

UNIVERSITY OF DELHI

Ordinance XV(D): Prohibition of and Punishment for Sexual Harassment

**Executive Council Resolution No. 96 dated
30.09.2003**

**University of Delhi
2004**

PROHIBITION OF AND PUNISHMENT FOR SEXUAL HARASSMENT: ORDINANCE XV(D)

1. SHORT TITLE AND EXTENT

The present ordinance is based on the Policy against Sexual Harassment by the Delhi University and seeks to maintain and create an academic and work environment free of sexual harassment for students, academic and non-teaching staff of the Delhi University. The ordinance will also apply to outsiders and residents, on the Delhi University campus, to the extent specified herein these rule and procedures.

2. DEFINITIONS

- i. “Students” includes regular students as well as current ex-students of Delhi University.
- ii. ‘Teaching staff’ include any person on the staff of the Delhi University or any colleges or institution affiliated to it, who is appointed to a teaching and/or research post, whether full time, temporary, ad-hoc, part-time, visiting, honorary, or on special duty or deputation and shall also include employees employed on a casual or project basis.
- iii. ‘Non-Teaching Staff’ includes any person on the staff of the Delhi University or of any colleges or institutions affiliated to it, who is not included in the teaching staff. It includes employees who are full-time, temporary, ad-hoc, part-time, visiting honorary, or on special duty or deputation, and employees employed on a casual or project basis.
- iv. “Member of the University” includes all those included in categories i – iii above.
- v. “Resident” includes any person who is a temporary or permanent resident of any of the accommodations or premises allotted to an employee by the University of Delhi or by any of its affiliated colleges or institutions.
- vi. “Outsider” includes any person who is not a member of the University or a resident. It also includes, but is not limited to, any private person offering residential, food and other facilities to students, teaching staff or non-teaching staff of the Delhi University or any college or institution affiliated to Delhi University.
- vii. “Campus” includes all places of work and residence in the Delhi University or any college or institutions affiliated to the Delhi University. It includes all places of instruction, research and administration, as well as hostel, health centres, sports grounds, staff quarters and public places (including shopping centres, eating places, parks, streets and lanes) on the Delhi University campus or the campus of any college or institution affiliated to the Delhi University.

viii. “Sexual harassment” includes any unwelcome sexually determined behaviour, whether directly or by implication and includes physical contact and advances, a demand or request for sexual favours, sexually-coloured remarks, showing pornography or any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Explanation: “Sexual harassment” shall include, but will not be confined to, the following:

- a. When submission to unwelcome sexual advances, requests for sexual favours, and verbal or physical conduct of a sexual nature are made, either implicitly or explicitly, a ground for any decision relating to employment, academic performance, extracurricular activities, or entitlement to services or opportunities at the Delhi University.
- b. When unwelcome sexual advances, and verbal, non-verbal and/or physical conduct such as loaded comments, remarks or jokes, letters, phone calls or e-mail, gestures, exhibition of pornography, lurid stares, physical contact, stalking, sounds or display of a derogatory nature have the purpose and/or effect of interfering with an individual’s performance or of creating an intimidating, hostile, or offensive environment.
- c. When a person uses, with a sexual purpose, the body or any part of it or any object as an extension of the body in relation to another person without the latter’s consent or against the person’s will, such conduct will amount to sexual assault.
- d. When deprecatory comments, conduct or any such behaviour is based on the gender identity/sexual orientation of the person and/or when the classroom or other public forum of the University is used to denigrate/discriminate against a person or create a hostile environment on the basis of a person’s gender identity/sexual orientation.

3. SCOPE OF THE ORDINANCE

This Ordinance shall be applicable to all complaints of sexual harassment made:

- i. by a member of the university against any other member of the university irrespective of whether the harassment is alleged to have taken place within or outside the campus.
- ii. by a resident against a member of the university or by a member against a resident irrespective of whether the sexual harassment is alleged to have taken place within or outside the campus.
- iii. by an outsider against a member of the University or by a member of the university against an outsider if the sexual harassment is alleged to have taken place within the campus.

- iv. by a member of the university, against an outsider if the sexual harassment is alleged to have taken place outside the campus. In such cases the Committee shall recommend that the university college authorities initiate action by making a complaint with the appropriate authority. Further the committee will actively assist and provide available resources to the complainant in pursuing the complaint.

4. COMPLAINT MECHANISM

Implementation of the University policy against sexual harassment shall be achieved through:

- i. **College Complaints Committees**, which shall be set up in each college of the University of Delhi as complaints and redressal bodies.
- ii. **University Units Complaints Committees**, which shall be set up in clusters of University Departments/Centres as complaints and redressal bodies.
- iii. **Central Pool Complaints Committees**, which shall be complaints and redressal bodies (one each for the North and South Campuses) for those units that are not affiliated to any college/department/institution and have not been included in either CCC or UCC
- iv. **The Apex Complaints Committee**, which shall be an apex regulatory and appellate body of the University of Delhi for redressal and resolution of complaints¹.

5. REDRESSAL

- i. UCC/CCC/CPCC/ACC may ask the College/University to suspend the alleged harasser from an administrative post/class if his/her presence is likely to interfere with the enquiry.
- ii. The victim of sexual harassment shall have the option to seek transfer of the perpetrator or her/his own transfer where applicable.
- iii. Notwithstanding the contents of any other ordinance relating to service conditions etc., the head of the institution upon receipt of the enquiry report, shall refer the same to the Governing Body/Executive Council (EC) and take disciplinary action on the basis of recommendations of the Complaint Committees provided that in the case of termination of service the existing rules of the university will also be forwarded.
- iv. The disciplinary action shall be commensurate with the nature of the violation.

¹ The composition of the Committees, mode of election/nomination powers, duties and procedure to be followed is outlined in the Appendix to Ordinance XV(D), which will be read as part and parcel of Ordinance XV(D)

- A. In the case of University/college employees, disciplinary action may be in the form of :
- i) Warning
 - ii) Written apology
 - iii) Bond of good behaviour
 - iv) Adverse remarks in the Confidential Report
 - v) Debarring from supervisory duties
 - vi) Denial of membership of statutory bodies
 - vii) Denial of re-employment
 - viii) Stopping of increments/promotion
 - ix) Reverting, demotion
 - x) Suspension
 - xi) Dismissal
 - xii) Any other relevant mechanism.
- B. In case of students, disciplinary action may be in the form of:
- i) Warning
 - ii) Written apology
 - iii) Bond of good behaviour
 - iv) Debarring entry into a hostel/campus
 - v) Suspension for a specified period of time
 - vi) Withholding results
 - vii) Debarring from exams
 - viii) Debarring from contesting elections
 - ix) Debarring from holding posts
 - x) Expulsion
 - xi) Denial of admission
 - xii) Declaring the harasser as “persona non grata” for a stipulated period of time.
 - xiii) Any other relevant mechanism
- C. In the case of third party harassment, the University/college authorities shall initiate action by making a complaint with the appropriate authority.

ORDINANCE XV(D): APPENDIX

I. CONSTITUTION OF THE COMMITTEES

(a) COLLEGE COMPLAINTS COMMITTEE (CCC)

1. *Two teacher representatives to be elected/nominated by the procedure outlined in Clause 4 (Procedure for the Constitution of First Committee).
2. *Two non-teaching Staff representatives of the College (of which one must be from Group D) to be elected/nominated by the procedure outlined in Clause 4.
3. *Three student representatives to be elected from a Gender Sensitising Committee of students comprising one elected representative of each class. At least one of the three representatives should be a second year graduate student. The details of this procedure are outlined in Clause 4.
4. *Two persons with known contribution to women's issues, to be co-opted by the Committee from outside the College. One of these may preferably have a legal background.
5. The Chairperson (woman) to be elected from amongst the members.
6. The Member Secretary to be elected from amongst the members.

*At least 50% of the members in each of these categories should be women.

The term of each member (other than students) shall be two years. The previous Committee will continue till the new Committee is constituted. The College should ensure that the new Committee is constituted latest by 20th September every year.

Complaints can be given to any member of the Committee. It will be incumbent on the Principal or any teacher/head of an administrative unit to forward a complaint s/he receives to the committee immediately.

(b) UNIVERSITY UNITS COMPLAINTS COMMITTEE (UCC)

1. *Two teacher representative to be elected/nominated by the procedure outlined in Clause 4 (Procedure for the Constitution of First Committee).
2. *Two non-teaching Staff representatives of the College (of which one must be from Group D) to be elected/nominated by the procedure outlined in Clause 4.

3. *Three student representatives to be elected from a Gender Sensitising Committee of students comprising one elected representative of each class. At least one of the three representatives should be a post-graduate student and one should be a research student. The details of this procedure are outlined in Clause 4.
4. *Two persons with a known contribution to women's issues, to be co-opted by the Committee from outside the Unit. One of these may preferably have a legal background.
5. The Chairperson(woman) to be elected from amongst the members.
6. The Member Secretary to be elected from amongst the members.

*At least 50% of the members in each of these categories should be women.

The term of each member (other than students) shall be two years. The previous Committee will continue till the new Committee is constituted. The Unit should ensure that the new Committee is constituted latest by 20th September every year.

Complaints can be given to any member of the Committee. It will be incumbent on the head of any department/administrative unit or any teacher to forward a complaint s/he receives to the committee immediately.

(c) CENTRAL POOL COMPLAINTS COMMITTEE (CPCC)

1. *Two members elected/nominated from each of the four categories, group A, B, C and D by the procedure outlined in Clause 4.
2. *Three persons with known contribution to women's issues to be co-opted by the Committee from outside the Unit. One of these may preferably have a legal background.
3. The Chairperson (woman) to be elected from amongst the members.
4. The Member Secretary to be elected from amongst the members.

*At least 50% of the members in each of these categories should be women.

The term of each member shall be two years. The previous Committee will continue till the new Committee is constituted. The Unit should ensure that the new Committee is constituted latest by 20th September every year.

Complaints can be given to any member of the Committee. It will be incumbent on the Registrar or the head of an administrative unit to forward a complaint s/he receives to the committee immediately.

(d) APEX COMPLAINTS COMMITTEE (ACC)

1. The Director, Women's Studies and Development Centre will be the Member Secretary of this Committee. Her office will function as the nodal agency and Secretariat.
2. One woman from the Proctorial team to be nominated by the Vice-Chancellor.
3. *Two teacher representatives to be elected/nominated from the pool of teacher representatives on all CCCs, UUCCs, by the procedure outlined in Clause 4.
4. *Two non-teaching representatives to be elected/nominated from the pool of non-teacher representatives on all CCCs, UUCCs, CPCCs by the procedure outlined in Clause 4.
5. *Three student representatives to be elected from the pool of student representatives on all CCCs, UUCCs by the procedure outlined in Clause 4. These should include at least one each from the undergraduate, graduate and researcher categories.
6. One woman teacher of the University with known contribution to women's issues to be co-opted by the committee.
7. *Two persons to be nominated by the Vice Chancellor from a panel prepared by the Committee. The panel will include names of five persons (with at least three women) from outside the University, who have made a known contribution to gender issues. One of these may preferably have a legal background.
8. One person with known contribution to gender issues to be nominated by the Vice-Chancellor.
9. The Chairperson (woman) will be nominated by the Vice Chancellor from Category 7.

*At least 50% of the members in each of these categories should be women.

The term of each member (other than students) shall be two years. The previous Committee will continue till the new Committee is constituted. The WSDC should ensure that the new Committee is constituted latest by 20th September every year.

Complaints can be given to any member of the Committee.

II. PROCEDURE FOR THE CONSTITUTION OF THE COMMITTEES

- (a) COLLEGE COMPLAINTS COMMITTEE(CCC) and**
- (b) UNIVERSITY UNITS COMPLAINTS COMMITTEE (UCC)**

Section A. The First Committee: (Year One)

Member Secretary of the Apex Complaints Committee (viz. the Chairperson of The Women's Studies Development Centre) shall send a notice to each Principal or Head of Department/Institution to initiate the process of election to the first complaints committee.

Two representatives each will be elected from amongst the Teachers, Non-Teaching Staff, of each College/University Unit. Three Students will be elected through a two-tier process of election. First a representative to the Gender Sensitising Committee will be elected by each class in the College/Unit. The members of the Gender Sensitising Committee will then elect three representatives from amongst themselves.

1. Election Schedule

Last date for nomination :
 (duly proposed and seconded): 1st week of August
 Withdrawal : 2nd week of August
 Polling : 3rd week of August

A minimum interval of three working days should be given between the stages. In any case, the whole process shall be completed on or before 25th August.

2. Mode of Election

- a) Polling Time: One day each for Teachers and Karamcharis and for the elections of student representatives by the GSC. The first stage for the election of the student representatives, i.e. electing from each class a member of the GSC, can be done over a period of a week
- b) Each voter in a category can cast as many votes as there are seats, one each in favour of different candidates from his/her category – Student, Teacher, Non-Teaching Staff.
- c) Election will be through secret ballot.
- d) The two teachers/non-teaching staff and three students polling maximum number of votes will be elected as representatives of the category, provided that:
 - i) Representatives in each category will include a minimum of 50% of women.

- ii) The representatives of non-teaching staff must include at least one from Group D.
- iii) The student representatives include at least one from 2nd year in the CCC and at least one each from the post-graduate and research students in the UCC.
- iv) The elections will be conducted by the Principal, Senior most Head of Department as Returning Officer and Secretary, Staff Council a Senior Professor as Presiding Officer.
- v) At the time of counting the votes a nominee of each candidate can be present as an observer.

3. Nature of Campaigning

Any campaigning against the tenets and spirit of the policy will lead to disqualification of the candidates by the presiding officer.

4. Procedure for the Constitution of First Committee

The 1st meeting of seven elected members will be called before the 5th of September by the senior most Teacher elected. The seven members will elect a Chairperson (a woman) and Member Secretary for the year. They will also make a panel (in order of preference) of at least four individuals from outside the College/University Unit with known contribution to women's issues. Immediately after the meeting (within three days) the Chairperson must write to the first two individuals on the panel requesting them to give their consent to be members of the Committee. This whole process of co-opting two members from outside the College/University Unit (of which at least one should be a woman), should be completed preferably by the 20th of September. The two co-opted members will remain on the Committee for a period of two years.

Section B: Subsequent Committees

1. For Teachers/Non-Teaching Staff.

- a) In the following year (II), the elected representative E1 who had polled the highest number of votes will continue and the other representative E2 will be replaced by a representative N1 nominated by the entire existing Committee, subject to the conditions laid down in mode of election 2(d)(i) and 2(d)(ii) of Section-A.
- b) In the following year (III), the elected representative E1 will be replaced by an elected representative E3 (subject to the conditions laid down in mode of election 2(d)(i) and 2(d)(ii) of Section-A.

- c) In the following year (IV), the nominated representative N1 will be replaced by a freshly nominated representative N2.

Thus elections will be held in alternate years, interspersed by nomination. Nomination from within the institution, which will take place in alternate years, should be completed not later than the 15th of August.

2. For Students

(a) College Complaints Committees (CCC)

In year II

- i) The second year student who had polled the highest number of votes (and is promoted to Third Year) will continue to be a member of the committee in Year II.
- ii) The other two students will be replaced by fresh elections subject to 2(d)(i) and 2(d)(ii) of Section-A.

This procedure is to be repeated every year.

(b) University Units Complaints Committees (UCC)

In Year II

- i) The student with the highest number of votes and who has continued to remain a regular student of the University in the same course, will remain a member of the Committee.
- ii) The other two students will be replaced by fresh election subject to provisions in 2(d)(i) and 2(d)(iii) of Section-A.

This procedure is to be repeated every year.

NOTE:

Subsequent elections to the CCC/UCC from all categories will be conducted by the Chairperson and the Member Secretary.

In subsequent years the election of the Chairperson and Member Secretary will be from amongst all its members (including those co-opted from outside the University).

(c) CENTRAL POOL COMPLAINTS COMMITTEE (CPCC)**Section A: The First Committee: (Year One)**

- i) Two representatives each will be elected from Group A, B, C and D employees, of which at least one in each category shall be a woman representative.
- ii) The first meeting will be called by the senior most representative from Group A.
- iii) The eight elected members will elect a Chairperson and a Member Secretary for the year.
- iv) The elected members shall form a panel of 5 persons from outside their unit with known contribution to women's issues, 3 of which shall be co-opted into the committee as prescribed for the CCC/UUCC.

Section B: Subsequent years

- i) In the year (II), the representative E1 who had polled the highest number of votes will continue and the other representative E2 shall be replaced by a representative N1 nominated by the entire existing committee, subject to the conditions laid down in 1(a) of Section-B.
- ii) In the following year (III) the elected representative E1 shall be replaced by freshly elected representative E3 (subject to the condition in 1(a) of Section-B.
- iii) In the following year, the nominated representative N1 shall be replaced by a freshly nominated representative N2.

This procedure will be repeated every year.

NOTE:

1. The election in the first year will be conducted by the Registrar
2. The mode of election will be the same as for the CCC/UUCC.
3. In subsequent years the election/nomination to the CPCC will be conducted by the Chairperson and Member Secretary of the CPCC
4. In subsequent years the election of the Chairperson and the Member Secretary will be from amongst all the members of the committee (including those co-opted from outside).

(d) THE APEX COMPLAINTS COMMITTEE (ACC)**Section A : The First Committee: (Year One)**

1. Two teachers, two non-teaching staff, and three students will be elected respectively from an electoral college consisting of all the representatives from that category in all the CCC/UUCC/CPCC, subject to at least 50% women in each category.

2. The electoral college for each category shall consist of all the representative members who are elected/nominated to the CCC/UUCC/CPCC by the 31st of August. (This will not include the co-opted members).
3. Of the non-teaching staff, at least one each should be from the category of Group D.
4. Of the student representatives there should be at least one from each of the categories – Under Graduate, Post Graduate, and Researcher.
5. The process of election, conducted by the Chairperson of the WSDC (who is the Member Secretary of the ACC), should be completed by the 20th September.
6. Constitution of the Committee: The first meeting of the seven elected members and the VC's nominee from the Proctorial team should be called by the Member Secretary in the last week of September.

The nine members will nominate to the committee a woman teacher from the University who has demonstrated active concern on gender issues. In addition, they will prepare a panel of five persons (of whom at least three should be women) from outside the University, with known contribution to gender issues. From this panel the Vice-Chancellor should invite a woman to be the Chairperson of the Apex Committee, and one other person as a member of the committee. They should be nominated for a period of two years.

In addition, one person with known contribution to gender issues, shall be nominated to the Committee by the Vice Chancellor.

The entire process of Constitution of the ACC should be completed by the 15th of October each year.

Section B: Subsequent years

1. For teachers and non-teaching staff

- a) In the following year (II), the representative E1 who had polled the highest number of votes will continue and the other representative E2 will be replaced by a representative N1 nominated from the electoral college for that category by the entire existing committee subject to the conditions laid down in mode of election 2(d)(i) and 2(d)(ii) of Section-A.
- b) In the following year (III), the elected representative E1 will be replaced by an elected representatives E3 (subject to the conditions laid down in mode of election 2(d)(i) and 2(d)(ii) of Section-A.
- c) In the following year (IV), the nominated representative N1 will be replaced by a freshly nominated representative N2.

Thus elections will be held in alternate years, interspersed by nomination.

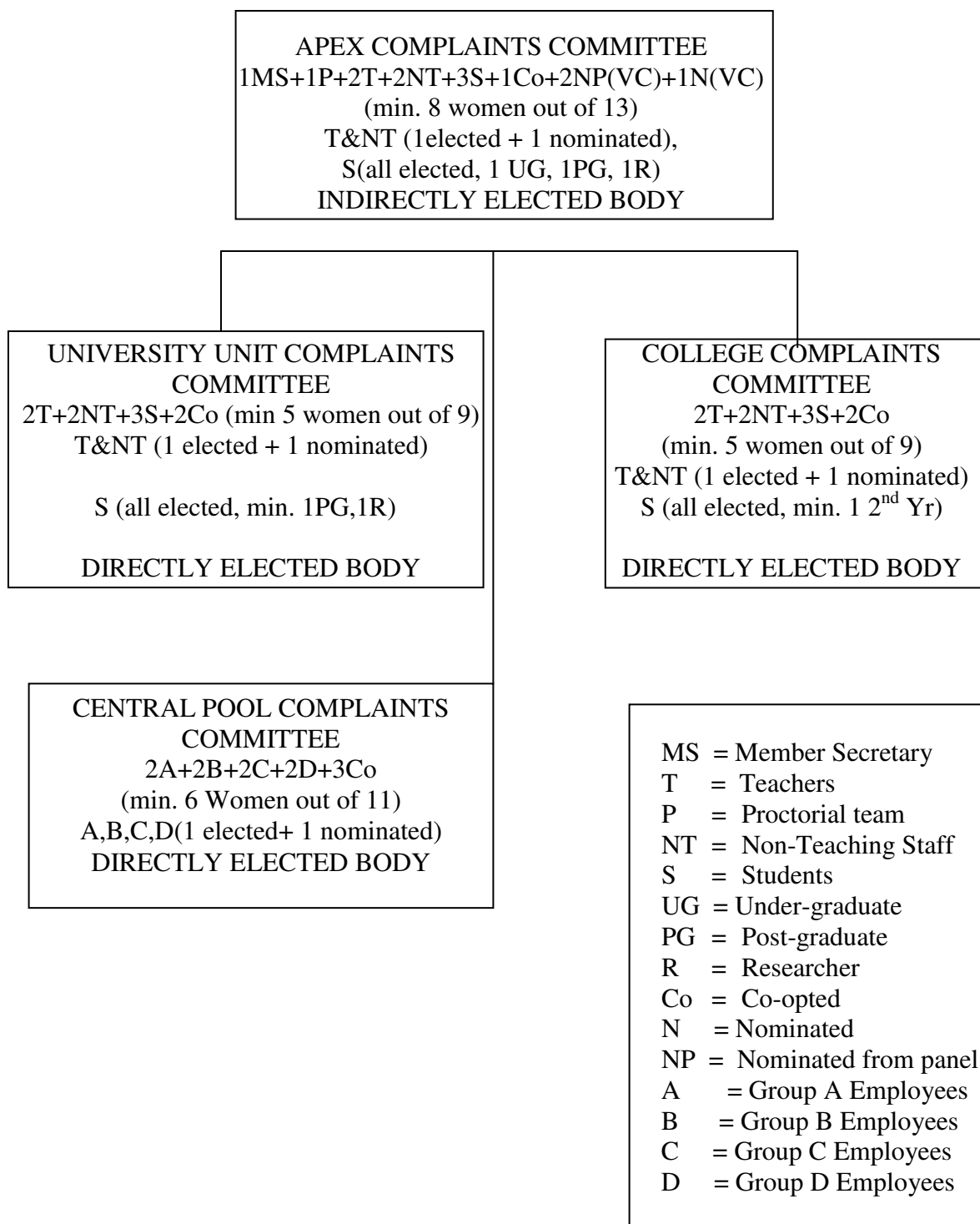
2. For Students

Elections will be held every year.

NOTE:

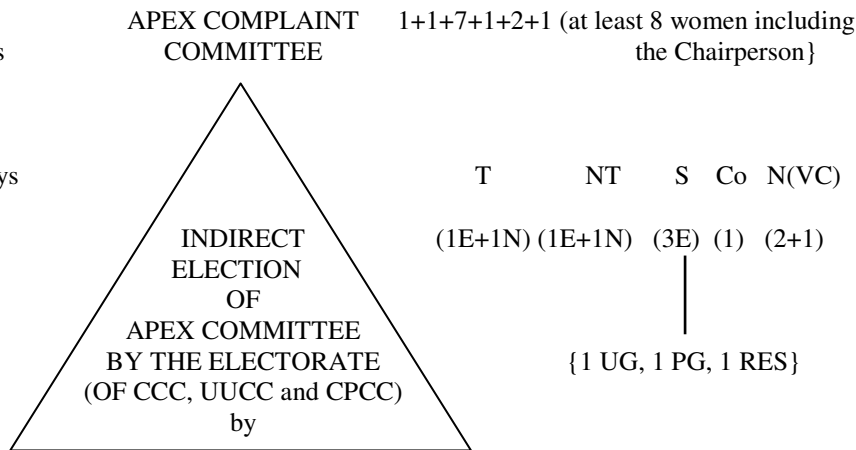
1. The membership of co-opted persons in CCC/UUCC/CPCC, can be renewed after every two years by mutual consent of the other committee members.
2. A casual vacancy in any category will, within ten days, be filled temporarily by nomination of a person from that category by the entire committee until a regular selection can be held. This arrangement should not ordinarily continue beyond a period of three months, but not beyond six months in any case.
3. No member of the Apex Committee should be simultaneously a member of CCC/UUCC/CPCC. The members elected/nominated from CCC/UUCC/CPCC to the ACC will cease to be members of the former. The vacancies so created in the CCC/UUCC/CPCC will be filled by nomination, of a person from the relevant category, by the entire existing committee until the position is filled by the regular method of selection in the next academic session.
4. If for an election to a CCC/UUCC/CPCC/ACC there are no candidates from a particular category then the existing committee shall nominate a person(s) from that category for that year.
5. If, in the case of membership to be decided on the basis of highest number of votes, both members had equal number of votes, or were elected unopposed, then the decision can be taken by drawing of lots in the Committee.
6. A member of the University, who has previously been convicted for sexual harassment shall not be eligible for membership of any of the complaints committees.
7. Only regular students of the University shall be eligible to stand for election, vote or be nominated to the committee although the current ex-students shall have the right to approach the committee in case of any complaint.
8. Only permanent employees (teachers or non-teaching staff) shall be eligible to stand for elections or to be nominated to the Committees, although temporary/ad-hoc or contractual employees shall have the right to vote.

General- As soon as the complaint is received, the same shall be sent to the committee within three days and the committee should initiate the process of inquiry within a week of the date of receipt of the complaint by the committee. The report of the Committee shall be placed before the Governing Body in the case of Colleges, or the Executive Council in all other cases.

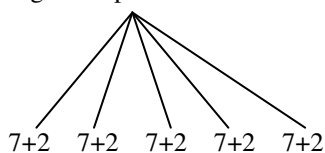
STRUCTURE OF COMPLAINTS COMMITTEES/CENTRE

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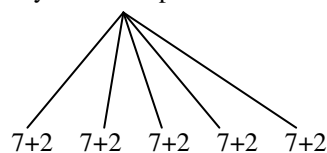
- At least half the number of members of each committee shall be women
- Chairperson shall always be a woman



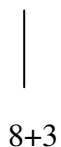
College Complaint Committees



University Unit Complaint Committees



Central Pool Complaints Committee



W	-	Women
T	-	Teachers
NT	-	Non-teaching
S	-	Students
E	-	Elected
N	-	Nominated
Co	-	Co-opted
RES	-	Researcher
PG	-	Post-Graduate
UG	-	Under-Graduate

POWER AND DUTIES OF ACC / UUCC / CPCC/CCC**➤ Preventive**

1. To create and ensure a safe environment that is free of sexual harassment.
2. To create an atmosphere promoting equality and gender justice.
3. To publicise the policy in Hindi and English widely, especially through prospectuses, notice boards etc.
4. To publicise in English and in Hindi the names and phone numbers of members of the committees.
5. To plan and carry out programmes for gender sensitisation with the assistance of the Gender Sensitising Committees and the WDCs (wherever they exist).

➤ Remedial

1. The mechanism for registering complaints should be safe, accessible and sensitive.
2. To take cognisance of complaints about sexual harassment, conduct enquiries, provide assistance and redressal to the victims, recommend penalties and take action against the harasser, if necessary.
3. To recommend to the concerned authorities follow-up action and monitor the same.
4. To advise the disciplinary authority concerned to issue warnings or take the help of the law to stop the harasser, if the complainant consents.
5. To seek medical, police and legal intervention with the consent of the complainant.
6. To make arrangements for appropriate psychological, emotional and physical support (in the form of counselling, security and other assistance) to the victim if s/he so desires.

PROCEDURE TO BE FOLLOWED

Procedure for Registering Complaints

1. All complaints must be brought by the complainant in person. The exception for this will be in cases of forced confinement of the person. In such a case, brought by another person on behalf of the complainant, the committee will examine whether an investigation, intervention or some other assistance is needed.
2. If the complainant wishes s/he can be accompanied by a representative.
3. Employees not covered by UUCC, CCC and CPCC can approach the ACC directly.
4. The Vice-Chancellor can refer any complaint to any of the Committees including the Apex Committee.
5. A complainant can go directly to the Apex Committee. However, in such cases, which should be exceptional, the complainant should give reasons for doing so. In such a case, it is open to the ACC to refer the complaint back to the appropriate CCC/UUCC/CPCC.

Enquiry Procedures

1. All complaints made to any committee member must be received and recorded by the member, who shall then inform the Chairperson about the complaint, who in turn shall call a meeting of the committee.
2. All meetings of the committee will be called by the Member Secretary in consultation with the Chairperson and a notice of at least 3 to 5 working days must be given.
3. The committee is bound to maintain confidentiality during the time of the enquiry (in order not to prejudice the proceedings).
4. After the report has been finalised, confidentiality should be maintained, if the complainant so desires, by withholding the complainant's name and other particulars that would identify her. (Revealing the identity either in exceptional cases such as stalking may put the complainant at greater risk or as a result of social prejudices the complainant may face additional adverse effects as a result of public circulation of the finished report.)

5. During an enquiry the quorum for all committee meetings will be one-third of the total membership, and must include at least one member from the complainant's category as well as, one of the two members co-opted from outside.
6. The UUCC/CCC/CPCC/ACC will, within ten days of the receipt of a complaint, establish a prima facie case of sexual harassment on the basis of both the definition of sexual harassment as given in this policy, and the jurisdiction of this policy. Reasons for not pursuing a complaint must be recorded in the minutes and made available to the complainant in writing.
7. In case of a complaint filed by another person on behalf of the complainant (where the complainant is in confinement) the complaint will be investigated in order to explore whether a prima facie case of sexual harassment exists and whether intervention or some other assistance is required.
8. In case a prima facie case is established the UUCC/CCC/CPCC/ACC shall set up an enquiry committee of 3-5 members, with at least one member of the complainant's category, as well as a member from outside the University.
9. The sub-committee must inform the accused in writing about the charges made against him/her and s/he should be given a period of five days from the date of receipt of the notification to respond to the charges.
10. During the enquiry procedure, the complainant and the accused will be called separately so as to ensure freedom of expression and an atmosphere free of intimidation. The complainant will be allowed to be accompanied by one representative during the enquiry.
11. The sub-committee must submit its report to the larger committee not later than 15 working days. The larger committee will discuss the report and make recommendations for punitive action if required.
12. The entire process of enquiry should be completed within one month.
13. The complainant or the accused may appeal to the Apex Committee if they are dissatisfied with the decision of the CCU/UUCC/CPCC.

NOTE:

1. A complainant has the right to go public if s/he so desires. Going public before giving in the complaint to the committee by the complainant should not prejudice the committee members. Once a complaint has been given to the committee, the complainant should preferably not go public till the enquiry is completed unless required.
2. Filing of a grievance/complaint shall not adversely affect the complainant's status/job, salary/promotion, grades etc.
3. The UUCC/CCC/CPCC/ACC should make efforts to ensure that the complainants and the witnesses are not further victimised or discriminated against while it is dealing with the complaint. The committee shall take action against anyone who intimidates the complainant or members of the committee, during or after the enquiry.
4. Any committee member charged with sexual harassment in a written complaint must step down as member during the enquiry into that complaint.
5. Each UUCC/CCC/CPCC/ACC should form a small crisis intervention group comprising a group of committee members who should be readily accessible. At least 75 percent of the crisis intervention group should be women. The telephone numbers of members should be widely publicised. The committee should have names and easy access to groups and/or individuals who can assist by providing legal, medical and/or psychological help.

Redressal

1. UUCC/CCC/CPCC/ACC can ask the College/University to suspend the alleged harasser from an administrative post/classes if his/her presence is likely to interfere with the enquiry.
2. The victim of sexual harassment as per the Supreme Court judgment, will have the option to seek transfer of the perpetrator or their own transfer where applicable.
3. The Head of the institution upon receipt of the enquiry report, shall refer the same to the Governing Body/ Executive Council (EC) and institute disciplinary action on the basis of the recommendations of the Complaint Committee under relevant service rules.
4. The disciplinary action will be commensurate with the nature of the violation.

A. In the case of University/College employees, disciplinary action could be in the form of:

- i. Warning
- ii. Written apology
- iii. Bond of good behaviour
- iv. Adverse remarks in the Confidential Report
- v. Debarring from supervisory duties
- vi. Denial of membership of statutory bodies
- vii. Denial of re-employment
- viii. Stopping of increments/promotion
- ix. Reverting, demotion
- x. Suspension
- xi. Dismissal
- xii. Any other relevant mechanism.

B. In case of students, disciplinary action could be in the form of:

- i. Warning
- ii. Written apology
- iii. Bond of good behaviour
- iv. Debarring entry into a hostel/ campus
- v. Suspension for a specific period of time
- vi. Withholding results
- vii. Debarring from exams
- viii. Debarring from contesting elections
- ix. Debarring from holding posts such as member of Committee of Courses, membership of college union, etc.
- ix. Expulsion
- x. Denial of admission
- xi. Declaring the harasser as "persona non grata" for a stipulated period of time
- xi. Any other relevant mechanism.

(NOTE: The reasons for the action have to be provided in writing. Action will be taken against person(s) who try to pressurise the complainant in any way).

C. In the case of third party harassment/outsider harassment, the University/College authorities shall initiate action by making a complaint with the appropriate authority.

5. Enhancement of disciplinary action, by the committee, could depend on factors such as the nature and extent of injury caused to the complainant, the impact of the violation on the institutions as a whole, the position of the harasser in the power hierarchy, repetition of offence etc.
6. Non-adversarial modes of redressal and resolution could also be considered in appropriate cases. Examples of this may be verbal warning, verbal apology, promise of good behaviour etc.

