण्यात आले असेल त्याप्रमाणे पाठ्यक्रमाच्या किंवा अध्ययनक्रमाच्या प्रवेशाबाबतचे धोरण, असा आहे ;

(तीन) "तक्रारी" यामध्ये, व्यथित झालेल्या विद्यार्थ्यांच्या पुढील फिर्यादींचा समावेश होतो :-

(क) राज्याच्या व विद्यापीठाच्या प्रवेशाच्या घोषित धोरणानुसार निर्धारित केलेल्या गुणवत्तेच्या निकषाविरुद्ध जाऊन प्रवेश देणे ;

Prof. Pote B.T. / Prof. Kadare B.V.  
05/08/19

(अ) जी महिला छांटो व दिशाभूल करणारी आहे आणि वस्तुस्थितीवर आधारित नाही अशी कायताही माहितो माहती प्रत्येकवेळी भरिस्त करणे ;

(ब) एखादी व्यक्ती, जिचे शिक्षण पुढे सुरू ठेवण्यास इच्छुक नसले अशा व्यक्तीला कोणत्याही पाठ्याक्रमच्या किंवा अभ्यवक्रमाच्या बाबतीत कोणतेही शुल्क पररण्याकरिता प्रेरित करण्याच्या किंवा तिच्यावर सक्ती करण्याच्या हेतूने, अशा एखाद्या विद्यापीठात किंवा महाविद्यालयात किंवा मान्यताप्राप्त परिसंस्थेत त्या व्यक्तीने प्रवेश घेताना ते विद्यापीठ किंवा महाविद्यालय किंवा मान्यताप्राप्त परिसंस्था यांच्याकडे तिने जमा केलेल्या परबी, पदविका प्रमाणपत्राच्या किंवा कोणत्याही अन्य पारितीषिकाच्या किंवा इतर कागदपत्राच्या स्वरूपातील कोणताही दस्तऐवज रोखून ठेवणे किंवा तो परत करण्यास नकार देणे ;

(क) अशा विद्यापीठाकडून किंवा महाविद्यालयाकडून किंवा मान्यताप्राप्त परिसंस्थेकडून आचारण्यात येणाऱ्या, प्रवेशाच्या घोषित धोरणामध्ये विनिर्दिष्ट केलेल्या किंवा सक्षम प्राधिकरणाने मान्यता दिलेल्या रकमेपेक्षा अधिक रकमेची मागणी करणे ;

(ख) प्रवेशातील आरक्षणाबाबत लागू असलेल्या धोरणाचा भंग करणे ;

(घ) प्रवेशाच्या वेळी गुणपत्रिका, शाळा सोडल्याचा दाखला, यांसारखी मूळ शैक्षणिक व वैयक्तिक प्रमाणपत्रे आणि प्रशस्तिपत्रे, तसेच अशी इतर कागदपत्रे, ती मूळ स्वस्वात सादर करणे अनिवार्य नसतानाही सादर करण्याचा विद्यार्थ्यांना आग्रह करणे ;

(ग) लिंग, वंश, जात, वर्ग, पंथ, जन्मस्थान, धर्म व दिव्यांगता या कारणांवरून विद्यार्थ्यांच्या कथित भेदभावाच्या तक्रारी ;

(द) संबंधित प्राधिकरणाकडून शिष्यवृत्तीची रक्कम प्राप्त झाल्यानंतर ती, विद्यापीठाकडून किंवा महाविद्यालयाकडून किंवा मान्यताप्राप्त परिसंस्थेकडून एखाद्या विद्यार्थ्यांस प्रदान केली न जाणे, किंवा प्रदान करण्यात विलंब करणे ;

(ड) प्रवेश रद्द झाल्यास शुल्काच्या परताव्याबाबतच्या नियमांचे पालन न करणे ;

(ढ) शैक्षणिक वेळापत्रकामध्ये विनिर्दिष्ट केलेल्या कालावधीची मर्यादा पार करून परीक्षा घेण्यात किंवा त्यांचे निकाल जाहीर करण्यात अवाजवी विलंब करणे ;

(ण) विद्यापीठ किंवा महाविद्यालय किंवा मान्यताप्राप्त परिसंस्था यांच्याकडून माहितीपुस्तिकेत आश्वासन देण्यात आले असले किंवा पुरविणे आवश्यक असेल त्याप्रमाणे विद्यार्थ्यांना सुविधा न पुरविणे ;

(च) मूल्यमापन पद्धती पारदर्शक नसणे किंवा अनुचित असणे ;

(चार) "विभाग तक्रार निवारण कक्ष" याचा अर्थ, खंड ५ च्या उपखंड (१) मध्ये विहित केल्याप्रमाणे, विद्यापीठ विभाग किंवा विद्यापीठ परिसंस्थास्तरावरील, या परिनिचयमान्वये घटित केलेली समिती, असा आहे ;

(पाच) "संस्थात्मक तक्रार निवारण कक्ष" याचा अर्थ, खंड ५ च्या उपखंड (२) मध्ये विहित केल्याप्रमाणे विद्यापीठस्तरावरील या परिनिचयमान्वये घटित केलेली समिती, असा आहे ;

(सहा) "महाविद्यालय तक्रार निवारण कक्ष" याचा अर्थ, खंड ५ च्या उपखंड (३) मध्ये विहित केल्याप्रमाणे महाविद्यालय किंवा यथास्थिति मान्यताप्राप्त परिसंस्थास्तरावर या परिनिचयमान्वये घटित केलेली समिती, असा आहे.

(सात) "विद्यापीठ तक्रार निवारण कक्ष" याचा अर्थ, खंड ५ च्या उपखंड (४) मध्ये विहित केल्याप्रमाणे विद्यापीठस्तरावर या परिनिचयमान्वये घटित केलेली समिती, असा आहे.

(आठ) "लाभाचे पद" याचा अर्थ, लाभ किंवा आर्थिक लाभ मिळविण्याची क्षमता असलेले आणि ज्यास काही पगार, वेतन, वित्तलब्धी, पारिश्रमिक किंवा पूरक भत्ता याव्यतिरिक्त इतर भत्ता संलग्न आहे असे पद, असा आहे ;

विद्यार्थी व परीक्षासमयात आभ्यागत असेल, परंतु स्वतःच्या व प्रश्नात अन्वयाने उत्तर देऊन घ्या. ज्ञानमंडळ शाळा/विद्यालयात शिष्टाचार, अर्थव्यवस्था, परीक्षा नियम व इतर बाबींचा अन्वय घ्या. उत्तर देण्यात आलेले उत्तरांचे तसेच अर्थ अचूक असावे.

२. माहितीपुस्तिका, अनुक्रमणिकेसह व किमतीसह प्रसिद्ध करणे अनिवार्य असणे :—

(१) प्रत्येक विद्यापीठ किंवा महाविद्यालय किंवा मान्यताप्राप्त परिस्थिती, तिच्या कोणत्याही पाठ्यक्रमासाठीची किंवा अध्ययनक्रमासाठीची प्रवेश प्रक्रिया सुरू होण्याच्या दिनांकापूर्वी किमान साठ दिवस संपण्या आगोदर, अशा विद्यापीठात किंवा महाविद्यालयात किंवा मान्यताप्राप्त परिसंस्थेत प्रवेश घेऊ इच्छिणाऱ्या व्यक्तींच्या व सर्वसाधारण जनतेच्या माहितीसाठी पुढील माहिती अंतर्भूत असाणारी माहितीपुस्तिका प्रसिद्ध करणे आणि/किंवा तिच्या संकेतस्थळावर टाकील :-

(एक) अध्यापनाचे तास प्रात्यक्षिक सत्रे व इतर नेमून दिलेली कामे यांच्या सहीत प्रत्येक पाठ्यक्रम किंवा अध्ययनक्रम यासाठी समुचित प्राधिकरणाने किंवा यथास्थिति, विद्यापीठाने विनिर्दिष्ट केलेल्या अभ्यासक्रमाच्या टोचळमानाने प्रस्तावित केलेल्या अध्ययनक्रमांची व पाठ्यक्रमांची सूची ; तसेच अध्ययन तासिका, प्रात्यक्षिक सत्रे आणि इतर प्रकल्प यांबाबतची माहिती ;

(दोन) अशा विद्यापीठात, किंवा महाविद्यालयात किंवा मान्यताप्राप्त परिसंस्थेत पाठ्यक्रमाचे किंवा अध्ययनक्रमाचे शिक्षण घेण्याकरिता प्रवेश दिलेल्या विद्यार्थ्यांकडून देव असलेले शुल्क, ठेवी व इतर आकार असे प्रत्येक घटक आणि अशा प्रदानाच्या अटी व शर्ती ;

(तीन) ज्या शैक्षणिक वर्षाच्या पाठ्यक्रमासाठी किंवा अध्ययनक्रमासाठी प्रवेश देण्याचे प्रस्तावित केले आहे त्याबाबतची, समुचित सांविधिक प्राधिकरणाने मान्यता दिलेल्या जागांची संख्या ;

(चार) विद्यापीठाने किंवा महाविद्यालयाने किंवा मान्यताप्राप्त परिसंस्थेने विनिर्दिष्ट केलेल्या, विशिष्ट पाठ्यक्रमासाठी किंवा अध्ययनक्रमासाठी विद्यार्थी म्हणून प्रवेश घेणाऱ्या व्यक्तींची किमान व कमाल वयोमर्यादा यांसह, शैक्षणिक अर्हतेच्या व पात्रतेच्या शर्ती ;

(पाच) प्रत्येक पाठ्यक्रमासाठी किंवा अध्ययनक्रमासाठीच्या प्रवेशकरिता अशा उमेदवारांची निवड करण्यासाठीच्या चाचणी किंवा परीक्षा, यांच्या तपशिलाच्या बाबतीतील सर्व संबंधित माहितीसह अशा प्रवेशासाठी अर्ज करणाऱ्या पात्र उमेदवारांची निवड प्रक्रिया आणि प्रवेश चाचणीकरिता विहित केलेल्या शुल्काची रक्कम ;

(सहा) कोणताही ड्रव्जदंड, विनिर्दिष्ट केलेली शीर्ष किंवा प्रवर्ग, लादता येतील असे किमान व कमाल ड्रव्जदंड लादण्यासाठीचे व ते वसूल करण्यासाठीचे नियम/विनियम ;

(सात) अशा विद्यापीठात किंवा महाविद्यालयात किंवा मान्यताप्राप्त परिसंस्थेत प्रवेश दिलेला विद्यार्थी पाठ्यक्रम किंवा अध्ययनक्रम पूर्ण करण्यापूर्वी किंवा पूर्ण केल्यावर, अशा विद्यापीठातून किंवा महाविद्यालयातून किंवा मान्यताप्राप्त परिसंस्थेतून बाहेर पडला असलेल्या बाबतीत, विद्यापीठ किंवा महाविद्यालय किंवा मान्यताप्राप्त परिसंस्था, यांच्याकडून परतवायोग्य असलेल्या शिक्षण शुल्काचे व इतर आकाराचे प्रमाण, आणि ज्यावेळेत व ज्यारीतीने त्या विद्यार्थ्यांना असा परतवा देण्यात येईल ती वेळ व ती रीत ;

(आठ) प्रवेशाच्या वेळी सादर करावयाची कागदपत्रे ;

(नऊ) प्रत्येक विद्याशाखेच्या अध्यापकाची शैक्षणिक अर्हता व अध्यापन अनुभव समाविष्ट असलेला तसेच असे अध्यापक नियमित तऱ्यावर किंवा अभ्यागत म्हणून कार्यरत आहे हे दर्शविणारा, अध्यापकवर्गाचा तपशील ;

(दहा) वसतिगृह निवासव्यवस्था, ग्रंथालय व रुग्णालय यांसह भौतिक व शैक्षणिक पायाभूत सुविधा व इतर सुविधा किंवा विद्यार्थ्यांना ज्या उद्योगामध्ये प्रत्यक्ष प्रशिक्षण द्यावयाचे आहे तो उद्योग आणि विशेषतः त्या विद्यापीठात किंवा महाविद्यालयात किंवा मान्यताप्राप्त परिसंस्थेत प्रवेश देण्यात आल्यावर विद्यार्थ्यांना उपलब्ध असलेल्या सुविधा यांबाबतची माहिती ;

(अकरा) विद्यापीठाच्या किंवा महाविद्यालयाच्या किंवा मान्यताप्राप्त परिसंस्थेच्या परिसरात किंवा त्या बाहेर विद्यार्थ्यांनी शिस्त राखण्याशी संबंधित सर्व अनुदेश ;

(बारा) अनुदानित व विनाअनुदानित पाठ्यक्रमांचे स्पष्ट शीर्षांकन ;





(नंक अ दर्जा)

डॉ. बाबासाहेब आंबेडकर मराठवाडा विद्यापीठ औरंगाबाद  
विद्यार्थी विकास मंडळ

## परिपत्रक

महाराष्ट्र शासनाच्या आदेशानुसार २५ फेब्रुवारी २०१९ गोजी आलेल्या अधिसूचने अन्वये सन २०१९ चा एकरूप परिनियम क्रमांक ५ नुसार विद्यार्थी तक्रार निवारण कक्षाच्या कामकाजाची कार्यकारी यंत्रणा स्थापन करणेबाबत नियम व आदेश देण्यात आलेले आहेत. त्यानुसार महाविद्यालय तक्रार निवारण कक्ष स्थापन करणेबाबत मा. कुलगुरु महोदयांच्या आदेशान्वये आपणांस सूचित करण्यात येते.

त्यामध्ये अध्यक्ष म्हणून महाविद्यालयाचे प्राचार्य हे कामकाज पाहतील. सदस्य म्हणून महाविद्यालयाच्या प्राचार्याने नामनिर्देशित केलेले दोन वरिष्ठ अध्यापक काम पाहतील. या अनुषंगाने आपल्या विभागात महाविद्यालय तक्रार निवारण कक्ष स्थापन करून संबंधित व्यक्तींची नावे दि. २५ सप्टेंबर २०२३ पर्यंत ई-मेल — [dsw@bamu.ac.in](mailto:dsw@bamu.ac.in) तसेच खास दुतामार्फत संचालक विद्यार्थी विकास कार्यालयात संध्याकाळी ५.०० वाजेपर्यंत पाठवावेत.

विद्यापीठ प्रांगण \*  
औरंगाबाद \*  
संदर्भ क्र. संवि/२०२३ 9212-3661 \*  
दि. १६ सप्टेंबर २०२३ \*

संचालक  
विद्यार्थी विकास मंडळ

Dr. Patil Sanjay

Dr. Pote B.T

18/9/23

डॉ. बाबासाहेब आंबेडकर मराठवाडा विद्यापीठ, औरंगाबाद.

(नॅक समिती तर्फे "अ" दर्जा प्राप्त)

शैक्षणिक विभाग (०२४०)२४०३११८/२४०३११९

कुलसचिव (का.) २४०३३३४ (नि.)२४००२०३

फॅक्स : (०२४०) २४०३१२४, २४०३३३५

तार : बामुसिटी

म.व.वि.म. (का) (०२४०) २४०३२२३

Web Site-WWW.bamu.net

E-mail: Pro-vc.office@bamu.ac.in

संदर्भ क्र.: - शैक्ष./संलग्न/त.नि.स./२०१८-१९/१५१५६



विद्यापीठ परिसर  
औरंगाबाद-४३१००४  
(महाराष्ट्र)

दिनांक :- १५-०३-२०१९

परिपत्रक

प्रति,

प्राचार्य,

सर्व संलग्नित महाविद्यालये,

डॉ. बाबासाहेब आंबेडकर मराठवाडा विद्यापीठ,

औरंगाबाद.

विषय :- तक्रार निवारण समिती बाबत.

संदर्भ :- महाराष्ट्र सार्वजनिक विद्यापीठ अधिनियम २०१६, कलम ७९

महोदय / महोदया,

उपरोक्त प्रकरणी आपणास कळविण्यात येते की, महाराष्ट्र सार्वजनिक विद्यापीठ अधिनियम २०१६, कलम ७९ अन्वये तक्रार निवारण समितीचे गठण करण्यात आले असून त्यातील निर्देशानुसार आपल्या महाविद्यालयातील अध्यापक आणि कर्मचारी यांच्या काही तक्रारी असल्यास त्याबाबत सोबत जोडलेल्या विहित प्रपत्रात आणि दस्तऐवजासह तक्रार दाखल करावी. तसेच अर्जदाराने गैरअर्जदारास तक्रारीची प्रत व दस्तऐवज पोहच करून त्यांनी याबाबत काय कार्यवाही केली त्याची माहितीसह समिती कार्यालयात सादर करावी. तक्रार दाखल केल्यापासून तीन महिन्यांच्या आत कायदानुसार समिती तक्रारीची सुनावणी, समझौता करील किंवा त्यावर निर्णय घेईल.

सोबत :- वरीलप्रमाणे

shri. Kolhe Vilas

22/03/2019

  
उपकुलसचिव  
(शैक्षणिक विभाग)

Inword  
Dt. 21/3/19 No. 3.1.14  
Mrs. K.S.K. Collr go. Usad.



डॉ.बा.आं.म.वि.औ./२०१९-२०

किंमत रु. १००/-

डॉ. बाबासाहेब आंबेडकर मराठवाडा विद्यापीठ, औरंगाबाद.

श्री./श्रीमती -----

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प्रति,

मा. अध्यक्ष,

तक्रार निवारण समिती,

डॉ. बाबासाहेब आंबेडकर मराठवाडा विद्यापीठ, औरंगाबाद.

प्राचार्यांच्या / विभागाच्या मार्फत रवाना

विषय :

महोदय/महोदया,

वरील संदर्भात माझी खालील तक्रार असून या विषयीची संपूर्ण माहिती खालीलप्रमाणे.

१. नाव : -----

२. घरचा पत्ता : -----

-----फोन नं.----- ईमेल-----

३. महाविद्यालयाचे / विभागाचे नाव / पत्ता :-----

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४. प्राचार्यांचे नाव व पत्ता :-----

-----फोन नं.----- ईमेल-----

(२)

५. संस्थेचे नाव व पत्ता : -----

----- फोन नं. ----- ईमेल -----

६. नोकरीची माहिती : नेमणूक : -----

पद -----

विषय -----

७. तक्रारीचे स्वरूप थोडक्यात -----

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(आवश्यक वाटल्यास स्वतंत्र कागदावर माहिती द्यावी)

८. तक्रार कुणाच्या विरुद्ध ? प्राचार्य/संस्था/विद्यापीठ/महाराष्ट्र शासन.

९. तक्रारीच्या संदर्भात संबंधित पदाधिकाऱ्याकडे

तक्रार अर्ज केला होता काय ? होय / नाही

असल्यास संबंधिताने उत्तर दिले काय ? होय / नाही

असल्यास पत्राची प्रत जोडा.

१०. तक्रारीची दाद मागण्यासाठी सक्षम अधिकाऱ्याकडे तक्रार केली का ? होय / नाही

१) प्राचार्यांच्या संदर्भात संस्थाचालकाकडे / स्थानिक व्यवस्थापन मंडळाकडे होय / नाही

२) महाराष्ट्र शासनाचे संदर्भात सक्षम अधिकाऱ्याकडे होय / नाही

३) संस्थेच्या विरोधात अध्यक्षकडे होय / नाही

(३)

४) न्यायालयात अथवा ट्रीब्यूनलकडे

होय / नाही

वरील सर्व संदर्भात आवश्यक असेल, त्या त्या अधिकार मंडळाकडे तक्रार करणे आवश्यक आहे. ती करुनही तक्रार निवारण झाले नाही, तरच संबंधितांच्या निर्णयाची प्रत जोडणे आवश्यक आहे. त्यांनी पत्राची उत्तरे दिली नसल्यास तसे नमूद करावे

५) या संदर्भात न्यायालयात दावा दाखल केला आहे का ?

होय / नाही

असल्यास त्यासंबंधिची सद्यःस्थिती

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११. मी खाली सही करणार -----

प्रतिज्ञापूरवक जाहीर करतो की वरील सर्व माहिती सत्य व वस्तुस्थितीला धरुन आहे. ती खोटी ठरल्यास मी कारवाईला पात्र ठरेन. या संदर्भात मी माझे म्हणने समितीसमोर स्वखर्चाने येऊन मांडण्यास तयार आहे. आपण याची संपूर्ण चौकशी करुन माझ्या तक्रारीचे निवारण करावे, ही नम्र विनंती. तक्रारीच्या संदर्भातील आवश्यक त्या सर्व पत्रव्यवहाराच्या व कागदपत्रांच्या सत्यप्रती प्रत्येकी आठ या सोबत जोडलेल्या आहेत. त्यांची यादी तारखांसह सोबत दिलेली आहे.

ठिकाण :

दिनांक :

आपला विश्वासू,

(संपूर्ण नाव :----- )

(४)

प्राचार्य / संस्था / विद्यापीठाचे निवेदन.

१२. वरील तक्रारीच्या संदर्भातील माहिती

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१३. प्राचार्य / विद्यापीठ / संस्थेचा अभिप्राय

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( आवश्यक वाटल्यास ते माहिती पत्र जोडावे )

१४. संस्थेचा / महाविद्यालयीन विकास समिती / महाराष्ट्र शासनाच्या शिक्षण खात्याचा निर्णय -----

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१५. संबधिताने केलेल्या तक्रारीबाबत यापूर्वी केलेली कार्यवाही

१) दिलेली पत्रे घेतली होय / नाही

२) त्यावर केलेली उपाय योजना -----

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(५)

३) तक्रारीचे कायदेशीर स्वरूप -----  
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४) इतर काही म्हणने असल्यास

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१६. मी खाली सही करणार-----  
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प्रतिज्ञापूरवक जाहीर करतो की वरील सव माहिती सत्य व वस्तुस्थितीला धरुन आहे. ती खोटी ठरल्यास मी कारवाईस पात्र ठरेन. या संदर्भातील म्हणने मांडण्यास समितीसमोर स्वखर्चाने मी हजर राहीन. तसेच, या संदर्भात विद्यापीठाच्या निर्णयाची अंमलबजावणी मी करीन. अन्यथा, दंडात्मक कारवाईला मी पात्र ठरेन. याची पूर्ण जाणीव मला आहे. या संदर्भातील आवश्यक त्या पत्रव्यवहाराच्या व कागदपत्रांच्या सत्यप्रती प्रत्येकी आठ या प्रमाणे जोडलेल्या आहेत.

ठिकाण :

दिनांक :

आपला विश्वासू,

(संपूर्ण नाव -----)

(६)

१७. कार्यालयाचा अभिप्राय : -----

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१८. तक्रार निवारण समितीचा निर्णय : -----

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सदस्य-सचिव

सदस्य

सदस्य

सदस्य

सदस्य

अध्यक्ष

कागदपत्रांची यादी

अ. क्र.	कागदपत्राचे वर्णन	दिनांक	मूळ / सत्यप्रत
१)			
२)			
३)			
४)			
५)			
६)			
७)			
८)			
९)			
१०)			

ठिकाण :-

सही



### **EVENT: GUEST LECTURE**

Shri. Mayur Lomte (Cyber Crime Expert, Beed.) was delivered a lecture on awareness of Cyber Crime dated on 18 Jan 2019. This program was conducted in association with the women cell.





नवगण शिक्षण संस्था राजुरी (न)

# सौ.केशरबाई सोबाजीराव क्षीरसागर ऊर्फ काकू कला, विज्ञान व वाणिज्य महाविद्यालय, बीड.

प्राचार्य - डॉ. डी.बी.क्षीरसागर



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जा.क्र.केएसकेसीबी/२०१८-२०१९/

दिनांक १८/०१/२०१९

## आभार

महाविद्यालयात शुक्रवार दिनांक १८ जानेवारी २०१९ रोजी सकाळी ठिक ११.३० वाजता सायबर सेल पोलिस अधिक्षक कार्यालय, बीड यांचे वतीने सायबर गुन्हे विषयी जनजागृती अभियान अंतर्गत विद्यार्थ्यांसाठी उद्बोधन कार्यक्रम आयोजित करण्यात आला.

सदर कार्यक्रमामध्ये श्री. मयुर लोमटे [ Cyber Crime Expert ] यांनी विद्यार्थ्यांना सायबर गुन्हापासून परावृत्त राहण्यासाठी सखोल मार्गदर्शन केले.

सदर कार्यक्रमाचे महाविद्यालयात आयोजन करून विद्यार्थ्यांना जागृत केल्याबद्दल महाविद्यालयातर्फे आपले आभार.

धन्यवाद !

प्राचार्य  
Principal

Mrs. K.S.K. Alias Kaku Arts,  
Science & Commerce College,  
Beed - 431 122

## EVENT: COUNSELING PROGRAM

Anti-ragging committee was organized the counseling program for college students the Hon. Principal Dr. D.B.Kshirsagar was delivered a speech on anti-ragging awareness on dated 24 July 2019.



EVENT: GUEST LECTURE

Anti-ragging committee was organized cyber crime awareness program for college students with the collaboration of cyber cell district Police office, Beed dated on 08 January 2020. Mr. Harsh Poddar (S.P. BEED) was delivered a speech on 'Cyber Crime Act and Roll of Police Department'.



  
Co-Ordinator -  
Internal Quality Assurance Cell  
M.S.S.R.M. College, Beed (M.S.)



  
Chairman of the committee



ज्ञान-विज्ञान विमुक्तये

प्रो. (डॉ.) जसपाल एस. सन्धू

सचिव

*Prof. Dr. Jaspal S. Sandhu*

MBBS, MS (Ortho), DSM, FAIS, FASM, FAFSM, FFIMS, FAMS

Secretary



सत्यमेव जयते

विश्वविद्यालय अनुदान आयोग  
**University Grants Commission**

(मानव संसाधन विकास मंत्रालय, भारत सरकार)  
(Ministry of Human Resource Development, Govt. of India)

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D.O.No.F.91-9/2015 (GS/MHRD)

5<sup>th</sup> July, 2016

Dear Sir/Madam,

University Grants Commission has notified *University Grants Commission (Prevention, prohibition and redressal of sexual harassment of women employees and students in higher educational institutions) Regulations, 2015* in the Gazette of India which are available on UGC website i.e. [www.ugc.ac.in](http://www.ugc.ac.in). These Regulations clearly describes responsibilities of the higher educational institutions, grievance redressal mechanism, process for making complaint and conducting Inquiry, Interim redressal, punishment and compensation, consequences of non-compliance etc. UGC Regulations being statutory in nature are binding for Universities and Colleges.

The Ministry of Women and Child Development, Government of India has also published a "Handbook on Sexual Harassment of Women at Workplace". The Handbook clearly describes the issues like what is workplace sexual harassment, its prevention, prohibition and redressal along with the global norms and good practices followed in this regard. A copy of the Handbook is also available on UGC website.

You are requested to kindly ensure implementation of UGC Regulations in your esteemed University and affiliated colleges. Also ensure wide circulation of the Handbook amongst faculty, students and staff of your University and affiliated colleges and also upload the same on the university website for their use.

With kind regards,

Yours sincerely,

(Jaspal S. Sandhu)

**The Vice-Chancellor of All Universities.**

Copy to :

Publication Officer, UGC for uploading on UGC website.

(Jaspal S. Sandhu)



# भारत का राजपत्र

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(विश्वविद्यालय अनुदान आयोग)

अधिसूचना

नई दिल्ली, 2 मई, 2016

विश्वविद्यालय अनुदान आयोग (उच्चतर शैक्षिक संस्थानों में महिला कर्मचारियों एवं छात्रों के लैंगिक उत्पीड़न के निराकरण, निषेध एवं इसमें सुधार) विनियम 2015

मि. सं. 91-1/2013 (टी. एफ. जी. एस.—विश्वविद्यालय अनुदान आयोग अधिनियम 1956 (1956 का 3) जिसे उक्त अधिनियम के अनुच्छेद 20 के उप-अनुच्छेद (1) से संयुक्त रूप से पढ़ा जाए उस अधिनियम 26 के अनुच्छेद (1) की धारा (जी) द्वारा प्रदत्त अधिकारों के क्रियान्वयन अनुसार विश्वविद्यालय अनुदान आयोग एतद्वारा निम्न विनियम निर्मित कर रहा है, नामतः :-

1. लघु शीर्ष, अनुप्रयोग एवं समारम्भ:- (1) ये विनियम विश्वविद्यालय अनुदान आयोग (उच्चतर शैक्षिक संस्थानों में महिला कर्मचारियों एवं छात्रों के लैंगिक उत्पीड़न के निराकरण, निषेध एवं इसमें सुधार) विनियम, 2015 कहलाएंगे।
  - (2) ये विनियम भारत वर्ष में सभी उच्चतर शैक्षिक संस्थानों पर लागू होंगे।
  - (3) सरकारी राजपत्र में उनके प्रकाशन की तिथि से वे लागू माने जाएंगे।
2. परिभाषाएँ:- इन विनियमों में—बशर्ते विषयवस्तु के अन्तर्गत कुछ अन्यथा जरूरी है:-
  - (अ) "पीड़ित महिला" से अर्थ है किसी भी आयु वर्ग की एक ऐसी महिला—चाहे वह रोजगार में है या नहीं, किसी कार्य स्थल में कथित तौर से प्रतिवादी द्वारा कोई लैंगिक प्रताड़ना के कार्य का शिकार बनी है;
  - (ब) "अधिनियम" से अर्थ है कार्य स्थल में महिलाओं का लैंगिक उत्पीड़न (निराकरण, निषेध एवं समाधान) अधिनियम, 2013 (2013 का 14);
  - (स) "परिसर" का अर्थ उस स्थान अथवा भूमि से है जहाँ पर उच्चतर शैक्षिक संस्थान तथा इसकी संबद्ध संस्थागत सुविधाएँ जैसे पुस्तकालय, प्रयोगशालाएँ, लेक्चर हॉल, आवास, हॉल, शौचालय, छात्र केन्द्र, छात्रावास, भोजन कक्षों, स्टेडियम, वाहन पड़ाव स्थल, उपवनों जैसे स्थल तथा अन्य कुछ सुविधाएँ जैसे स्वास्थ्य केन्द्र, कैंटीन, बैंक पटल इत्यादि स्थित हैं तथा जिसमें छात्रों द्वारा उच्चशिक्षा के छात्र के रूप में दौरा किया जाता हो—जिस में वह परिवहन शामिल है जो उन्हें उस संस्थान से आने जाने के लिए, उस संस्थान के अलावा क्षेत्रीय भ्रमण हेतु

- (इ) शारीरिक रूप से संबंध बनाना अथवा पास बने रहने की कोशिश करना
- (ई) अश्लील साहित्य दिखाना
- (ii) निम्न परिस्थितियों में से किसी एक में (अथवा इससे अधिक एक या सभी में) यदि ऐसा पाया जाता है अथवा वह ऐसे किसी बर्ताव के बारे में है या उससे संबंधित है जिसमें व्यापक रूप से या छिपे रूप में लैंगिक संकेत छिपे हैं—
- (अ) छिपे तौर से या प्रत्यक्ष रूप से अधिमान्य व्यवहार देने का वायदा जो लैंगिक समर्थन के एवज में हैं;
- (ब) कार्य के निष्पादन में छिपे रूप से या सीधे तौर से रुकावट डालने की धमकी;
- (स) संबद्ध व्यक्ति के वर्तमान अथवा उसके भविष्य के प्रति छिपे तौर से या सीधे तौर से धमकी देकर;
- (द) एक दहशत भरा हिंसात्मक या द्वेषपूर्ण वातावरण पैदा करके;
- (ई) ऐसा व्यवहार करना जो कि संबद्ध व्यक्ति के स्वास्थ्य उसकी सुरक्षा, प्रतिष्ठा अथवा उसकी शारीरिक दृढ़ता को दुष्प्रभावित करने वाला है;
- (एल) "छात्र" शब्द का अर्थ उस व्यक्ति के लिए है जिसे विधिवत प्रवेश मिला हुआ है, जो नियमित रूप से या दूर शिक्षा विधि से एक उच्च शिक्षा संस्थान में, एक अध्ययन पाठ्यक्रम का अनुसरण कर रहा है जिसमें लघु अवधि प्रशिक्षण पाठ्यक्रम भी शामिल हः
- बशर्ते, ऐसे किसी छात्र के साथ यदि कोई लैंगिक उत्पीड़न की घटना होती है जो उच्च शिक्षा संस्थान परिसर में प्रवेश पाने की प्रक्रिया में है— यद्यपि वह प्रवेश प्राप्त नहीं हुआ है तो इन विनियमों के आधार पर उस छात्र को उच्च शिक्षा संस्थान का छात्र माना जाएगा:
- बशर्ते एक ऐसा छात्र जो किसी उच्चतर शैक्षिक संस्थान में प्रवेश प्राप्त है तथा उस संस्थान में भागीदार है और उस छात्र के प्रति कोई लैंगिक उत्पीड़न होता है तो उसे उस उच्च संस्थान का छात्र माना जाएगा;
- (एम) "किसी तीसरे व्यक्ति द्वारा उत्पीड़न" उस स्थिति को दर्शाता है जब लैंगिक उत्पीड़न की घटना किसी तीसरे व्यक्ति द्वारा या किसी बाहर के आदमी द्वारा की गई हो जो ना तो उस उच्च शैक्षिक संस्थान का कर्मचारी अथवा उसका छात्र है—बल्कि उस संस्थान में एक आगन्तुक है जो अपने अन्य किसी काम या उद्देश्य से आया हुआ है;
- (एन) "उत्पीड़न" का अर्थ है किसी व्यक्ति से नकारात्मक व्यवहार जिसमें छिपे तौर से या सीधे तौर से लैंगिक दुर्भावना की नीयत छिपी होती है;
- (ओ) "कार्यस्थल" का अर्थ है उच्चतर शैक्षिक संस्थान का परिसर जिसमें शामिल हैं:
- (अ) कोई विभाग, संगठन, उपक्रम, प्रतिष्ठान, उद्योग, संस्थान, कार्यालय, शाखा अथवा एकांश जो उपयुक्त उच्चतर शैक्षिक संस्थान द्वारा पूरी तरह अथवा पर्याप्त रूप से उपलब्ध निधि द्वारा सीधे तौर से अथवा अप्रत्यक्ष रूप से स्थापित, स्वामित्व वाले या उससे नियन्त्रित है;
- (ब) ऐसा कोई खेलकूद संस्थान, स्टेडियम, खेल परिसर या प्रतियोगिता या खेलकूद क्षेत्र चाहे वह आवासीय है या नहीं या उसे उच्चतर शैक्षिक संस्थान की प्रशिक्षण, खेलकूद अथवा अन्य गतिविधियों के लिए उपयोग नहीं किया जा रहा है;
- (स) ऐसा कोई स्थान जिसमें कर्मचारी अथवा छात्र अपने रोजगार के दौरान या अध्ययन के दौरान आते रहते हैं तथा जिस गतिविधि में यातायात शामिल है जिसे कार्यकारी प्राधिकारी ने ऐसे भ्रमण के लिए उपलब्ध कराया है जो उस उच्च शैक्षिक संस्थान में अध्ययन के लिए हैं।
3. उच्चतर शैक्षिक संस्थानों के दायित्व—(1) प्रत्येक उच्चतर शैक्षिक संस्थान)
- (अ) कर्मचारियों एवं छात्रों के प्रति लैंगिक उत्पीड़न के निराकरण एवं निषेध संबंधी अपनी नीति एवं विनियमों में उपरोक्त परिभाषाओं की भावना को यथा आवश्यक उपयुक्त रूप में सम्मिलित करें तथा इन विनियमों की आवश्यकता अनुसार अपने अध्यादेशों एवं नियमों को संशोधित करना;
- (ब) लैंगिक उत्पीड़न के विरुद्ध प्रावधानों को अधिसूचित करना तथा उनके विस्तृत प्रचार-प्रसार को सुनिश्चित करना;

जाएगा—क्योंकि न्यायालय के निर्णय एवं अन्य कानून तथा नियमों द्वारा उस कानूनी ढाँचे में लगातार संशोधन होता रहेगा जिनके अनुसार अधिनियम लागू किया जाना है;

- (2) उच्चतर शैक्षिक संस्थानों का कार्यकारी प्राधिकारी द्वारा अधिदेशात्मक रूप से पूरा समर्थन किया जाना चाहिए तथा यह देखा जाना चाहिए कि आई.सी.सी. की सिफारिशों का क्रियान्वयन समयबद्ध रूप से किया जा रहा है कि नहीं। आई.सी.सी. के प्रकार्य के लिए समस्त संभावित संसाधन उपलब्ध कराए जाने चाहिए— जिनमें कार्यालय और भवन अवसंरचना सहित (कम्प्यूटर, फोटो कॉपियर, श्रव्य दृश्य उपकरणों आदि) स्टाफ (टाइपिस्ट, सलाह एवं कानूनी सेवाओं) सहित पर्याप्त रूप में वित्तीय संसाधन का आबंटन भी हो;
- (3) असुरक्षित/दुर्बल वर्ग विशेष रूप से प्रताड़ना के शिकार बन जाते हैं और उनके द्वारा शिकायत करना और भी ज्यादा कठिन होता है। क्षेत्र, वर्ग, जाति, लैंगिक प्रवृत्ति, अल्पसंख्यक पहचान, एवं पृथक रूप से सामर्थ्य से असुरक्षा सामाजिक रूप से संयोजित हो सकती है। समर्थकारी समितियों को इस प्रकार की असुरक्षितताओं के प्रति अति संवेदनशीलता एवं विशेष जरूरतों के प्रति संवेदनशील होने की आवश्यकता है;
- (4) क्योंकि शोध छात्र और डॉक्टोरल छात्र विशेष रूप से आक्रान्त होते हैं, अतः उच्चतर शैक्षिक संस्थानों द्वारा यह सुनिश्चित कराया जाए कि शोध सर्वेक्षण की नैतिकता संबंधी दिशा निर्देश उचित रूप से लागू हो रहे हैं;
- (5) समस्त उच्चतर शैक्षिक संस्थानों द्वारा उनकी लैंगिक उत्पीड़न विरोधी नीति की क्षमता का नियमित रूप से अर्ध वार्षिक पुनरीक्षण किया जाना चाहिए;
- (6) सभी अकादमिक स्टाफ कॉलेजों (जिन्हें अब मानव संसाधन विकास केन्द्रों के रूप में पाया जाता है) (एचआरडीसी) और क्षमता निर्माण के क्षेत्रीय केन्द्रों द्वारा लिंग संबंधी सत्रों को अपने अभिमुखी एवं पुनश्चर्चा पाठ्यक्रमों में निगमित करना चाहिए। अन्य सब विषयों से भी इसे प्राथमिकता दी जाए तथा इसे मुख्य धारा के रूप में विशेष रूप से बनाया जाए तथा इसके लिए "यूजीसी सक्षम" रिपोर्ट का उपयोग करें जिसमें, इस बारे में, प्रविधियाँ उपलब्ध कराई जाती हैं;
- (7) उच्चतर शैक्षिक संस्थानों में प्रशासकों के लिए संचालित अभिमुखी पाठ्यक्रमों में आवश्यक रूप से लैंगिक संवेदीकरण तथा लैंगिक उत्पीड़न की समस्याओं पर एक मापदण्ड होना चाहिए। उच्चतर शैक्षिक संस्थान के समस्त विभागों में मौजूद सदस्यों के लिए कार्यशालाएँ नियमित रूप से संचालित की जानी चाहिए;
- (8) समस्त उच्चतर शैक्षिक संस्थानों में परामर्श सेवाओं को संस्थानों के अन्तर्गत रखा जाना चाहिए और इसके लिए सुप्रशिक्षित पूर्णकालिक परामर्शदाता होने चाहिए;
- (9) कई उच्चतर शैक्षिक संस्थान जिनके विशाल परिसर हैं जिनमें प्रकाश संबंधी व्यवस्था बहुत अधूरी है तथा अन्य संस्थानों के लोगों के अनुभव अनुसार वे स्थान असुरक्षित समझे जाते हैं, वहाँ पर्याप्त प्रकाश व्यवस्था अवसंरचना एवं रख-रखाव का एक अनिवार्य अंग है;
- (10) पर्याप्त एवं अच्छी तरह से प्रशिक्षित सुरक्षा स्टाफ आवश्यक रूप से होना चाहिए जिसमें महिला सुरक्षा स्टाफ सदस्य अच्छी संख्या में हों, जिससे संतुलन बना रहे। सुरक्षा स्टाफ नियुक्ति के मामले में लैंगिक संवेदनशीलता प्रशिक्षण को एक शर्त के रूप में माना जाना चाहिए;
- (11) उच्चतर शैक्षिक संस्थान आवश्यक रूप से विश्वसनीय जन यातायात को सुनिश्चित करें— विशेष रूप से उच्चतर शैक्षिक संस्थानों के विस्तृत परिसरों के अन्दर विभिन्न विभागों के मध्य जैसे— छात्रावासों, पुस्तकालयों, प्रयोगशालाओं तथा मुख्यालय और विशेष रूप से वे स्थान जिन तक पहुँच पाना दैनिक शोधकर्ताओं के लिए कठिन है। सुरक्षा की कमी तथा उत्पीड़न बहुत बढ़ जाता है जब कर्मचारी और छात्र सुरक्षित जन यातायात पर निर्भर नहीं रहते हैं। कर्मचारी एवं छात्रों द्वारा पुस्तकालयों और प्रयोगशालाओं में देर रात तक काम करने और शाम के समय अन्य कार्यक्रमों में भाग लेने के लिए उच्चतर शैक्षिक संस्थानों द्वारा भरोसेमंद यातायात का प्रबन्ध किया जाना चाहिए;
- (12) आवासीय उच्चतर शैक्षिक संस्थानों द्वारा महिला छात्रावासों की संरचना को प्राथमिकता दी जाए। महिला छात्रावास, जो सभी प्रकार के उत्पीड़न से थोड़ी बहुत सुरक्षा प्रदान करते हैं, उस उच्च शिक्षा के सभी स्तरों पर, शहरी एवं ग्रामीण क्षेत्रों में बड़ी संख्या में उच्च शिक्षा इच्छुक युवा महिलाओं के लिए अत्यन्त जरूरी है;



- (4) आन्तरिक शिकायत समिति के सदस्यों की सदस्यता अवधि तीन वर्ष की होगी। उच्चतर शैक्षिक संस्थान ऐसी एक प्रणाली का उपयोग करें जिसके द्वारा आन्तरिक शिकायत केन्द्र के सदस्यों का एक तिहाई भाग प्रतिवर्ष परिवर्तित होता रहे;
- (5) आन्तरिक समिति को बैठक आयोजित करने के लिए जो सदस्य गैर सरकारी संगठनों अथवा सभाओं से संबद्ध हैं उन्हें कार्यकारी प्राधिकारी द्वारा ऐसे शुल्क अथवा भत्ते का भुगतान किया जाए, जैसा निर्धारित किया गया है;
- (6) जिस स्थिति में आन्तरिक समिति का अध्यक्ष अधिकारी अथवा इसका कोई सदस्य, यदि:-
- (अ) अधिनियम की धारा 16 के प्रावधानों का उल्लंघन करता है, अथवा
- (ब) वह किसी अपराध के लिए दोषी सिद्ध हुआ है अथवा उसके विरुद्ध वर्तमान में लागू किसी कानून के अन्तर्गत किसी अपराध के बारे में कोई पड़ताल लम्बित है, अथवा
- (स) किसी अनुशासनात्मक कार्यवाही के तहत वह दोषी पाया गया है अथवा उसके विरुद्ध कोई अनुशासनात्मक कार्यवाही लम्बित है, अथवा
- (द) उसने अपने पद का दुरुपयोग इस सीमा तक किया है कि कार्यालय में उसकी सेवामें निरन्तरता को जनहित के प्रतिकूल माना जाएगा;
- तो ऐसा अध्यक्ष अधिकारी अथवा सदस्य, यथास्थिति, इस समिति से हटा दिया जाएगा तथा इस प्रकार से होने वाली रिक्ति अथवा ऐसी कोई नैमित्तिक (कैजुअल) रिक्ति को नये नामांकन द्वारा इस धारा के प्रावधानों के अनुसार भरा जाएगा;”

5. आन्तरिक शिकायत समिति (आई.सी.सी.) :- आन्तरिक शिकायत समिति करेगी :-

- (अ) यदि कोई कर्मचारी अथवा छात्र पुलिस के पास कोई शिकायत दर्ज करना चाहता है तो उसे सहायता उपलब्ध कराएगी;
- (ब) विवाद समाधान के हेतु बातचीत संबंधी तन्त्र उपलब्ध कराना ताकि विवादित बातों पर पूर्वानुमान को समीचीन एवं उचित मैत्रीपूर्ण क्रिया द्वारा देखा जा सका जिससे उस शिकायतकर्ता के अधिकारों की हानि न हो तथा जिससे पूरी तरह से दण्डात्मक दृष्टिकोणों की न्यूनतम जरूरत हो जिनसे और अधिक जानकारी, विमुखता अथवा हिंसा न बढ़े;
- (स) उस व्यक्ति की पहचान उजागर किये बिना उस शिकायतकर्ता की सुरक्षा बनाए रखना तथा स्वीकृत अवकाश अथवा उपस्थिति संबंधी अनिवार्यताओं में छूट द्वारा अथवा अन्य किसी विभाग में अथवा किसी सर्वेक्षणकर्ता के पास स्थानान्तरण द्वारा, यथा आवश्यक रूप से उस शिकायत के लम्बित होने की अवधि में अथवा उस अपराधकर्ता के स्थानान्तरण का भी प्रावधान किया जाएगा;
- (द) लैंगिक उत्पीड़न संबंधी शिकायतों के निपटान करते समय सुनिश्चित करें कि पीड़ित व्यक्ति या गवाहों का शोषण ना किया जाए अथवा उनके साथ भेदभाव न किया जाए, तथा
- (ई) किसी भी आवृत्त व्यक्ति के विरुद्ध अथवा प्रतिकूल कार्रवाई पर प्रतिबन्ध को सुनिश्चित करना क्योंकि वह कर्मचारी अथवा छात्र एक संरक्षित गतिविधि में व्यस्त है;

6. शिकायत करने एवं जाँच पड़ताल की प्रक्रिया:- आन्तरिक शिकायत समिति किसी भी शिकायत को दायर करने और उस शिकायत की जाँच करने के लिए इन विनियमों और अधिनियम में निर्धारित प्रणाली का अनुपालन करेगी ताकि वह समयबद्ध रूप से पूरी हो सके। उच्चतर शैक्षिक संस्थान, आन्तरिक शिकायत समिति को सभी आवश्यक सुविधाएँ उपलब्ध कराएगा ताकि जाँच पड़ताल शीघ्रता से संचालित हो सके तथा आवश्यक गोपनीयता भी बनी रहे;

7. लैंगिक उत्पीड़न की शिकायत दायर करने की प्रक्रिया :- किसी भी असन्तुष्ट व्यक्ति के लिए आवश्यक है कि वह घटना होने की तिथि से तीन माह के भीतर लिखित शिकायत आन्तरिक शिकायत समिति को प्रस्तुत करे और यदि लगातार कई घटनाएँ हुई हो तो सबसे बाद की घटना से तीन माह के भीतर उसे प्रस्तुत करें;

बशर्ते जहाँ ऐसी शिकायत लिखित रूप में नहीं दी जा सकती है, वहाँ अध्यक्ष अधिकारी अथवा आन्तरिक समिति का कोई भी सदस्य, उस व्यक्ति के द्वारा लिखित शिकायत प्रस्तुत करने के लिए समस्त सम्भव सहायता प्रदान करेगा;

बशर्ते, इसके साथ ही आई.सी.सी. लिखित रूप से प्रस्तुत तर्कों के आधार पर समय सीमा विस्तारित कर सकती है, परन्तु वह तीन माह से अधिक की नहीं होगी, यदि इस बात को आश्वस्त किया गया हो कि परिस्थितियाँ ऐसी थी कि जिनके कारण वह व्यक्ति इस कथित अवधि के दौरान शिकायत दायर करने से वंचित रह गया था;

8. जाँच पड़ताल की प्रक्रिया:-

- (व) एक विशेष समय तक परिसर में उसका प्रवेश स्थगित अथवा बाधित करना;
- (ख) यदि उस अपराध की ऐसी गंभीरता है तो उस छात्र को संस्थान से निष्कासित किया जा सकता है तथा उसका नाम उस संस्थान की नामावलि से हटाया जा सकता है, इसके साथ ही पुनः प्रवेश की अनुमति उसे नहीं होगी;
- (द) अधिदेशात्मक परामर्श अथवा सामुदायिक सेवाओं जैसे सुधारवादी दण्ड प्रदान करना;
- (3) पीड़ित व्यक्ति मुआवजे का अधिकारी है। आन्तरिक शिकायत समिति द्वारा अनुशंसित तथा कार्यकारी प्राधिकारी द्वारा स्वीकृत मुआवजे के भुगतान के लिए उच्चतर शैक्षिक संस्थान निर्देश जारी करेगा, जिसकी वसूली अपराधकर्ता से की जाएगी। देय मुआवजे का निर्धारण निम्न आधार पर होगा:-
- (अ) पीड़ित व्यक्ति को जितना मानसिक तनाव, कष्ट, व्यथा एवं दुख पहुँचा है;
- (ब) उस लैंगिक उत्पीड़न की घटना के कारण उन्हें अपनी जीविका के सुअवसर की हानि उठानी पड़ी;
- (स) पीड़ित व्यक्ति द्वारा अपने शारीरिक एवं मनोरोग संबंधी आधार के लिए खर्च किए गए चिकित्सा व्यय;
- (द) कथित अपराधकर्ता एवं उस पीड़ित व्यक्ति की आय एवं जीवन स्तर, और
- (ई) ऐसे समस्त भुगतान का एकमुश्त रूप से या किस्तों में किए जाने का औचित्य;
11. झूठी शिकायत के विरुद्ध कार्यवाई:-
- इस बात को सुनिश्चित करने के लिए कि लैंगिक उत्पीड़न मामलों में कर्मचारियों एवं छात्रों की सुरक्षा के प्रावधानों का दुरुपयोग न हो, असत्य एवं द्वेष भावना पूर्ण शिकायतों के विरुद्ध प्रावधान किये जाने की आवश्यकता है तथा इन्हें उच्चतर शैक्षिक संस्थानों में प्रचारित प्रसारित किया जाना चाहिए। आन्तरिक शिकायत समिति यदि यह निष्कर्ष निकालती है कि लगाए गए अभियोग असत्य, थे, विद्वेषपूर्ण थे अथवा यह जानते हुए भी कि वह शिकायत असत्य अथवा जाली है अथवा भ्रामक सूचना को उस पड़ताल के दौरान उपलब्ध कराया गया है तो शिकायतकर्ता विनियम (10) के उप विनियम (1) के तहत दण्डित किये जाने के लिए बाध्य होगा यदि शिकायतकर्ता एक कर्मचारी है, तथा यदि वह अपराधकर्ता एक छात्र है तो वह इस विनियम की उप-विनियम (2) के प्रावधानों के अनुसार सजा के लिए बाध्य होगा तथापि किसी भी शिकायत को प्रमाणित करने अथवा उसके लिए पर्याप्त सबूत उपलब्ध न कर पाने का आधार, शिकायतकर्ता के विरुद्ध कार्यवाई करने का कारण नहीं माना जा सकता है। शिकायतकर्ता द्वारा द्वेषपूर्ण उद्देश्य से दायर शिकायत की जाँच पड़ताल द्वारा तय किया जाना चाहिए तथा इस बारे में किसी कार्यवाई की सिफारिश किए जाने से पूर्व इस विषय में निर्धारित प्रणाली के अनुसार जाँच की जानी चाहिए;
12. गैर अनुपालन के परिणाम:-
- (1) ऐसे संस्थान जो जानबूझकर अथवा बारंबार उन दायित्वों तथा कर्तव्यों के अनुपालन में असमर्थ बना रहता है जिन्हें कर्मचारियों एवं छात्रों के प्रति लैंगिक उत्पीड़न के निराकरण, निषेध एवं समाधान हेतु निर्धारित किया गया है, तो इस स्थिति में आयोग विधिवत नोटिस देकर निम्न में से किसी एक अथवा इससे अधिक बिन्दुओं पर कार्यवाई करेगा:-
- (अ) विश्वविद्यालय अनुदान आयोग अधिनियम 1956 की धारा 12(बी) के अन्तर्गत की गई घोषणा जो पात्रता दिये जाने के विषय में है, उसका आहरण किया जाना;
- (ब) आयोग द्वारा अधिनियम 1956 की धारा 2 (एफ) के अन्तर्गत अनुरक्षित सूची में से उस विश्वविद्यालय अथवा महाविद्यालय का नाम हटाना;
- (स) संस्थान को आबंटित किसी भी अनुदान को रोक देना;
- (द) आयोग को किसी भी सामान्य अथवा विशेष सहायता कार्यक्रमों के अन्तर्गत किसी भी सहायता को प्राप्त करने के लिए उस संस्थान को अपात्र घोषित किया जाना;
- (ई) जन साधारण को, एवं रोजगार अथवा प्रवेश के इच्छुक भावी प्रत्याशियों को एक ऐसे नोटिस द्वारा सूचित करना जो समाचार पत्रों में प्रमुख रूप से दर्शाया गया है अथवा उपयुक्त मीडिया में दर्शाया गया है तथा आयोग की वेबसाइट पर प्रदर्शित किया गया है तथा जिस नोटिस में घोषणा की गई है कि वह संस्थान लैंगिक उत्पीड़न के विरुद्ध शून्य सहनशीलता नीति (मतव जवसमतंदबम चवसपयलइ का समर्थन नहीं करता है;
- (एफ) यदि वह एक महाविद्यालय है तो उसके सम्बद्ध विश्वविद्यालय द्वारा उसकी सहसम्बद्धता को आहरित करने की अनुशंसा के लिये कहें;

- (d) "Commission" means the University Grants Commission established under section 4 of the University Grants Commission Act, 1956 (3 of 1956);
- (e) "covered individuals" are persons who have engaged in protected activity such as filing a sexual harassment charge, or who are closely associated with an individual who has engaged in protected activity and such person can be an employee or a fellow student or guardian of the offended person;
- (f) "employee" means a person as defined in the Act and also includes, for the purposes of these Regulations trainee, apprentice (or called by any other name), interns, volunteers, teacher assistants, research assistants, whether employed or not, including those involved in field studies, projects, short-visits and camps;
- (g) "Executive Authority" means the chief executive authority of the HEI, by whatever name called, in which the general administration of the HEI is vested. For public funded institutions the Executive Authority means the Disciplinary Authority as indicated in Central Civil Services (Classification, Control and Appeal) Rules, 1965 or its equivalent rules;
- (h) "Higher Educational Institution" (HEI) means a university within the meaning of clause (j) of section 2, a college within the meaning of clause(b) of sub-section (1) of section 12A and an institution deemed to be a University under section 3 of the University Grants Commission Act, 1956 (3 of 1956);
- (i) "Internal Complaints Committee" (ICC) means Internal Complaints Committee to be constituted by an HEI under sub regulation (1) of regulation 4 of these regulations. Any existing body already functioning with the same objective (like the Gender Sensitization Committee Against Sexual Harassment (GSCASH)) should be reconstituted as the ICC;
- Provided that in the latter case the HEI shall ensure that the constitution of such a Body is as required for ICC under these regulations. Provided further that such a Body shall be bound by the provisions of these regulations;
- (j) "protected activity" includes reasonable opposition to a practice believed to violate sexual harassment laws on behalf of oneself or others such as participation in sexual harassment proceedings, cooperating with an internal investigation or alleged sexual harassment practices or acting as a witness in an investigation by an outside agency or in litigation;
- (k) "sexual harassment" means-
- (i) "An unwanted conduct with sexual undertones if it occurs or which is persistent and which demeans, humiliates or creates a hostile and intimidating environment or is calculated to induce submission by actual or threatened adverse consequences and includes any one or more or all of the following unwelcome acts or behaviour (whether directly or by implication), namely;-
- (a) any unwelcome physical, verbal or non verbal conduct of sexual nature;
- (b) demand or request for sexual favours;
- (c) making sexually coloured remarks
- (d) physical contact and advances; or
- (e) showing pornography"
- (ii) any one (or more than one or all) of the following circumstances, if it occurs or is present in relation or connected with any behaviour that has explicit or implicit sexual undertones-
- (a) implied or explicit promise of preferential treatment as quid pro quo for sexual favours;
- (b) implied or explicit threat of detrimental treatment in the conduct of work;
- (c) implied or explicit threat about the present or future status of the person concerned;
- (d) creating an intimidating offensive or hostile learning environment;
- (e) humiliating treatment likely to affect the health, safety dignity or physical integrity of the person concerned;

harassment, contact details of members of Internal Complaints Committee, complaints procedure and so on. Any existing body already functioning with the same objective (like the Gender Sensitization Committee Against Sexual Harassment (GSCASH)) should be reconstituted as the ICC;

Provided that in the latter case the HEI shall ensure that the constitution of such a Body is as required for ICC under these regulations. Provided further that such a Body shall be bound by the provisions of these regulations;

- (i) inform employees and students of the recourse available to them if they are victims of sexual harassment;
- (j) organise regular orientation or training programmes for the members of the ICC to deal with complaints, steer the process of settlement or conciliation, etc., with sensitivity;
- (k) proactively move to curb all forms of harassment of employees and students whether it is from those in a dominant power or hierarchical relationship within HEIs or owing to intimate partner violence or from peers or from elements outside of the geographical limits of the HEI;
- (l) be responsible to bring those guilty of sexual harassment against its employees and students to book and initiate all proceedings as required by law and also put in place mechanisms and redressal systems like the ICC to curb and prevent sexual harassment on its campus;
- (m) treat sexual harassment as a misconduct under service rules and initiate action for misconduct if the perpetrator is an employee;
- (n) treat sexual harassment as a violation of the disciplinary rules (leading up to rustication and expulsion) if the perpetrator is a student;
- (o) ensure compliance with the provisions of these regulations, including appointment of ICC, within a period of sixty days from the date of publication of these regulations;
- (p) monitor the timely submission of reports by the ICC;
- (q) prepare an annual status report with details on the number of cases filed and their disposal and submit the same to the Commission.

3.2 **Supportive measures.**—(1) The rules, regulations or any such other instrument by which ICC shall function have to be updated and revised from time-to-time, as court judgments and other laws and rules will continue to revise the legal framework within which the Act is to be implemented.

(2) The Executive Authority of the HEIs must mandatorily extend full support to see that the recommendations of the ICC are implemented in a timely manner. All possible institutional resources must be given to the functioning of the ICC, including office and building infrastructure (computers, photocopiers, audio-video, equipment, etc.), staff (typists, counselling and legal services) as, well as a sufficient allocation of financial resources.

(3) Vulnerable groups are particularly prone to harassment and also find it more difficult to complain. Vulnerability can be socially compounded by region, class, caste, sexual orientation, minority identity and by being differently abled. Enabling committees must be sensitive to such vulnerabilities and special needs.

(4) Since research students and doctoral candidates are particularly vulnerable the HEIs must ensure that the guidelines for ethics for Research Supervision are put in place.

(5) All HEIs must conduct a regular and half yearly review of the efficacy and implementation of their anti-sexual harassment policy.

- (a) A Presiding Officer who shall be a woman faculty member employed at a senior level (not below a Professor in case of a university, and not below an Associate Professor or Reader in case of a college) at the educational institution, nominated by the Executive Authority;

Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the workplace referred to in sub-section 2(o);

Provided further that in case the other offices or administrative units of the workplace do not have a senior level woman employee, the Presiding Officer shall be nominated from any other workplace of the same employer or other department or organization;”

- (b) two faculty members and two non-teaching employees, preferably committed to the cause of women or who have had experience in social work or have legal knowledge, nominated by the Executive Authority;
- (c) Three students, if the matter involves students, who shall be enrolled at the undergraduate, master's, and research scholar levels respectively, elected through transparent democratic procedure;
- (d) one member from amongst non-government organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment, nominated by the Executive Authority.
- (2) At least one-half of the total members of the ICC shall be women.
- (3) Persons in senior administrative positions in the HEI, such as Vice-Chancellor, Pro Vice-Chancellors, Rectors, Registrar, Deans, Heads of Departments, etc., shall not be members of ICCs in order to ensure autonomy of their functioning.
- (4) The term of office of the members of the ICC shall be for a period of three years. HEIs may also employ a system whereby one-third of the members of the ICC may change every year.
- (5) The Member appointed from amongst the non-governmental organizations or associations shall be paid such fees or allowances for holding the proceedings of the Internal Committee, by the Executive Authority as may be prescribed.
- (6) Where the Presiding Officer or any member of the Internal Committee:
- contravenes the provisions of section 16 of the Act; or
  - has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him; or
  - he has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or
  - has so abused his position as to render his continuance in office prejudicial to the public interest,

such Presiding Officer or Member, as the case may be, shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provisions of this section.”

5. **Responsibilities of Internal Complaints Committee (ICC)** - The Internal Complaints Committee shall:
- provide assistance if an employee or a student chooses to file a complaint with the police;

case may be, once it is sought. The resolution of the conflict to the full satisfaction of the aggrieved party wherever possible, is preferred to purely punitive intervention.

(8) The identities of the aggrieved party or victim or the witness or the offender shall not be made public or kept in the public domain especially during the process of the inquiry.

9. **Interim redressal**-The HEI may,

- (a) transfer the complainant or the respondent to another section or department to minimise the risks involved in contact or interaction, if such a recommendation is made by the ICC;
- (b) grant leave to the aggrieved with full protection of status and benefits for a period up to three months;
- (c) restrain the respondent from reporting on or evaluating the work or performance or tests or examinations of the complainant;
- (d) ensure that offenders are warned to keep a distance from the aggrieved, and wherever necessary, if there is a definite threat, restrain their entry into the campus;
- (e) take strict measures to provide a conducive environment of safety and protection to the complainant against retaliation and victimisation as a consequence of making a complaint of sexual harassment.

10. **Punishment and compensation**- (1) Anyone found guilty of sexual harassment shall be punished in accordance with the service rules of the HEI, if the offender is an employee.

(2) Where the respondent is a student, depending upon the severity of the offence, the HEI may,-

- (a) withhold privileges of the student such as access to the library, auditoria, halls of residence, transportation, scholarships, allowances, and identity card;
  - (b) suspend or restrict entry into the campus for a specific period;
  - (c) expel and strike off name from the rolls of the institution, including denial of readmission, if the offence so warrants;
  - (d) award reformatory punishments like mandatory counselling and, or, performance of community services.
- (3) The aggrieved person is entitled to the payment of compensation. The HEI shall issue direction for payment of the compensation recommended by the ICC and accepted by the Executive Authority, which shall be recovered from the offender. The compensation payable shall be determined on the basis of-
- (a) mental trauma, pain, suffering and distress caused to the aggrieved person;
  - (b) the loss of career opportunity due to the incident of sexual harassment;
  - (c) the medical expenses incurred by the victim for physical, psychiatric treatment;
  - (d) the income and status of the alleged perpetrator and victim; and
  - (e) the feasibility of such payment in lump sum or in instalments.

11. **Action against frivolous complaint.**—To ensure that the provisions for the protection of employees and students from sexual harassment do not get misused, provisions against false or malicious complaints have to be made and publicised within all HEIs. If the ICC concludes that the allegations made were false, malicious or the complaint was made knowing it to be untrue, or forged or misleading information has been provided during the inquiry, the complainant shall be liable to be punished as per the provisions of sub-regulations (1) of regulations 10, if the complainant happens to be an employee and as per sub-regulation (2)



प्रो. रजनीश जैन  
सचिव

**Prof. Rajnish Jain**  
Secretary



विश्वविद्यालय अनुदान आयोग  
**University Grants Commission**

(शिक्षा मंत्रालय, भारत सरकार)  
(Ministry of Education, Govt. of India)

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**D. O. No. F. 1-15/2009 (ARC) pt.III**

**16 SEP 2022** September, 2022

Dear Madam/Sir,

In pursuance to the Judgment of the Hon'ble Supreme Court of India dated 08.05.2009 in Civil Appeal No. 887/2009, in exercise of the powers conferred by clause (g) of sub-section (1) of section 26 of the University Grants Commission Act, 1956, the UGC notified "Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009". The Regulations are available on the UGC website i.e. [www.ugc.ac.in](http://www.ugc.ac.in) & [www.antiragging.in](http://www.antiragging.in).

It is once again brought to your kind notice that ragging is a criminal offence and UGC has framed regulations on curbing the menace of ragging in higher educational institutions in order to prohibit, prevent and eliminate the scourge of ragging. These regulations are mandatory and all institutions are required to take necessary steps for its implementation in toto including the monitoring mechanism. Any violation of these regulations will be viewed seriously. If any institution fails to take adequate steps to prevent ragging or does not act in accordance with these Regulations or fails to punish perpetrators of incidents of ragging suitably, it will attract punitive action against itself by the UGC.

You are requested to step up anti-ragging mechanism by way of adequate publicity through various mediums; constitution of Anti-Ragging committee and Anti-Ragging squad, setting up of Anti-Ragging Cell, installing CCTV cameras at vital points, Anti-Ragging workshops and seminar, updating all websites with nodal officers' complete details, alarm bells etc. Regular interaction and counseling with the students, identification of trouble-triggers and mention of Anti-Ragging warning in the institution's E-prospectus and E-information booklets/brochures must be ensured. Surprise inspection of hostels, students' accommodation, canteens, rest cum recreational rooms, toilets, bus-stands must be carried out & Anti-Ragging posters must be displayed at all prominent places like Admission Centre, Departments, Library, Canteen, Hostel, Common facilities etc. These posters are available on UGC website [www.ugc.ac.in](http://www.ugc.ac.in). The size of posters should be 8x6 feet. Any other measure which would augur well in preventing/quelling ragging and any uncalled for behaviour/incident must be undertaken.

Students in distress due to ragging related incidents can call the National Anti-Ragging Helpline 1800-180-5522 (24x7 Toll Free) or e-mail the Anti-Ragging Helpline at [helpline@antiragging.in](mailto:helpline@antiragging.in). For any other information regarding ragging you may please visit the UGC website i.e. [www.ugc.ac.in](http://www.ugc.ac.in) & [www.antiragging.in](http://www.antiragging.in) and contact UGC monitoring agency i.e. Centre for Youth (C4Y) on Mobile No. 09818044577 (only in case of emergency).

UGC also drives an Anti-Ragging Media Campaign through different modes and has undertaken the following activities to promote the campaign which are available on UGC website i.e. [www.ugc.ac.in](http://www.ugc.ac.in)

- UGC developed 05 TVCs of 30 seconds each with different perspective i.e. Parents, Victim and Offenders.
- UGC designed and distributed 04 types of posters amongst Universities / Regulatory Authorities / Councils / IITs / NITs / other educational institutions for their prominent display.
- UGC consecutively organized 02 Anti-Ragging Competitions for students/faculty/general public for the wider awareness of the menace of ragging.

# CONTINUATION SHEET

-02-

In compliance of the 2<sup>nd</sup> Amendment in UGC Regulations, you are requested to make it compulsory for each student and every parent to submit an online undertaking every academic year at [www.antiragging.in](http://www.antiragging.in)

You are also requested to implement the revised procedure for students to file online Anti-Ragging affidavit. The student will receive an e-mail with his/her registration number. The student will forward that e-mail to the Nodal officer in his/her university/college e-mail. **(Please note that the student will not receive pdf affidavits and he/she is not required to print & sign it as it used to be in the earlier case).**

Universities/Colleges have to display the email address and contact number of the Nodal Officer of Anti-Ragging Committee of their university/college on their website and campus areas like Admission Centre, Departments, Library, Canteen, Hostel, and Common facilities, etc.

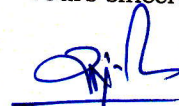
Universities and Colleges are requested to insert a mandatory column in their university/colleges admission form as per the given format:

Anti Ragging Undertaking Reference no:	<input type="text"/>
--	----------------------

Universities are also requested to fill online compliance on [www.antiragging.in](http://www.antiragging.in) and also immediately instruct all the colleges under their purview to follow it.

With kind regards,

Yours sincerely,



(Rajnish Jain)

**The Vice-Chancellor of all Universities**



डॉ. बाबासाहेब आंबेडकर  
मराठवाडाविद्यापीठ



Dr. BabasahebAmbedkar  
Marathwada University

NAAC Accredited by 'A' Grade

विद्यापीठ प्रांगण,

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संदर्भ क्र.का.म.लै.छ.स/ 519

दिनांक: २५/०८/२०१६

प्रति,

मा. प्राचार्य/प्राचार्या  
संलग्नीत महाविद्यालय  
डॉ. बाबासाहेब आंबेडकर मराठवाडा विद्यापीठ,  
औरंगाबाद.

विषय: कामाच्या ठिकाणी महिलांचा लैंगिक छळ (प्रतिबंध मनाई आणि निवारण) समिती स्थापन करणे तसेच विद्यापीठ अनुदान आयोगाच्या सुचनांचे पालन करणे बाबत.

संदर्भ: विद्यापीठ अनुदान आयोगाचे १) पत्र क्र. D.O.NO.F.91-9/2015(GS/MHRD) दि. ५ जुलै २०१६  
२) पत्र क्र. D.O.NO.F.91-3/2014(GS) दि. २८ जुलै २०१६

महोदय,

उपरोक्त संदर्भिय विषयान्वये, विद्यापीठ अनुदान आयोगाने प्रकाशित केलेल्या Hand Book प्रमाणे विद्यापीठ व महाविद्यालयामध्ये उपरोक्त समिती स्थापन करण्याबाबत कळविलेले आहे. तसेच यापुर्वी विद्यापीठाने ही आपणास वेळोवेळी याबाबत सुचित कलेले आहे. विद्यापीठाच्या संकेत स्थळावरती ( [bamu.ac.in](http://bamu.ac.in) ► about university ► sexual harassment cell) विद्यापीठ अनुदान आयोग, महाराष्ट्र शासनाने प्रकाशित केलेली सर्व माहिती आपणास उपलब्ध केलेली आहे.

करिता आपणास विनंती की, वरील प्रमाणे आपल्या महाविद्यालयामध्ये समिती स्थापन करावी अन्यथा आपणा विरुद्ध झालेल्या कार्यवाहिस आपण सर्वस्वी जबाबदार राहणार .

आपला विश्वासु

कुलसचिव



# HANDBOOK

On

## Sexual Harassment of Women at Workplace

(Prevention, Prohibition and Redressal) Act, 2013

---

for Employers / Institutions / Organisations/  
Internal Complaints Committee / Local Complaints Committee



Towards a new dawn

Government of India  
Ministry of Women and Child Development

NOVEMBER 2015



# HANDBOOK

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**Ministry of Women and Child Development**

**November 2015**



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सत्यमेव जयते

मेनका संजय गांधी  
*Maneka Sanjay Gandhi*



मंत्री  
महिला एवं बाल विकास मंत्रालय  
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MINISTER  
MINISTRY OF WOMEN & CHILD DEVELOPMENT  
GOVERNMENT OF INDIA  
NEW DELHI-110001

### **MESSAGE**

With improved access to education and employment, millions of Indian women are entering the country's workforce today. Many working women face sexual harassment at the workplace on a daily basis. It is crucial therefore that as a country, we strive to eliminate work-place sexual harassment since women have the right to work in safe and secure environment. It is the responsibility of every employer to ensure safety of women in a work environment and improve their participation. This will contribute to realization of their right to gender equality and result in economic empowerment and inclusive growth and benefit the nation as a whole.

I am pleased to present this Handbook on Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. It provides key information about the provisions of the Act in an easy-to-use and practical manner. The Handbook has been developed with the aim to ensure that the citizens of India are aware of their rights and obligations in terms of creating safe workplace environment for women.

Government of India is committed to promote gender equality and women's empowerment across every sector. This Handbook reflects our commitment to empower women as economic agents and improve their ability to access markets on competitive and equitable terms. I am confident that this Handbook which advocates and enforces the rules as laid out in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, will be beneficial to everyone. The practical and user-friendly procedures outlined in the Handbook will be useful for actual implementation of the Act.

  
(Smt. Maneka Sanjay Gandhi)





V. Somasundaran



सचिव  
भारत सरकार  
महिला एवं बाल विकास मंत्रालय  
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Shastri Bhawan, New Delhi-110001  
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18<sup>th</sup> November 2015

## FOREWORD

I am pleased to share with you this Handbook on Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. This Handbook is of immense importance because combating sexual harassment involves developing deeper understanding of what is sexual harassment and change of attitudes in all - be it employer, employees, colleagues, friends, or the policy makers.

Sexual Harassment at workplace is an extension of violence in everyday life and is discriminatory and exploitative, as it affects women's right to life and livelihood. In India, for the first time in 1997, a petition was filed in the Supreme Court to enforce the fundamental rights of working women, after the brutal gang rape of Bhanwari Devi a social worker from Rajasthan. As an outcome of the landmark judgment of the Vishaka and Others v State of Rajasthan the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, was enacted wherein it was made mandatory for every employer to provide a mechanism to redress grievances pertaining to workplace sexual harassment and enforce the right to gender equality of working women. The Act is also unique for its wide ambit as it is applicable to the organized sector as well as the unorganized sector.

The legislation, however, requires the support and commitment of all stakeholders for its effective and successful implementation in preventing workplace sexual harassment. It casts an obligation upon the employer to address the grievances in respect of sexual harassment at workplace in a time bound manner. It is in this context that this Handbook would be very useful as it provides clear definition of what constitutes sexual harassment and explains how the complaint process works.

I am sure that the Handbook will be extremely useful to all agencies concerned and help them in taking pro-active measures to eradicate the problem/menace of workplace sexual harassment in the country.

  
(V. Somasundaran)



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**Dated: 17<sup>th</sup> November, 2015**

## **PREFACE**

The Government of India is committed to ending all forms of violence against women that negatively impact society, hamper gender equality and constricts the social and economic development of the country.

Since, sexual harassment results in violation of the fundamental rights of a woman to equality as per Articles 14 and 15 and her right to live with dignity as mentioned under Article 21 of the Constitution, the Government of India enacted the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. The Act is an extension of the Vishaka Guidelines issued by the Supreme Court in 1997. The Supreme Court of India, for the first time in the Vishaka Guidelines, acknowledged Sexual Harassment at the workplace as a human rights violation. Further, the Act also reflects the commitment of the Government to the ratification of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) on July 09, 1993. This new legislation makes every effort to be a user friendly tool in the hands of the employers and employees, to create safe and secure workplaces for all women.

With the enactment of the Act, India is now a part of a select group of countries to have prohibited sexual harassment at workplace through national legislation. The Act is unique in its broad coverage which includes all working women from organised and unorganised sectors alike, as also public and private sectors, regardless of hierarchy. Effective implementation of the Act is a challenge. The Handbook is designed to be a Ready Reckoner for organisations vested with responsibility to enforce the law.

The Handbook is structured into six sections. The first section is an introduction and detail regarding the genesis of the Act, the second sets the context by defining the workplace and sexual harassment and impact of such behaviour, the third focuses on the key individuals and institutions involved in prohibition and prevention processes and their responsibilities, section four discusses the redressal mechanism followed by monitoring requirement in section five and important international frameworks and best practices on sexual harassment at the workplace in the concluding section.

It is the hope of the Ministry that this Handbook will be of considerable value for employers, employees and complaint committees alike, as it provides guidance with regard to the steps to be taken and the processes to be followed, in line with the requirements of the law. It will prove useful to all women workers particularly and be a step forward in promoting their independence as well as the right to work with dignity as equal partners in an environment that is free from violence.

  
(Preeti Sudan)



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### ACKNOWLEDGEMENTS

In our journey towards preparing this Handbook, which required a lot of guidance and assistance from many people, whose names may not be enumerated, I am thankful to all of them for their contributions towards the completion of the task.

I would like to express my sincere thanks to the UN Women (United Nations Entity for Gender Equality and Empowerment of Women) for their valuable contributions with their experience in women's movement and expertise in gender rights in supporting the Ministry to prepare the Handbook with key information on the Act in an easy-to-use practical manner and designing with appropriate illustrations.

I would like acknowledge the important contributions made by Ms. Risha Syed, Legal Consultant for the hardwork put by her coupled with her experience and expertise as a legal professional and commitment to gender issues in bringing out the Handbook.

I am also thankful to Dr. Paramita Majumdar, Senior Consultant, Gender Budgeting for reviewing the manuscript with meticulous scrutiny and scholarly advice. I would like to mention with appreciation for Shri Samuel Paul, Assistant Secretary for showing not only his keen interest on the subject, but assisting us in the review work.

We hope that this Handbook will be a guide and inspiration to all of us in creating an enabling environment of women in the workplaces.

  
(Lopamudra Mohanty)



*“The meaning and content of the fundamental rights guaranteed in the Constitution of India are of sufficient amplitudes to encompass all facets of gender equality...”*

Late Chief Justice J.S. Verma, Supreme Court of India, Vishaka v. State of Rajasthan





## Introduction

*“Whereas sexual harassment results in violation of the fundamental rights of a Woman to equality....”*

[Preamble, Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act]

**A**s enshrined in the Preamble to the Constitution of India, “equality of status and opportunity” must be secured for all its citizens; equality of every person under the law is guaranteed by Article 14 of the Constitution.

A safe workplace is therefore a woman’s legal right. Indeed, the Constitutional doctrine of equality and personal liberty is contained in Articles 14, 15 and 21 of the Indian Constitution. These articles ensure a person’s right to equal protection under the law, to live a life free from discrimination on any ground and to protection of life and personal liberty. This is further reinforced by the UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), which was adopted by the UN General Assembly in 1979 and which is ratified by India. Often described as an international bill of rights for women, it calls for the equality of women and men in terms of human rights and fundamental freedoms in the political, economic, social, cultural and civil spheres. It underlines that discrimination and attacks on women’s dignity violate the principle of equality of rights.

Sexual harassment constitutes a gross violation of women’s right to equality and dignity. It has its roots in patriarchy and its attendant perception that men are superior to women and that some forms of violence against women are acceptable. One of these is workplace sexual harassment, which views various forms of such harassment, as harmless and trivial. Often, it is excused as ‘natural’ male behaviour or ‘harmless flirtation’ which women enjoy. Contrary to these perceptions, it causes serious harm and is also a strong manifestation of sex discrimination at the workplace. Not only is it an infringement of the fundamental rights of a woman, under Article 19 (1) (g) of the Constitution of India “to practice any profession or to carry out any occupation, trade or business”; it erodes equality and puts the dignity and the physical and psychological well-being of workers at risk. This leads to poor productivity and a negative impact on lives and livelihoods. To further compound the matter, deep-rooted socio-cultural behavioural patterns, which create a gender hierarchy, tend to place responsibility on the victim, thereby increasing inequality in the workplace and in the society at large.



Though sexual harassment at the workplace has assumed serious proportions, women do not report the matter to the concerned authorities in most cases due to fear of reprisal from the harasser, losing one's livelihood, being stigmatized, or losing professional standing and personal reputation.

Across the globe today, workplace sexual harassment is increasingly understood as a violation of women's rights and a form of violence against women. Indeed, the social construct of male privileges in society continues to be used to justify violence against women in the private and public sphere. In essence, sexual harassment is a mirror reflecting male power over women that sustains patriarchal relations. In a society where violence against women, both subtle and direct, is borne out of the patriarchal values, women are forced to conform to traditional gender roles. These patriarchal values and attitudes of both women and men pose the greatest challenge in resolution and prevention of sexual harassment. Workplace sexual harassment, like other forms of violence, is not harmless. It involves serious health, human, economic and social costs, which manifests themselves in the overall development indices of a nation.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 was enacted to ensure safe working spaces for women and to build enabling work environments that respect women's right to equality of status and opportunity. An effective implementation of the Act will contribute to the realization of their right to gender equality, life and liberty, equality in working conditions everywhere. The sense of security at the workplace will improve women's participation in work, resulting in their economic empowerment and inclusive growth.

The full scale of the problem is not known given the difficulties in documenting the experience of those who have experienced workplace sexual harassment. However, available studies on sexual harassment show that it is certainly prevalent in India today. This is why the legislation is an important step forward within the larger architecture of women's rights, as it tackles this issue to secure the rights of women workers across the country.

While the official figures for women's work participation are low, much of the work that women do is not captured in official data accounts. It is argued<sup>1</sup> that where this is to be captured, women's overall work participation would be 86.2 per cent. While the official data<sup>2</sup> shows that women's work participation rate is around 25.3 per cent in rural areas and 14.7 per cent in the urban areas, estimates indicate that there is a huge workforce of women, therefore there is a need to secure their workplace and entitlements. Given, that 93 per cent of women workers are employed in the informal sector, they remain unprotected by laws. With no laws or mechanisms to protect them, proactive measures are required to make their workplaces safe.

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<sup>1</sup> Professor Jayati Ghosh, Paper on 'What Exactly is Work?' [http://www.macrosan.org/cur/oct14/pdf/Exactly\\_Work.pdf](http://www.macrosan.org/cur/oct14/pdf/Exactly_Work.pdf)

<sup>2</sup> NSSO 2011-12

It is well established that ensuring safe working conditions for women leads to a positive impact on their participation in the workforce and increases their productivity, which in turn benefits the nation as a whole. Economically, empowered women are key to the nation's overall development and this can only be achieved if it is ensured that women's workspaces across all sectors and all over the country have a safe and secure environment for work.

It is important as well to ensure that the emphasis is on prevention rather than punitive action. This calls for widespread awareness on the Act among employers, managers and the workers themselves. Frequently, women workers may face sexual harassment but may not be aware that it is a breach of their rights and that there is something they can do about it. They need to know that they can do something about it. Then there are others, who may believe that it is a personal matter that needs to be resolved by the people involved. In order to change this order of things, it is urgent that measures are taken to change mind-sets and attitudes by creating awareness about what constitutes sexual harassment and the steps that can be taken to address it.

This handbook will serve as an important tool to make workplaces safe and benefit both workers and employers alike, leading to mutual gains.

## 1.1 THE MANDATE

Today, all workplaces in India are mandated by law to provide a safe and secure working environment free from sexual harassment for all women.

## 1.2 THE GENESIS

In 1992, a rural level change agent, Bhanwari Devi, was engaged by the state of Rajasthan as a *Sathin*<sup>3</sup> to work towards the prevention of the practice of child marriages. During the course of her work, she prevented the marriage of a one-year old girl in the community. Her work was met with resentment and attracted harassment from men of that community. Bhanwari Devi reported this to the local authority but no action was taken. That omission came at great cost – Bhanwari was subsequently gang raped by those very men.

The Bhanwari Devi case revealed the ever-present sexual harm to which millions of working women are exposed across the country, everywhere and everyday irrespective of their location. It also shows the extent to which that harm can escalate if nothing is done to check sexually offensive behaviour in the workplace.

Based on the facts of Bhanwari Devi's case, a Public Interest Litigation (PIL) was filed by Vishaka and other women groups against the State of Rajasthan and Union of India before the Supreme Court of India. It proposed that sexual harassment be recognized as a violation of women's fundamental right to equality and that all workplaces/establishments/institutions be made accountable and responsible to uphold these rights.

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<sup>3</sup> *Sathin*<sup>3</sup> means a friend

In a landmark judgment, *Vishaka vs. State of Rajasthan (1997)*<sup>4</sup>, the Supreme Court of India created legally binding guidelines basing it on the right to equality and dignity accorded under the Indian Constitution as well as by the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

It included:

- ◆ A definition of sexual harassment
- ◆ Shifting accountability from individuals to institutions
- ◆ Prioritizing prevention
- ◆ Provision of an innovative redress mechanism

The Supreme Court defined sexual harassment as any unwelcome, sexually determined physical, verbal, or non-verbal conduct. Examples included sexually suggestive remarks about women, demands for sexual favours, and sexually offensive visuals in the workplace. The definition also covered situations where a woman could be disadvantaged in her workplace as a result of threats relating to employment decisions that could negatively affect her working life.

It placed responsibility on employers to ensure that women did not face a hostile environment, and prohibited intimidation or victimization of those cooperating with an inquiry, including the affected complainant as well as witnesses.

It directed for the establishment of redressal mechanism in the form of Complaints Committee, which will look into the matters of sexual harassment of women at workplace. The Complaints Committees were mandated to be headed by a woman employee, with not less than half of its members being women and provided for the involvement of a third party person/NGO expert on the issue, to prevent any undue pressure on the complainant. The guidelines extended to all kinds of employment, from paid to voluntary, across the public and private sectors.

Vishaka established that international standards/law could serve to expand the scope of India's Constitutional guarantees and fill in the gaps wherever they exist. India's innovative history in tackling workplace sexual harassment beginning with the *Vishaka* Guidelines and subsequent legislation has given critical visibility to the issue. Workplaces must now own their responsibility within this context and ensure that women can work in safe and secure spaces.

### 1.3 THE ACT

Having raised the bar of responsibility and accountability in the *Vishaka* Guidelines, the Supreme Court placed an obligation on workplaces, institutions and those in positions of responsibility, to uphold working women's fundamental right to equality and dignity at the workplace. Three key obligations were imposed on institutions to meet that standard, namely:

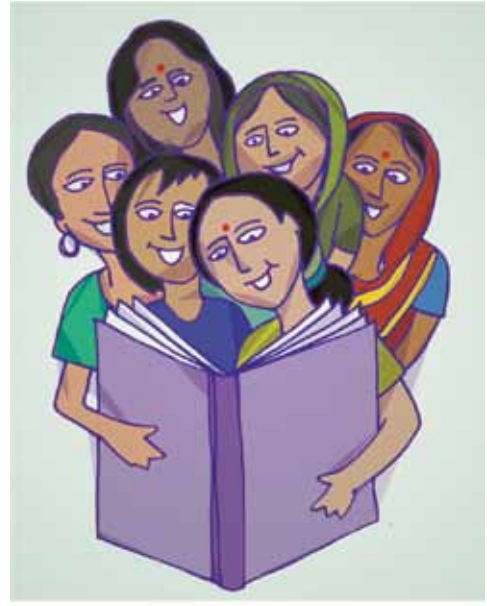
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<sup>4</sup>(AIR 1997 Supreme Court 3011)

- ◆ Prohibition
- ◆ Prevention
- ◆ Redress

In 2013, the Government of India notified the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (referred to as Act hereinafter). Consistent with the Vishaka judgment, the Act aspires to ensure women's right to workplace equality, free from sexual harassment through compliance with the above mentioned three elements.

It is important to note that the Act provides a civil remedy to women and is in addition to other laws that are currently in force. Consequently, any woman who wishes to report instances of sexual harassment at the workplace has the right to take recourse of both civil and criminal proceedings.



#### 1.4 PURPOSE OF THIS HANDBOOK

This handbook is meant for all workplaces/institutions/organizations to provide a basic understanding of sexual harassment at places of work. Additionally, it is designed to offer Internal Complaints Committee/s and Local Complaints Committee/s (Complaints Committee/s) established under the Act, with simple, user friendly information on sexual harassment; what is expected of Complaints Committee/s to redress a complaint; and what the inquiry process and outcome should include.

#### 1.5 WHO IS THIS HANDBOOK FOR

This handbook informs the end user (an employee/worker) about workplace sexual harassment and their right to an informed complaint process in seeking redress as provided under the Act and Rules framed thereunder.

#### 1.6 STRUCTURE OF THE HANDBOOK

This Handbook has 6 sections, with each containing information for women, male co-workers as well as their employers, on how to deal with sexual harassment at the workplace in the context of the Act.

**Section 1** serves as an introduction, as it details the genesis of the Act and the history behind it, as well as provides a brief description of the Act itself. This section also describes the purpose of this handbook and who it is designed for.



**Section 2** sets the context by defining a workplace and sexual harassment. It provides the reader with key elements, such as examples of sexual harassment as well as scenarios and the impact of such behaviour.

**Section 3** focuses on the key individuals and institutions involved in the prohibition and prevention processes and their responsibilities.

**Section 4** is about redress. This section identifies and defines the key players involved in the complaint mechanism (including the complainant and the respondent). It details the stages of the complaint process. Particular attention is paid to the complaints committee which plays a very important role in this process.

**Section 5** describes the monitoring requirements as per the Act.

**Section 6** lists the important international frameworks and select best practices on sexual harassment at the workplace.

# Workplace Sexual Harassment- What Is It?

*“No woman shall be subjected to sexual harassment at any workplace.”*

Section 3(1) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

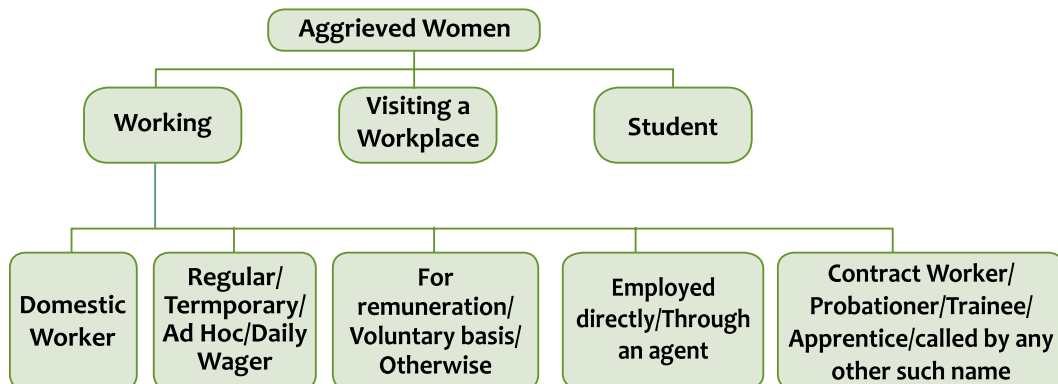
This section defines the aggrieved woman, workplace and sexual harassment as well as highlights key elements of workplace sexual harassment. It provides examples of behaviours through which a woman can experience possible professional and personal harm. It presents the user with scenarios from across-section of work contexts to build clarity on different forms of sexual harassment as identified under the Act.

## 2.1 WHO IS AN AGGRIEVED WOMAN?

The Act recognizes the right of every woman to a safe and secure workplace environment irrespective of her age or employment/work status. Hence, the right of all women working or visiting any workplace whether in the capacity of regular, temporary, adhoc, or daily wages basis is protected under the Act.

It includes all women whether engaged directly or through an agent including a contractor, with or without the knowledge of the principal employer. They may be working for remuneration, on a voluntary basis or otherwise. Their terms of employment can be express or implied.

Further, she could be a co-worker, a contract worker, probationer, trainee, apprentice, or called by any other such name. The Act also covers a woman, who is working in a dwelling place or house.



## 2.2 WHAT IS A WORKPLACE?

A workplace is defined as “any place visited by the employee arising out of or during the course of employment, including transportation provided by the employer for undertaking such a journey.” As per this definition, a workplace covers both the organised and un-organised sectors.

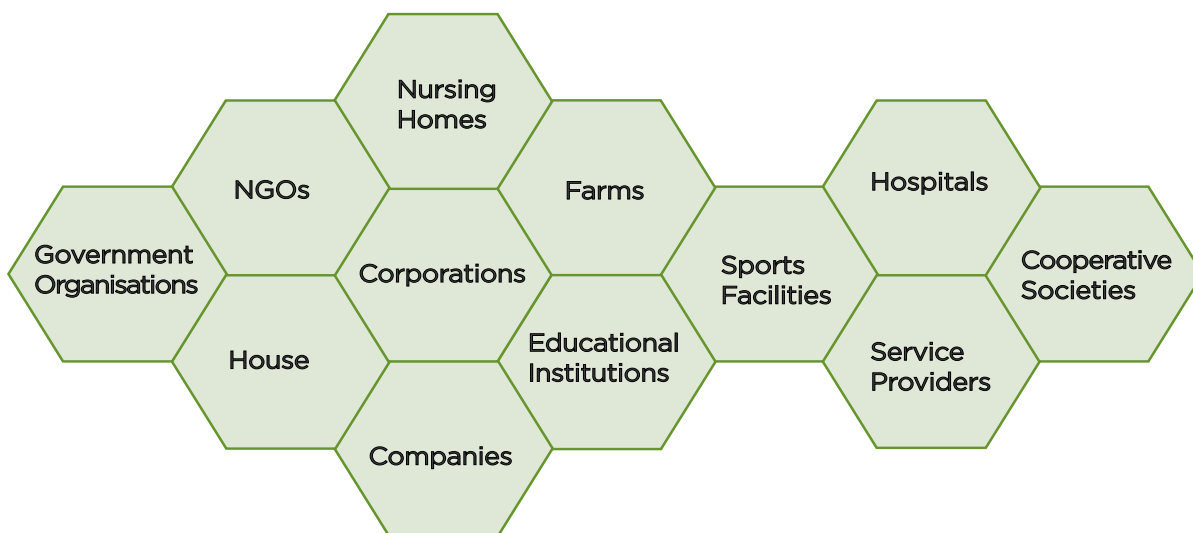
It also includes all workplaces whether owned by Indian or foreign company having a place of work in India. As per the Act, workplace includes:

- Government organizations, including Government company, corporations and cooperative societies;
- Private sector organisations, venture, society, trust, NGO or service providers etc. providing services which are commercial, vocational, educational, sports, professional, entertainment, industrial, health related or financial activities, including production, supply, sale, distribution or service;
- Hospitals/Nursing Homes;
- Sports Institutes/Facilities;
- Places visited by the employee (including while on travel) including transportation provided by employer;
- A dwelling place or house.

The Act defines the Unorganised Sector as:

- Any enterprise owned by an individual or self-employed workers engaged in the production or sale of goods or providing services of any kind;
- Any enterprise which employs less than 10 workers.

All women working or visiting workplaces, for example:

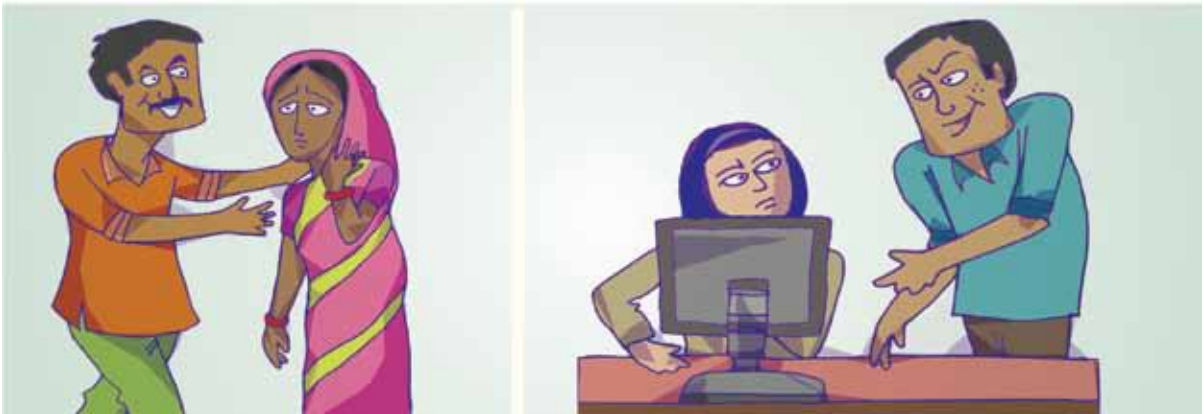




### 2.3 WHAT IS SEXUAL HARASSMENT AT THE WORKPLACE?

“Sexual Harassment” includes anyone or more of the following unwelcome acts or behaviour (whether directly or by implication), namely:

1. Physical contact or advances;
2. A demand or request for sexual favours;
3. Making sexually coloured remarks;
4. Showing pornography;
5. Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature



### 2.4 KEY ELEMENTS OF WORKPLACE SEXUAL HARASSMENT

Very often situations that start off innocently end up in inappropriate and unprofessional behaviours. It is important to remember that **workplace sexual harassment is sexual, unwelcome** and the experience is **subjective**. It is the **impact** and not the intent that matters and it almost always occurs in a matrix of **power**. It is possible that a woman may experience a single instance of sexual harassment or a series of incidents over a period of time. It is important also to remember that each case is unique and should be examined in its own context and according to the surrounding circumstances as a whole.

The following table highlights the subjective nature of the experience and the impact it may have on the person involved, irrespective of the intent of such behaviour.

To enable prevention of sexual harassment at the workplace, it is critical to recognize and differentiate between welcome and unwelcome sexual behaviour. Listed are some examples of how “unwelcome” and “welcome” behaviour is experienced.

#### THE FIRST STEP TO PREVENTION IS RECOGNITION

Workplace Sexual Harassment is behaviour that is

**UNWELCOME**

**SEXUAL** in nature

A **SUBJECTIVE** experience

**IMPACT** not intent is what matters

Often occurs in a matrix of **POWER**

UNWELCOME	WELCOME
Feels bad	Feels good
One-sided	Reciprocal
Feels powerless	In-control
Power-based	Equality
Unwanted	Wanted
Illegal	Legal
Invading	Open
Demeaning	Appreciative
Causes anger/sadness	Happy
Causes negative self-esteem	Positive self-esteem

### Impact of inappropriate behaviour

The impact of sexual harassment at the workplace is far-reaching and is an injury to the equal right of women. Not only does it impact her, it has a direct bearing on the workplace productivity as well as the development of the society. Below is a list of select examples of such negative impacts.



Professional	Personal
<ul style="list-style-type: none"> <li>• Decreased work performance</li> <li>• Increased absenteeism, loss of pay</li> <li>• Loss of promotional opportunities</li> <li>• Retaliation from the respondent, or colleagues/ friends of the respondent</li> <li>• Subjected to gossip and scrutiny at work</li> <li>• Being objectified</li> <li>• Becoming publicly sexualized</li> <li>• Defamation</li> <li>• Being ostracized</li> <li>• Having to relocate</li> <li>• Job and career consequences</li> <li>• Weakened support network</li> </ul>	<ul style="list-style-type: none"> <li>• Depression</li> <li>• Anxiety, panic attacks</li> <li>• Traumatic stress</li> <li>• Sleeplessness</li> <li>• Shame, guilt, self-blame</li> <li>• Difficulty in concentrating</li> <li>• Headaches</li> <li>• Fatigue, loss of motivation</li> <li>• Personal Difficulties with time</li> <li>• Eating disorders (weight loss or gain)</li> <li>• Feeling betrayed and/or violated</li> <li>• Feeling angry or violent towards the respondent</li> <li>• Feeling powerless</li> <li>• Loss of confidence and self esteem</li> <li>• Over all loss of trust in people</li> <li>• Problems with intimacy</li> <li>• Withdrawal and isolation</li> </ul>

### SEXUAL HARASSMENT IS A SUBJECTIVE EXPERIENCE

In 2010, the High Court of Delhi endorsed the view that sexual harassment is a subjective experience and for that reason held “We therefore prefer to analyze harassment from the [complainant’s] perspective. A complete understanding of the [complainant’s] view requires... an analysis of the different perspectives of men and women. Conduct that many men consider unobjectionable may offend many women... Men tend to view some forms of sexual harassment as “harmless social interactions to which only overly-sensitive women would object. The characteristically male view depicts sexual harassment as comparatively harmless amusement. ... Men, who are rarely victims of sexual assault, may view sexual conduct in a vacuum without a full appreciation of the social setting or the underlying threat of violence that a woman may perceive.”

Dr. Punita K. Sodhi v. Union of India & Ors. W.P. (C) 367/2009 & CMS 828, 11426/2009  
On 9 September, 2010, in the High Court of Delhi

## 2.5 EXAMPLES OF BEHAVIOURS AND SCENARIOS THAT CONSTITUTE SEXUAL HARASSMENT

Below are examples of behaviour that may or may not constitute workplace sexual harassment in isolation. At the same time, it is important to remember that more often than not, such behaviour occurs in cluster. Distinguishing between these different possibilities is not an easy task and requires essential training and skill building.



### Some examples of behaviour that constitute sexual harassment at the workplace:

1. Making sexually suggestive remarks or innuendos.
2. Serious or repeated offensive remarks, such as teasing related to a person's body or appearance.
3. Offensive comments or jokes.
4. Inappropriate questions, suggestions or remarks about a person's sex life.
5. Displaying sexist or other offensive pictures, posters, mms, sms, whatsapp, or e-mails.
6. Intimidation, threats, blackmail around sexual favours.
7. Threats, intimidation or retaliation against an employee who speaks up about unwelcome behaviour with sexual overtones.
8. Unwelcome social invitations, with sexual overtones commonly understood as flirting.
9. Unwelcome sexual advances which may or may not be accompanied by promises or threats, explicit or implicit.



10. Physical contact such as touching or pinching.
11. Caressing, kissing or fondling someone against her will (could be considered assault).
12. Invasion of personal space (getting too close for no reason, brushing against or cornering someone).
13. Persistently asking someone out, despite being turned down.
14. Stalking an individual.
15. Abuse of authority or power to threaten a person's job or undermine her performance against sexual favours.
16. Falsely accusing and undermining a person behind closed doors for sexual favours.
17. Controlling a person's reputation by rumour-mongering about her private life.

**Some examples of behaviour that may indicate underlying workplace sexual harassment and merit inquiry:**

1. Criticizing, insulting, blaming, reprimanding or condemning an employee in public.
2. Exclusion from group activities or assignments without a valid reason.
3. Statements damaging a person's reputation or career.
4. Removing areas of responsibility, unjustifiably.
5. Inappropriately giving too little or too much work.
6. Constantly overruling authority without just cause.
7. Unjustifiably monitoring everything that is done.
8. Blaming an individual constantly for errors without just cause.
9. Repeatedly singling out an employee by assigning her with demeaning and belittling jobs that are not part of her regular duties.
10. Insults or humiliations, repeated attempts to exclude or isolate a person.
11. Systematically interfering with normal work conditions, sabotaging places or instruments of work.
12. Humiliating a person in front of colleagues, engaging in smear campaigns.
13. Arbitrarily taking disciplinary action against an employee.
14. Controlling the person by withholding resources (time, budget, autonomy, and training) necessary to succeed.

**Some examples of workplace behaviours that may not constitute sexual harassment:**

1. Following-up on work absences.
2. Requiring performance to job standards.

3. The normal exercise of management rights.
4. Work-related stress e.g. meeting deadlines or quality standards.
5. Conditions of works.
6. Constructive feedback about the work mistake and not the person.

## 2.6 FORMS OF WORKPLACE SEXUAL HARASSMENT

Generally workplace sexual harassment refers to two common forms of ***inappropriate behaviour***:

- Quid Pro Quo (literally ‘this for that’)
  - Implied or explicit promise of preferential/detrimental treatment in employment
  - Implied or express threat about her present or future employment status
- Hostile Work Environment
  - Creating a hostile, intimidating or an offensive work environment
  - Humiliating treatment likely to affect her health or safety

## 2.7 SCENARIOS

The following scenarios have been constructed as examples based on real life experiences of women at workplaces. The scenarios attempt to build an understanding of the two types of workplace sexual harassment as prescribed by the Act i.e. quid pro quo and hostile environment.

The names in the following examples are fictional and in no way refer to any individual alive or dead.

### A. Examples of scenarios that constitute quid pro quo or ‘this for that’ type of sexual harassment at the workplace:

#### SCENARIO EXAMPLE 1

Kamini is a bright young team leader working in a call centre. Known to be forthright, she is dedicated, hardworking and is a perfectionist.

Kamini stays back at work late one evening with her colleague Ravi to complete work for an important presentation. Ravi offers to buy Kamini dinner and later drop her home since it’s been a long day. After dinner, Ravi proposes to Kamini that he would like her to spend the night with him. Kamini refuses politely but firmly and goes home. Next evening, Ravi repeats his request and on Kamini’s refusal, threatens her that ***if she doesn’t give-in, he will tell everyone*** that she made a pass at him.

#### What is Workplace ‘this for that’ Sexual Harassment?

In the above example, Ravi’s threat to Kamini that if she does not agree to his ‘request’ for a sexual favour, he will in return smear her character at the workplace as a person who wants to use sexual

favours to her advantage constitutes quid pro quo form of sexual harassment. Ravi's behaviour is unwelcome, sexual, and has a negative impact on Kamini.

### SCENARIO EXAMPLE 2

Renuka is employed as a domestic worker where she is expected to take care of all the household activities, other than cooking. Most of the days, the lady of the house leaves early. Renuka is therefore left alone in the house with a male member of the household.

Renuka finds the male member constantly leering at her when he is at home and often walks around the house wrapped in nothing but a towel which makes her very uncomfortable. On one occasion, while she was sweeping, he pinched her bottom. When she protested that she will complain to the lady of the house, he **threatened to accuse** her of stealing, and that he will ensure that she **loses** her job.



#### What is Workplace Sexual Harassment?

In the above example, the male member by threatening Renuka to keep quiet about the unwelcome physical contact if she wants to continue with her employment commits quid pro quo form of sexual harassment. His behaviour occurring in a matrix of power, is unwelcome, sexual and has a negative impact on Renuka.

### SCENARIO EXAMPLE 3

Shamima is a lawyer who works as a researcher at an NGO in Delhi since 2013. Dr. Bhavan is the director of the organisation and has always advocated for the cause of human rights.

During an official field visit to Shimla for 2 days, Dr. Bhavan finds an opportunity to be alone with Shamima and makes a physical advance. Despite her protests, he forces himself on her while giving lurid and sexually explicit details of his relationships, both past and present, with women. When she chastises him and threatens to make his behaviour public, he **threatens to destroy her career**.

#### What is Workplace Sexual Harassment?

In the above example, by threatening Shamima with the destruction of her career, Dr. Bhavan commits quid pro quo sexual harassment. His physical advances and sexual conversation are unwelcome for Shamima and occur in a matrix of power.

### B. Examples of scenarios that constitute a 'hostile work environment' type of sexual harassment at the workplace:

#### SCENARIO EXAMPLE 1

Jayanthi works in a garment factory in Bangalore.

Varghese, Jayanthi's supervisor, often tries to touch her on one or the other pretext. For example, he adjusts her *dupatta* while she is sewing at her workstation on the pretext of covering her back. Jayanthi is very uncomfortable with his behaviour. Her colleagues at the workplace ridicule Jayanthi and mock her for the 'special treatment' by her supervisor. They often gossip about her and Varghese.

### What is a Hostile Workplace Environment Sexual Harassment?

In the above example, the physical touching by Varghese is unwelcome and sexual in nature. The gossip, which is based on Varghese's behaviour towards Jayanthi at the workplace, is creating a hostile work environment for Jayanthi.



### SCENARIO EXAMPLE 2

Sukhi is a daily wage labourer working at a construction site. Every day at lunch time, Sukhi sits under the shade of the tree to feed her 16-month old baby. She finds Jaswinder, a worker, staring at her from the distance. Sukhi feels uncomfortable and asks Jaswinder to stay away from her while she's feeding the baby. However, Jaswinder persists and always finds a place near her. The group of fellow construction workers now **constantly catcall and whistle** at Sukhi every time she walks their way to refill the cement or mortar. When she questions them, they tell her they are only joking amongst themselves.

### What is a Hostile Workplace Environment Sexual Harassment?

Ogling, stalking and gossiping against Sukhi in the above example constitute a hostile work environment, a form of workplace sexual harassment.

### SCENARIO EXAMPLE 3

Sumedha is a Captain with the Indian Army. She has refused an offer made by a Senior Officer for a relationship. Sumedha has kept quiet about this experience, but thanks to the rumour-mongering by the Senior Officer, she has acquired a reputation of being a woman of 'easy virtue'. Now she is being *subjected to repeated advances* by three of her senior officer colleagues. When she turns around and protests, *she is singled out for additional physical training*.

### What is a Hostile Workplace Environment Sexual Harassment?

In the above example, Sumedha's refusal to the sexual advances of her Senior Officer, leads to her being subjected to rumours, gossip, character assassination, unwelcome sexual advances by other officers, and arbitrary disciplinary action. This constitutes Hostile Work Environment form of workplace Sexual Harassment.



## SCENARIO EXAMPLE 4

Asha is a researcher at a media agency led by Dr. Purshottam, a well-known journalist.

In the first few months of Asha's employment, Dr. Purshottam is very pleased with her work and publicly appreciates her. Soon after, Dr. Purshottam frequently summons Asha to his office on the pretext of work and makes verbal sexual advances and sexually coloured remarks to her. He brushes aside her protests by saying that they would not be able to work as a team unless she interacted closely with him and they both got to know each other well. However, once she categorically rebuffed his sexual advances, he has stopped. Now he **ridicules her work** and **humiliates** her in the presence of colleagues and the staff. He **discriminates** against her by allotting projects to her and then arbitrarily withdrawing the work.

### What is a Hostile Workplace Environment Sexual Harassment?

In the above example, the workplace actions are a result of Asha rebuffing the unwelcome, sexual advances of Dr. Purshottam and this constitutes hostile work environment form of workplace sexual harassment.

This section has listed and illustrated some of the behaviours that constitute the five parameters of workplace sexual harassment, viz., sexual, subjective, unwelcome, impact and power. This becomes the basis of the key elements of the Act, Prevention, Prohibition and Redress.

# Prevention and Prohibition

*“The meaning and content of fundamental rights guaranteed in the Constitution of India are of sufficient amplitudes to encompass all facets of gender equality...”*

Late Justice J.S. Verma

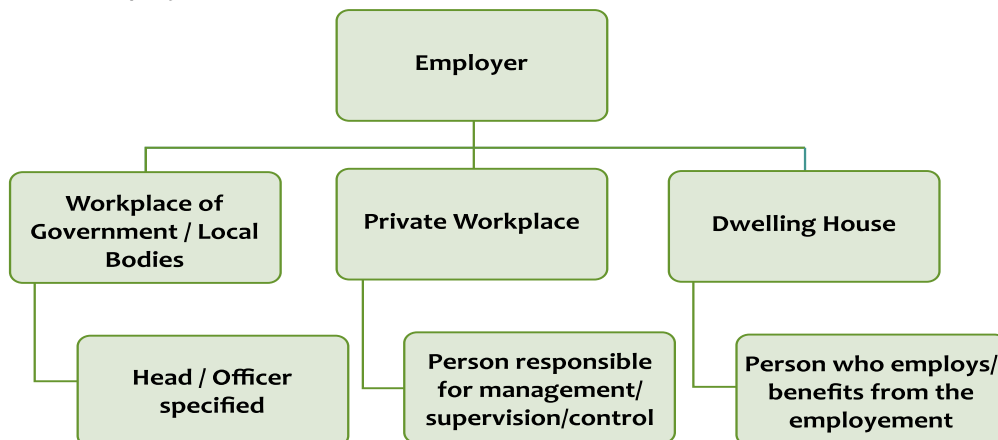
**T**his section describes those who are both responsible and accountable to prevent workplace sexual harassment in compliance with the Act. It also highlights the role of workplaces in prohibiting workplace sexual harassment through an effectively communicated policy.

## 3.1 PREVENTIVE AUTHORITIES

### 3.1.1 WHO IS AN EMPLOYER?

An employer refers to:

1. The head of the department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit of the Appropriate Government or local authority or such officer specified in this behalf.
2. Any person (whether contractual or not) responsible for the management, supervision and control of a designated workplace not covered under clause (i).
3. A person or a household who employs or benefits from the employment of domestic worker or women employees.



### 3.1.2 WHO IS AN APPROPRIATE GOVERNMENT?

**As per the Act,** Appropriate Government means:

- i. In relation to a workplace which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly—
  - a. By the Central Government or the Union Territory administration, the Central Government;
  - b. By the State Government, the State Government;
- ii. In relation to any workplace not covered under sub-clause (i) and falling within its territory, the State Government.

### 3.2 WHO IS A DISTRICT OFFICER (DO)?

**State Governments will notify** a District Magistrate/Additional District Magistrate/ Collector/ Deputy Collector as a District Officer at the local level. The District Officer will be responsible for carrying out the powers and functions under the Act at the district levels (including every block, taluka, tehsil, ward, and municipality).

### 3.3 RESPONSIBILITIES OF THE AFOREMENTIONED AUTHORITIES

Under the law the employer/DO is obliged to create a workplace free of sexual harassment. It is the responsibility of the Employer/District Officer in general to:

1. Create and communicate a detailed policy;
2. Ensure awareness and orientation on the issue;
3. Constitute Complaints Committee/s in every workplace and district so that every working woman is provided with a mechanism for redress of her complaint(s);
4. Ensure Complaints Committees are trained in both skill and capacity;
5. Prepare an annual report and report to the respective state government;
6. District Officer will also appoint a nodal officer to receive complaints at the local level.

#### 3.2.1 Complaints Committee/s

The Act provides for two kinds of complaints mechanisms: Internal Complaints Committee (ICC) and Local Complaints Committee (LCC). All Complaints Committees must have 50 per cent representation of women. ICC or LCC members will hold their position not exceeding three years from the date of their nomination or appointment.

#### 1) Internal Complaints Committee (ICC)

Every employer is obliged to constitute an ICC through a written order. The ICC will be composed of the following members:

No	Member	Eligibility
1.	Chairperson	Women working at senior level as employee; if not available then nominated from other office/units/ department/ workplace of the same employer
2.	2 Members (minimum)	From amongst employees committed to the cause of women/ having legal knowledge/experience in social work
3.	Member	From amongst NGO/associations committed to the cause of women or a person familiar with the issue of Sexual Harassment

Where the office or administrative units of a workplace are located in different places, division or sub-division, an ICC has to be set up at every administrative unit and office.

### ICC/LCC ARE MANDATORY

The employee who had a fundamental right to a workplace free of sexual harassment, had complained about sexual harassment. According to the Court, had the organisation complied with the Vishaka Guidelines and set up such a Complaints Committee, the preventative benefit would have been three-fold:

1. Ensured a place where women employees could seek redress;
2. Sent a clear message to the workplace that such complaints would be enquired into by a specially designated committee with external expertise;
3. Prevented a series of litigation that followed.

Hence, the Madras High Court awarded Rs. 1.68 crores in damages to an employee for the non-constitution of a Complaints Committee by the employer, as per the Vishaka Guidelines (at the time of the complaint, the Sexual Harassment of Women at Workplace Act 2013 had not been enacted).

*Ms. G v. ISG Novasoft Technologies Ltd. Madras High Court (CrI.R.C.No.370 of 2014 order dated 02.09. 2014. Original Petition No.463 of 2012*

## 2) Local Complaints Committee (LCC)

The District Officer will constitute an LCC in every district so as to enable women in the unorganised sector or small establishments to work in an environment free of sexual harassment. The LCC will receive complaints:

1. From women working in an organisation having less than 10 workers;
2. When the complaint is against the employer himself;
3. From domestic workers.

No	Member	Eligibility
1.	Chairperson	Nominated from amongst the eminent women in the field of social work and committed to the cause of women
2.	Member	Nominated from amongst the women working in the block, taluka or tehsil or ward or municipality in the district
3.	2 Members	Nominated from amongst such NGO/associations/persons committed to the cause of women or familiar with the issues relating to sexual harassment, provided that: <ul style="list-style-type: none"> <li>• At least one must be a woman</li> <li>• At least one must have a background of law or legal knowledge</li> </ul>
4.	Ex Officio member	The concerned officer dealing with social welfare or women and child development in the district

\*One of the nominees shall be a woman belonging to the SC/ST/OBC/Minority community notified by the Central Government.

### 3) External Members on the Complaints Committee/s

The Act refers to external members, which generally means persons who have expertise with the issue of sexual harassment. Given the largely intangible nature of workplace sexual harassment, there are a range of complexities involved in responding effectively to workplace sexual harassment complaints. For this reason, external third party/ members on the Complaints Committee/s (from civil society or legal background) should possess the following attributes:

1. Demonstrated knowledge, skill and capacity in dealing with workplace sexual harassment issues/complaints;
2. Sound grasp and practice of the legal aspects/implications.

Such expertise will greatly benefit Complaints Committees in terms of fair and informed handling of complaints to lead to sound outcomes. These external third party members shall be paid for their services on the Complaints Committees as prescribed.

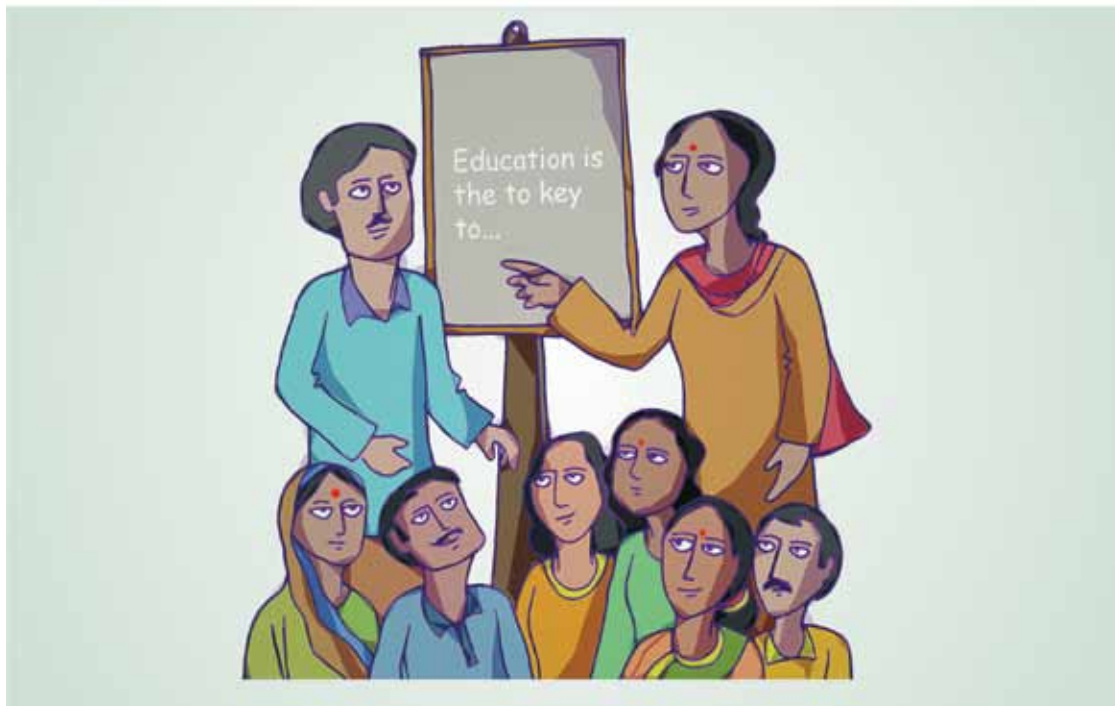
#### Criteria for the External Member

A 'person familiar with issues relating to women' would mean such persons who have expertise in issues related to sexual harassment and may include any of the following:

- At least 5 years of experience as a social worker, working towards women's empowerment and in particular, addressing workplace sexual harassment;
- Familiarity with labour, service, civil or criminal law.

### 3.2.2 Sexual Harassment at Workplace Policy

Employers/District Officers are responsible for complying with prohibition, prevention and redress of workplace sexual harassment. In practice, this means having a policy that: (1) prohibits unwelcome behaviour that constitutes workplace sexual harassment; (2) champions prevention of workplace sexual harassment through orientation, awareness and sensitization sessions; and (3) provides a detailed framework for redress.



### 3.2.3 Dissemination of Information and Awareness Generation

Employers/ District Officers have a legal responsibility to:

1. Effectively communicate a policy that prohibits unwelcome behaviour that constitutes workplace sexual harassment, and provides a detailed framework for prevention, and redress processes.
2. Carry out awareness and orientation for all employees.
3. Create forums for dialogue i.e. Panchayati Raj Institutions, Gram Sabhas, Women's Groups, Urban Local Bodies or like bodies, as appropriate.
4. Ensure capacity and skill building of Complaints Committees.
5. Widely publicize names and contact details of Complaints Committee members.

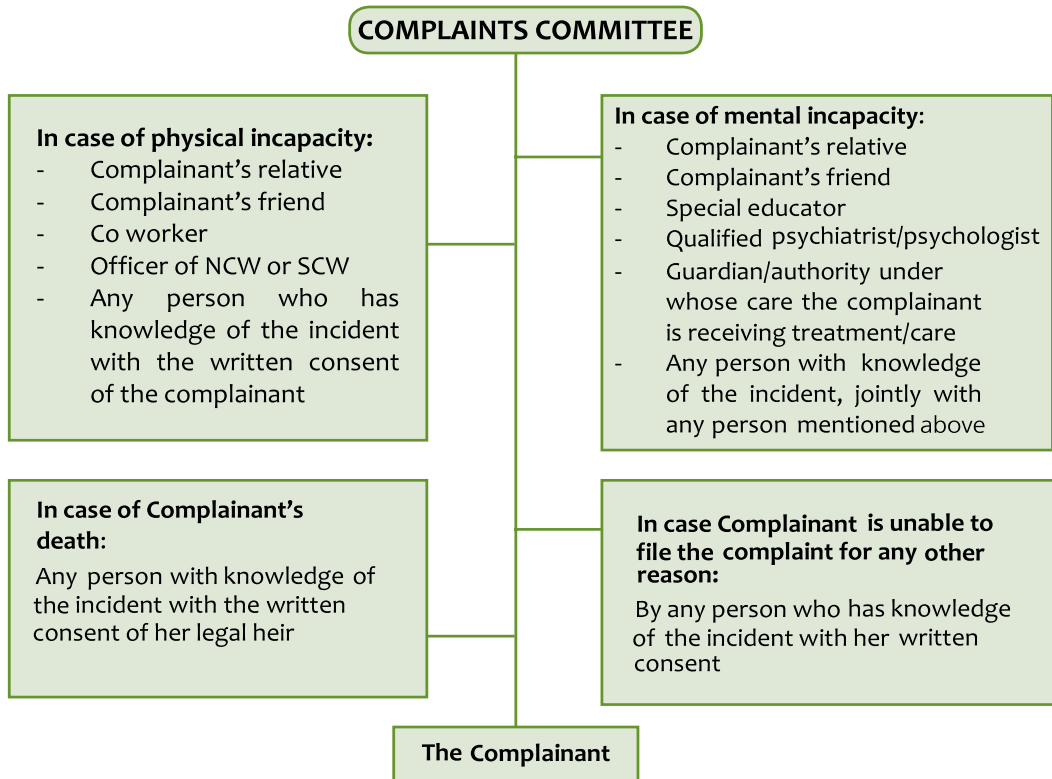
# Redress

*“...the time has come when women must be able to feel liberated and emancipated from what could be fundamentally oppressive conditions against which an autonomous choice of freedom can be exercised and made available by women. This is sexual autonomy in the fullest degree”*

Late Chief Justice J.S. Verma, Justice Verma Committee Report, 2013

**T**his section is about Redress. It provides helpful information on who can complain, to whom, and what a complaint should contain. It also gives information and lays out the steps involved when a complaint has reached the Complaints Committee, in terms of the process, findings and recommendations.

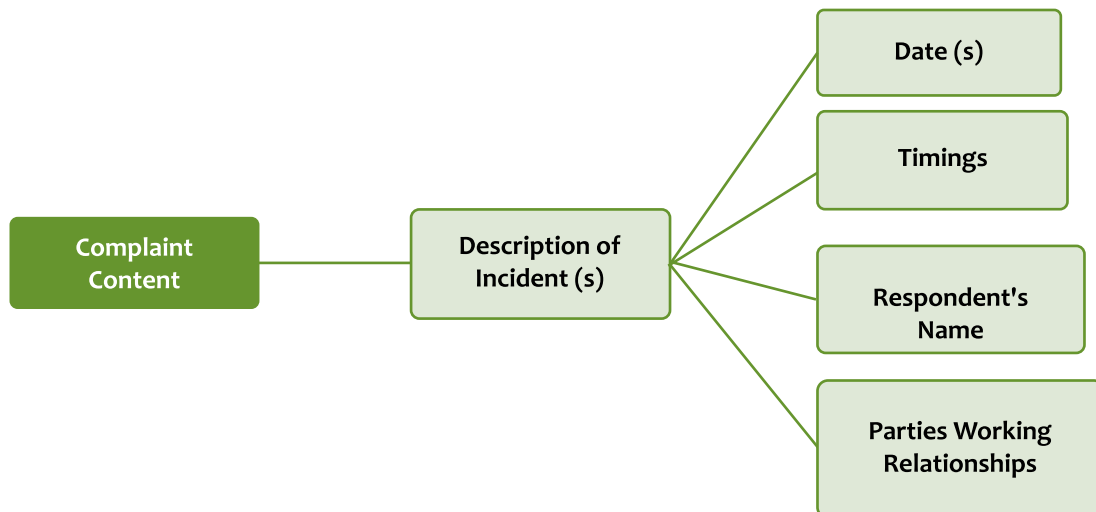
## 4.1 WHO CAN COMPLAIN AND WHERE?



Generally, where there are less than ten workers, any woman employee can complain to the Local Complaints Committee with the support of the Nodal Officer, when required. It is the responsibility of the District Officer to designate a person as the Nodal Officer in every block, taluka and tehsil in rural or tribal areas and wards or municipalities in the urban areas, to receive the complaints of workplace sexual harassment from women. The Nodal Officer will forward all such complaints within seven days of its receipt to the concerned Complaints Committee for appropriate action. In most other workplaces, a woman employee can make a complaint to the Internal Complaints Committee.

#### 4.2 WHAT SHOULD THE COMPLAINT CONTAIN?

The written complaint should contain a description of each incident(s). It should include relevant dates, timings and locations; name of the respondent(s); and the working relationship between the parties. A person designated to manage the workplace sexual harassment complaint is required to provide assistance in writing of the complaint if the complainant seeks it for any reason.



#### 4.3 WHAT CAN AN EMPLOYEE/WORKER EXPECT?

When it comes to redress for workplace sexual harassment, employee/worker has a right to expect -a **trained, skilled** and **competent** Complaints Committee, a time bound process, information confidentiality, assurance of non-retaliation, counselling or other enabling support where needed and assistance if the complainant opts for criminal proceedings.

##### 4.3 A. RIGHTS OF THE COMPLAINANT

- An empathetic attitude from the Complaints Committee so that she can state her grievance in a fearless environment
- A copy of the statement along with all the evidence and a list of witnesses submitted by the respondent



- Keeping her identity confidential throughout the process
- Support, in lodging FIR in case she chooses to lodge criminal proceedings
- In case of fear of intimidation from the respondent, her statement can be recorded in absence of the respondent
- Right to appeal, in case, not satisfied with the recommendations/findings of the Complaints Committee

#### **4.3 B. RIGHTS OF THE RESPONDENT**

- A patient hearing to present his case in a non-biased manner
- A copy of the statement along with all the evidence and a list of witnesses submitted by the complainant
- Keeping his identity confidential throughout the process
- Right to appeal in case not satisfied with the recommendations/findings of the Complaints Committee

#### **4.4 KEY RESPONSIBILITIES**

To effectively address workplace sexual harassment complaints, a Complaints Committees must first be aware of their key responsibilities, some of which are highlighted below:

1. Be thoroughly prepared
2. Know the Act, Policy and/or relevant Service Rules
3. Gather and record all relevant information
4. Determine the main issues in the complaint
5. Prepare relevant interview questions
6. Conduct necessary interviews
7. Ensure parties are made aware of the process and their rights/responsibilities within it
8. Analyse information gathered
9. Prepare the report with findings/recommendations

#### **4.5 KNOWLEDGE, SKILLS, TRAINING**

Dealing with workplace sexual harassment complaints is often complex. Hence Complaints Committee/s must possess critical skills/capacity to effectively carry out their role. That includes a sound grasp of the Act, Vishaka Guidelines, applicable Service Rules, relevant laws and an understanding of workplace sexual harassment and related issues. Complaints Committee skills must include an ability to synthesise information i.e. relevant documents, the law and interviews. They should also be able to communicate effectively, write clearly, listen actively and conduct interviews. They should be competent at showing empathy, being impartial and being thorough. They should be able to identify sexual harassment and its impact.

A Complaints Committee/s is required to be trained in both **skill** and **capacity** to carry out a fair and informed inquiry into a complaint of workplace sexual harassment. An absence of such training will lead to unequal and unfair results, which can cost employers, employees, complainants as well as respondents.

### FAIR AND INFORMED INQUIRY

Within 6 months of joining The Statesman newspaper, Rina Mukerhjee lost her job. While the company alleged that her work was “tardy” and “lacking in quality” it suppressed Rina’s complaint of sexual harassment against the news coordinator, Ishan Joshi. Within her first month of work, Rina had taken her complaint directly to the Managing Director, Ravinder Kumar. Time passed, nothing happened and Rina was fired. In a rare display of social context insight and clarity, the Industrial Tribunal (West Bengal) rejected the Statesman’s claim that Rina only referred to “professional” harassment in her complaint to Mr. Kumar. In the Tribunal’s view, Mr. Kumar’s failure to dig deeper was clearly suspect- “... it becomes clear that there was no Committee on Sexual Harassment, as per the Hon’ble Supreme Court’s direction in Vishaka vs State of Rajasthan, existing in The Statesman, at that relevant time. ...to expect-the lady workman to file a written complaint and not to believe the same, when it has been filed ‘at a later date’ is sheer bias.” The Statesman was ordered to reinstate Rina and grant her full back wages.

M/s The Statesmen Ltd. and Smt. Rina Mukherjee. Order of K.K. Kumai, Judge, dated 06.02.2013, Fourth Industrial Labour Tribunal (West Bengal)

## 4.6 DO’S AND DON’TS FOR COMPLAINTS COMMITTEE

### DO’S

1. Create an enabling meeting environment.
2. Use body language that communicates complete attention to the parties.
3. Treat the complainant with respect.
4. Discard pre-determined ideas.
5. Determine the harm.

### DON’TS

1. Get aggressive.
2. Insist on a graphic description of the sexual harassment.
3. Interrupt.
4. Discuss the complaint in the presence of the complainant or the respondent.

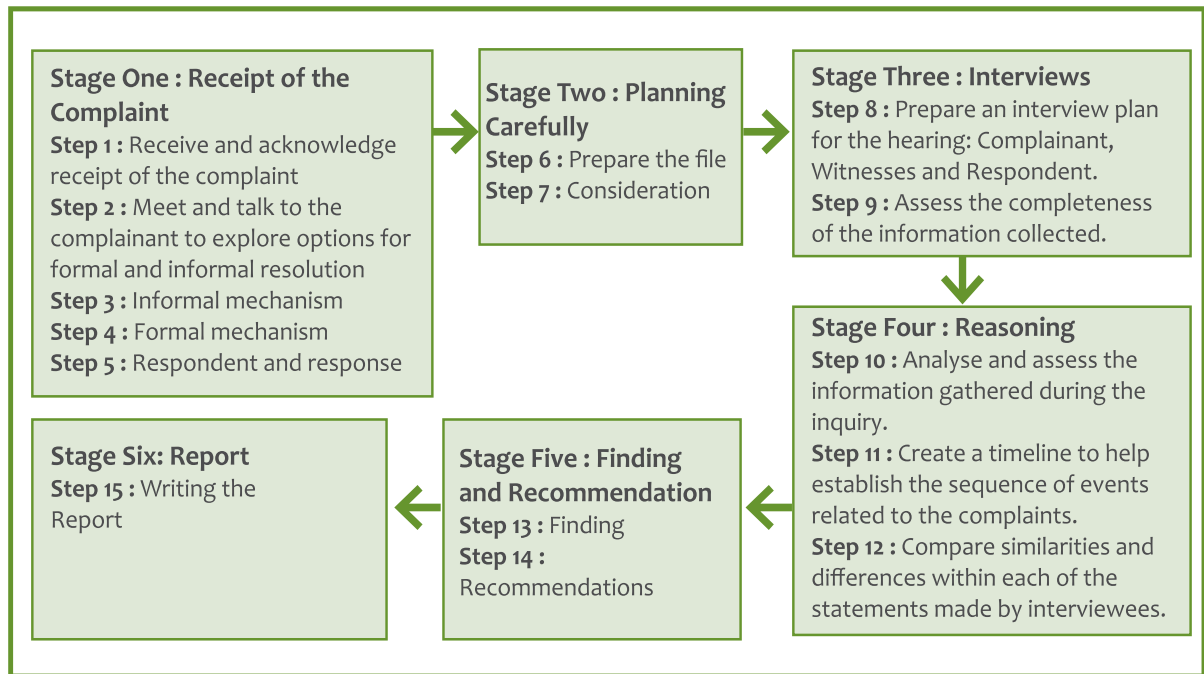


## 4.7 NON-NEGOTIABLES DURING THE INQUIRY PROCESS

During a redress process the Complaints Committee/s are required to assure confidentiality, non-retaliation and recommend interim measures as needed to conduct a fair inquiry.

### 4.8 THE SEXUAL HARASSMENT COMPLAINT PROCESS

The Complaints Committee/s needs to have information on the six stages (including fifteen steps), detailed below, for addressing a complaint of workplace sexual harassment.



#### **STAGE ONE: RECEIPT OF THE COMPLAINT**

A fair, prompt, and impartial inquiry process starts with a Complaints Committee capable of creating an environment of trust and confidence throughout the inquiry.

##### **Step 1 : Receive and Acknowledge Receipt of the Complaint**

The complainant submits a sexual harassment complaint in writing within three months of the last alleged incident to the Complaints Committee or any other person designated by the organization/ District Officer (i.e. Nodal Officer) to receive and manage complaints of sexual harassment.

#### **Training and Skill Building : An Institutional Responsibility**

It is important that both the Committee and any other person designated by the organization/ District Officer to receive or otherwise handle a sexual harassment complaint has there quired competency and skill building training formanaging a complaint and/or any concern related to workplace sexual harassment.

Upon receipt, the complaint should be reviewed for:

1. In the context of workplace that the sexual harassment complaint is to be met with under the Act, such as, Service Rules, Workplace Policy, Vishaka Guidelines and related laws.
2. Clarity in the complaint.
3. Additional information needed from the complainant.

The complainant will be notified in writing to acknowledge receipt.

### Elements of the Behaviour

The complaint needs to satisfy the following elements:

- 1** The respondent displayed a potentially improper and/or offensive conduct which may come within workplace sexual harassment;
- 2** The behaviour was directed at the complainant;
- 3** The complainant experienced harm.
- 4** The behavior occurred in the workplace or at any location/any event related to work

### Step 2: Meet and Talk to the Complainant to Explore Options for Formal and Informal Resolution

The complainant needs to be informed about the ensuing process and the informal or formal options available for the redress.

### Step 3: Informal Mechanism

If the complainant chooses to adopt the informal process to resolve her complaint/experience of workplace sexual harassment, then it is the responsibility of the person designated to receive and manage the Complaints Committee to explore enabling ways to address the complaint. This can include counselling, educating, orienting, or warning the respondent to promptly stop the unwelcome behaviour or appointing a neutral person to act as a conciliator between the parties to resolve the complaint through conciliation.

However, before recommending conciliation, the Committee must assess the severity of the situation and if necessary, advise and enable the complainant to opt for the formal route. At no point, the Complaints Committee will advise the complainant to resolve the matter directly with the respondent. Where such an informal process is successful, such resolution is to be recorded by the conciliator and forwarded to the ICC/LCC who in turn will forward the same to the employer/District Officer for further action based on the resolution. Employers/District Officers are responsible for taking steps to ensure that the complainant is not subject to any backlash.

The choice of a formal process rests with the complainant even if the person responsible for managing the complaint believes that this can be resolved through an informal process.

### Step 4: Formal Mechanism

1. If the complainant opts for formal redress, or the nature of the complaint is serious which calls for formal redress, then the Complaints Committee responds to the complaint.

2. Complaints Committee/s members must be free of any conflict of interest with either the concerned parties or with the outcome.
3. Ensure that the independent third party member has sound knowledge, skill, and experience in dealing with workplace sexual harassment complaints.

### **Step 5: Respondent and Response**

1. As per the procedure provided in the Service Rule; or in absence of the same
2. Within seven days of receiving a complaint, the Complaints Committee will inform the respondent in writing that a complaint has been received.
3. The respondent will have an opportunity to respond to the complaint in writing within ten days thereafter.

## **STAGE TWO: PLANNING CAREFULLY**

### **Step 6: Prepare the File**

A sound inquiry relies on sound preparation. This includes taking into account the following steps:

#### **1. Documentation**

Create an independent confidential file of the complaint and all subsequent related documentation.

#### **2. Review Law & Policy**

Have a clear knowledge and understanding of the Act/Rules as well as the relevant Service Rules, Workplace Policy, Vishaka Guidelines, existing practices and related laws.

#### **3. Make a List**

Make a list of all the dates and events relating to the written complaint as well as the names of witnesses, where applicable.

#### **Relevant Witnesses**

The complaint may include the names of people believed to have witnessed the alleged incidents or those who may have been aware of other information directly related to the complaint. The respondent may also include the names of witnesses. In addition, the Complaints Committee also has the discretion to call any person as a witness, who it believes, has something to contribute to the inquiry process.

#### **4. Supporting Documents**

Obtain and review all supporting documents relevant to the complaint, including those presented by the complainant and the respondent.

## 5. Act Quickly

Create a plan. This can be used as an initial checklist to ensure that all of the critical elements are covered. It includes:

- a. The names of the parties and witnesses to be interviewed
- b. Any documentary support that needs to be examined
- c. Timeline

### Preparing the Plan - Key Elements to Consider

#### 1. Defining the Issues

What is the complaint

Questions or points that require clarification

#### 2. Determining a violation of the Policy/Act

What information is needed to determine that there has been a violation

#### 3. Logistics

Venue for conducting the interviews. Are special logistics required

Creating timelines for each

#### 4. Critical Information

What documents need to be looked at

Witnesses to be questioned and in what order

#### 5. Areas of Questioning

Questions for each specific incident and party/witness

Questions for each particular issue

Issues likely to require follow-up

## Step 7: Consideration

### 1. Interim Measures

While a complaint is pending inquiry, a complainant can make a written request for her transfer or the transfer of the respondent, or for leave (upto 3 months). She can also request the Complaints Committee to restrain the respondent from reporting on her work performance or writing her confidential report or supervising her academic activities (in case she is in educational institution). Even in the absence of such a request, the Complaints Committee must take corrective action. It is essential to take these actions in order to prevent potential *ongoing sexual harassment*.

## 2. Support

Maintain clear, timely communication with the parties throughout the process. Provide complainants with any specific assistance they may require, such as counselling, addressing health-related concerns or sanctioning of leave.

### **STAGE THREE: INTERVIEWS**

#### **Step 8: Prepare an Interview Plan for the Hearing: Complainant, Witnesses, Respondent**

1. Based on the results of the previous steps and before conducting interviews, the Complaints Committee should decide which issues need to be pursued for questioning.
2. Interviews are meant to obtain information that is relevant to the complaint from individuals.
3. Interviews should be conducted with each person *separately and in confidence*. *The complainant and the respondent should not be brought face to face with each other.*

### Interviewing Tips

#### **1. Introduction**

Questioning the parties and witnesses in a situation of workplace sexual harassment is a sensitive task. The Complaints Committee must therefore proceed with empathy, while appreciating at times, a different version of the facts.

#### **2. Questioning**

Determine beforehand the following:

- Date, time, place and order of interviews
- Questions and their order
- Time for each interview

Generally rely on questions related to **who, what, where, when and how**. Remember:

- Questions ought to be clear and focused.
- Obtain as much information as possible through the interview.
- Do not share information gathered from other sources.

#### **3. Choose an Appropriate Location**

To create trust, comfort and openness

#### **4. Explain the Interview Process**

Explain how the interview will be conducted and what is expected

#### **5. Records of the Interview**

Take notes and explain the need for a proper record

#### **6. Manage the Interview**

The Chairperson of the Complaints Committee is responsible for ensuring the interviews are correctly carried out and due process followed

#### **7. Sign Statements**

At the conclusion of the interview, have those interviewed, sign and date statements made and recorded before the Complaints Committee

### **Step 9: Assess the Completeness of the Information Collected**

At this stage, the Complaints Committee should review the information gathered and their factual relevance to each aspect of the complaint. This will help determine whether there is enough information to make a finding on the complaint.

### **STAGE FOUR: REASONING**

**Step 10:** Once the information and review is complete, the Complaints Committee will make its reasoned finding(s), which involves having to:-

- Identify the substance of each aspect of the complaint.
- Determine, whether or not, on a **balance of probability**, the unwelcome sexual harassment took place.
- Check that such behaviour/conduct falls within the definition of sexual harassment set out in the relevant Act/Rules, Policy, Service Rules or law.
- Comment on any underlying factor(s) that may have contributed to the incident.

**Step 11:** Create a timeline to help establish the sequence of events related to the complaint.

**Step 12:** Compare similarities and differences within each of the statements made by the interviewees.

### **STAGE FIVE: FINDING AND RECOMMENDATION**

#### **Step 13: Finding**

Based on the above, the Complaints Committee must arrive at a finding of whether the complaint is upheld, not upheld or inconclusive.

Provided, where both the parties are employees, before finalising the findings, the ICC/LCC shall share its finding with both the parties and provide them an opportunity to make representation against it before the Committee.

#### **Step 14: Recommendations**

Based on its findings, the Complaints Committee shall then make appropriate recommendations which may include:

1. Where the Complaints Committee is unable to uphold the complaint, it shall recommend no action.
2. Where the Complaints Committee upholds the Complaint, it may recommend such action as stated within the relevant Policy or Service Rules, which may include a warning to terminate.



**In case service rules do not exist, recommended action may include:**

- Disciplinary action, including a written apology, reprimand, warning, censure;
- Withholding promotion/ pay raise/ increment;
- Termination;
- Counselling;
- Community service.

3. The Complaints Committee may also recommend financial damages to the complainant, while deciding the amount they shall take into consideration:

- Mental trauma, pain, suffering and emotional distress caused;
- Medical expenses incurred;
- Loss of career opportunity;
- Income and financial status of the respondent.

If the amount is not paid it can be recovered as an arrear of land revenue.

4. The Complaints Committee can also give additional recommendations to address the underlying factors contributing to sexual harassment at the workplace.

**STAGE SIX: REPORT****Step 15: Writing the Report**

The Complaints Committee will prepare a final report that contains the following elements:

- A description of the different aspects of the complaint;
- A description of the process followed;
- A description of the background information and documents that support or refute each aspect of the complaint;
- An analysis of the information obtained;
- Findings as stated above;
- Recommendations.

**An inquiry must be completed within 90 days and a final report submitted to the Employer or District Officer (as the case may be) within ten days thereafter. Such report will also be made available to the concerned parties. The Employer or District Officer is obliged to act on the recommendations within 60 days.** Any person not satisfied with the findings or recommendations of the Complaints Committee or non-implementation of the recommendations, may appeal in an appropriate court or tribunal, as prescribed under the Service Rules or where no such service rules exist, in such manner as may be prescribed.

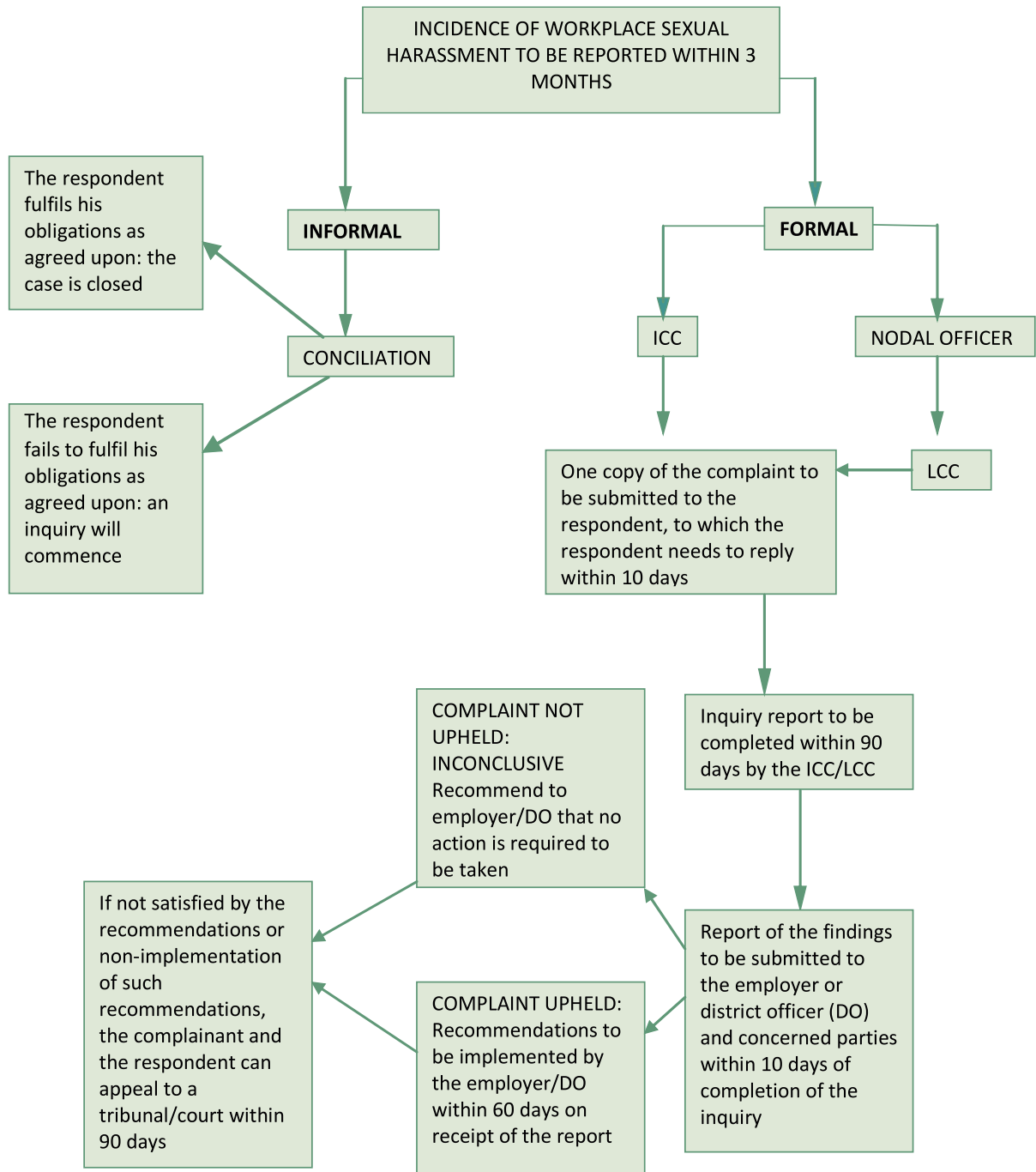
Given that most workspaces today are gender unequal and male-dominated, it is important that complaints by women be treated fairly and not dismissed. The mere inability to substantiate a complaint or provide adequate proof will not attract legal action against the complainant. However, making a false or malicious complaint or producing a forged or misleading document is an offence.

## 4.9 AT A GLANCE

### 1) Complaints Committee's Checklist

- Review the written complaints and response to complaints
- Review the applicable policy, the Act/Rules, Vishaka Guidelines and other relevant laws
- Develop a plan
- Meet with the complainant
- Meet with the respondent
- Meet with the witnesses
- Record statements and have them dated and signed
- Review and adapt the plan, as needed
- Proceed with further interviews, as needed
- Analyze all the facts to develop reasoning
- Arrive at the findings
- Give recommendations
- Prepare the report
- Submit the file to the organization or District Officer for implementation of the recommendations and for safe keeping.

## INQUIRY PROCESS AT A GLANCE



## 2) Timelines as per the Act

Submission of Complaint	Within 3 months of the last incident
Notice to the Respondent	Within 7 days of receiving copy of the complaint
Completion of Inquiry	Within 90 days
Submission of Report by ICC/LCC to employer/DO	Within 10 days of completion of the inquiry
Implementation of Recommendations	Within 60 days
Appeal	Within 90 days of the recommendations

## 3) Confidentiality

The Act prohibits the publication or making known the contents of a complaint and the inquiry proceedings. Any breach of confidentiality will result in specific consequences.

The Act prohibits the disclosure of:

- Contents of the complaint;
- Identity and address of complainant, respondent and witnesses; Information pertaining to conciliatory/inquiry proceedings or recommendations of the ICC/LCC;
- Action taken by the employer/DO.

**Accountability:** Any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action taken under the provisions of this Act.

**Consequences:** As per the Service Rules or Rs.5,000/ to be collected by the employer.

**Exception:** Dissemination of information regarding the justice secured without disclosure of name, address, identity and particulars of complainant or witnesses.

Section 4 completes the details of the Complaints Committee process in addressing formal complaints. It serves as a guideline to action in providing appropriate redress. The manner in which a complaint is addressed will make all the difference to the equal rights of working women as well as the kind of workplace culture being promoted.

# Monitoring

*“Vishaka was a victory for all women”*  
Bhanwari Devi

This section refers to ways in which application of the Act at all workplaces is monitored. Monitoring is a way to ensure compliance of the Act on the ground. As an additional means of monitoring, the Act mandates the submission of Annual Reports with specific information as well as specific consequences where compliance is lacking.

The Act authorizes Appropriate Government to monitor the implementation of the Act. As per the Act, Appropriate Government means:

- i. In relation to a workplace which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly-
  - a. By the Central Government or the Union Territory administration, the Central Government;
  - b. By the State Government, the State Government;
- ii. In relation to any workplace not covered under sub-clause (i) and falling within its territory, the State Government;

Thus to monitor the Act, the Appropriate Government has the authority to undertake any of the following measures:

## 5.1 Inspection

In relation to workplace sexual harassment, when it is in the public interest or in the interest of women employees, every employer/District Officer can be ordered by the Appropriate Government i.e. State and Central Government, to make available any information, record or document, including opening its workplace for inspection relating to the same.

## 5.2 Annual Report

The Appropriate Government is entrusted with the monitoring of the implementation of this Act and for maintaining the data on the number of cases filed and disposed of under it. In particular, the Act mandates submission of an Annual Report by the ICC/LCC to the employer/District Officer.



The District Officer will forward a brief report on the annual reports to the appropriate State Government. Such reports must include the following information:

- a. No. of complaints received;
- b. No. of complaints disposed of;
- c. No. of cases pending for more than 90 days;
- d. No. of workshops/awareness programmes carried out;
- e. Nature of action taken by the employer/DO;

The Report of ICC will be forwarded to the DO through the employer.

### 5.3 Penalties

An employer can be subjected to a penalty of up to INR 50,000 for:

- Failure to constitute Internal Complaints Committee
- Failure to act upon recommendations of the Complaints Committee; or
- Failure to file an annual report to the District Officer where required; or
- Contravening or attempting to contravene or abetting contravention of the Act or Rules.

Where an employer repeats a breach under the Act, they shall be subject to:

- Twice the punishment or higher punishment if prescribed under any other law for the same offence.
- Cancellation/Withdrawal/Non-renewal of registration/license required for carrying on business or activities.

Monitoring is a critical yardstick to measure success in terms of compliance with the Act. Additionally, it highlights those areas, in terms of law and practice, which may require improvement and/or additional information and guidance at both the State as well as the workplace levels.

## Global Norms and Good Practices

Increasing awareness and compliance with international standards is a reminder that we must not lose sight of the goal. Over the years, the international community has developed benchmarks that provide guidance on what the laws around workplace sexual harassment should look like in practice. The key benchmarks are listed below:

1. Recognition that workplace sexual harassment is a form of human rights violation.<sup>i</sup>
2. Recognition that sexual harassment is a form of gender-specific violence.<sup>ii</sup>
3. Equality, dignity and worth of a human person must be emphasized.
4. Gender-based violence includes sexual harassment and impairs the enjoyment by women of several basic human rights and fundamental freedoms.<sup>iii</sup> Some of these rights include:
  - The right to life, the right to liberty and security of the person.
  - The right to equal protection under the law.
  - The right to the highest standard attainable of physical and mental health.
  - The right to just and favourable conditions of work.<sup>iv</sup>
5. Eliminating violence against women and advancing women's equality includes the right to be free from workplace sexual harassment.<sup>v</sup>
6. Legislation on violence against women should define violence to include sexual harassment. Such legislation should also recognize sexual harassment as a form of discrimination and a violation of women's rights with health and safety consequences.<sup>vi</sup>
7. The International Labour Organization (ILO) has also drawn specific attention to domestic workers, who have a right to “enjoy effective protection against all forms of abuse, harassment and violence.”<sup>vii</sup>

In terms of practice, international law and policy frameworks have an important role to play in encouraging the adoption of an understanding of sexual harassment as a fundamental human right and equality issue, and not just a problem for labour/employment law to solve.

Converting these concepts into practice involves constant monitoring and adapting to changing circumstances. As a start, six simple steps to keep in mind and practice in any workplace should involve the following:

1. Make sure there is a policy that has been “effectively” communicated to all workers, irrespective of whether they are paid or volunteers.
2. Display details of both informal and formal ways available to a worker to address/complain about workplace sexual harassment.
3. Undertake orientation on workplace sexual harassment for all workers in respective organizations, establishments or institutions.
4. A Complaints Committee which is trained in terms of skill and capacity is critical for building trust.
5. Encourage senior persons/leaders/supervisors or any person who can influence employment-related decisions, to become role models.
6. Men and women should be included in building a culture which no longer tolerates workplace sexual harassment.

Legally, workplace sexual harassment can no longer be dismissed as some moral transgression. The Vishaka Guidelines raised that bar, when for the first time it recognized “each incident of sexual harassment” as a violation of the fundamental right to equality. That notion has found its way into the Act, which promotes the right of women as citizens to a workplace free of sexual harassment. Complaints Committees at all workplaces are now charged with the role to ensure that the right remains intact, through a fair, informed, user-friendly process of redress.

Prioritising prevention and establishing a redress mechanism, which comprises of 50 per cent women, a woman chair and an external third party expert, is India’s innovative model in responding to working women’s experience of sexual harassment. Assuming adequate changes follow, in both law and practice to meet global benchmarks, that model can evolve into an exemplary best practice. To get there, workplaces in India today, must rise to the requirement of promoting gender equality.

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<sup>i</sup> General Recommendation 12 of 1989, Committee on the Elimination of All Forms of Discrimination against Women.

<sup>ii</sup> General Recommendation 19 of 1992, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

<sup>iii</sup> Ibid.

<sup>iv</sup> Article 3, Declaration on the Elimination of Violence against Women, 1993.

<sup>v</sup> The Beijing Platform of Action drawn at the United Nations’ Women’s Conference in Beijing in 1995.

<sup>vi</sup> United Nations UN Division for the Advancement of Women *Handbook for Legislation on Violence Against Women* (UN Handbook).  
<http://www.un.org/womenwatch/daw/vaw/handbook/Handbook%20for%20legislation%20on%20violence%20against%20women.pdf>

<sup>vii</sup> Article 5, ILO Decent Work for Domestic Workers Convention, 2011 (No. 189).









Towards a new dawn

Government of India  
Ministry of Women and Child Development