



SANT BABA BHAG SINGH UNIVERSITY

WOMEN GRIEVANCE REDRESSAL CELL

UGC Ref. No. F. 91-1/2013(TFGS).—In exercise of the powers conferred by clause (g) of sub- section (1) of section 26 of the University Grants Commission Act, 1956 (3 of 1956), read with sub-section (1) of Section 20 of the said Act, the University Grants Commission hereby makes the following regulations,namely:-

1. Short title, application and commencement.—

These regulations may be called SBBSU University's Women Grievance Redressal Cell (Prevention, prohibition and redressal of sexual harassment of women employees and students in higher educational institutions) Regulations,2015.

- (1) They shall apply to all higher educational institutions in India.
- (2) They shall come into force on the date of their issuance thereof.

2. Definitions.—In these regulations, unless the context otherwise requires,-

- (a) "aggrieved woman" means in relation to work place, a woman of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent;
- (b) "Act" means the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013);
- (c) "campus" means the location or the land on which a Higher Educational Institution and its related institutional facilities like libraries, laboratories, lecture halls, residences, halls, toilets, student centres, hostels, dining halls, stadiums, parking areas, parks-like settings and other amenities like health centres, canteens, Bank counters, etc., are situated and also includes extended campus and covers within its scope places visited as a student of the HEI including transportation provided for the purpose of commuting to and from the institution, the locations outside the institution on field trips, internships, study tours, excursions, short- term placements, places used for camps , cultural festivals, sports meets and such other activities where a person is participating in the capacity of an employee or a student of the HEI;
- (d) "Commission" means the University Grants Commission established under section 4 of the University Grants Commission Act, 1956 (3



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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) “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;
- (h) “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 litigation;
- (i) “sexual harassment” means-

Any form of verbal or physical behaviour which is unsolicited and unwelcome and interferes with an individual’s work performance by creating an intimidating/insecure working environment. Unwelcome sexually determined behaviour (whether directly or by implication) in any form, such as:

- a) Physical contacts and advances;
- b) A demand or a request for sexual favours;
- c) Sexually coloured remarks;
- d) Showing pornography;
- e) Any other unwelcome physical, verbal/non-verbal conduct of sexual nature.

2. Where any of these acts is committed in circumstances where the Complainant has a reasonable apprehension that in relation to the Complainant’s employment or work whether drawing salary, or honorarium or voluntary, whether in public or private enterprise such conducts can be humiliating and may constitute a health and safety problem. This list is illustrative and not exhaustive and applicable



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irrespective of gender.

Any other unwelcome physical, verbal or non-verbal conduct of sexual nature and it shall include:

- When submission to unwelcome sexual advances, request for sexual favours and verbal or physical conduct of a sexual nature are made, either explicitly or implicitly, as a term or condition for instruction, employment, participation or evaluation of a person's engagement in any university activity.
- When unwelcome sexual advances and verbal, non-verbal or physical conduct such as loaded comments, remarks or jokes, letters, phone calls or e-mails, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds or display of a derogatory nature have the purpose or the effect of interfering with an individual's performance or of creating an intimidating, hostile or offensive university environment.
- Where any form of sexual assault is committed where a person uses 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 that person's will, and
- When any such conduct as defined in (i) and (ii) above is committed by a third party or outsider in relation to a member of the University's community or vice versa.

(j) "student" means a person duly admitted and pursuing a programme of study either through regular mode or distance mode, including short-term training programmes in a HEI;

(k) "third Party Harassment" refers to a situation where sexual harassment occurs as a result of an act or omission by any third party or outsider, who is not an employee or a student of the HEI, but visits to the HEI in some other capacity or for some other purpose or reason;

(l) "victimisation" means any unfavourable treatment meted out to a person with an implicit or explicit intention to obtain sexual favour;

(m) "workplace" means the campus of a HEI including-

- Any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the appropriate HEIs;
- Any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereof in HEIs;
- Any place visited by the employee or student arising out of or during the course of employment or study including



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transportation provided by the Executive Authority for undertaking such journey for study in HEIs.'

3. Objectives of the University Women Grievance Redressal Cell

- (1) To provide appropriate working conditions in respect of work, leisure, health and hygiene to further ensure that there is no hostile environment towards women at work places and that no women employee has reasonable grounds to believe that she is disadvantaged in connection with her employment.
- (2) To prevent sexual harassment and to promote the general well-being of female students, teaching and non-teaching women staff of the University.
- (3) To provide guidelines for the redressal of grievances related to sexual harassment of female students, teaching and non-teaching women staff of the University.

4. Duties of the University

- (1) In case of sexual harassment in any of the premises of the University, active assistance shall be provided to the complainant by the University to pursue the complaint and the safety of the complainant shall also be ensured.
- (2) The University shall provide all the necessary assistance for the purpose of ensuring full, effective and speedy implementation of these Directions.

5. Extent And Applications Of The Directions

- a) These Directions extend and apply to all the students and employees of the campus, off-campus, schools, departments and faculties of the SBBSU University. These Directions also extend and apply to all the offices and authorities of the SBBSU University.
- b) These Directions will apply to all cases and/or complaints or allegations of sexual harassment :
 - (i) By a student against a co-student, an employee;
 - (ii) By an employee against a student, another employee;
 - (iii) By a member of the management against a student or an employee
- c) These Directions will also apply in respect of all cases and/or allegations of sexual harassment :
 - a. By a student, employee or member of the management against a third party or an outsider;
 - b. By a third party or an outsider against a student, employee.

6. NATURE OF COMPLAINT-

Woman Grievance Redressal Cell facilitates the resolution of grievances in a fair and impartial manner, maintaining necessary confidentiality, as the case may be.



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- The Woman Grievances may include the following complaints of the aggrieved students.

- i. Anti-Ragging
- ii. Woman Harassment (Sexual Harassment)
- iii. Hostel
- iv. Others

7. Penalties And Punishment For Sexual Harassment

The Cell may recommend the following penalties on a person found guilty of sexual harassment :

- a) An employee found guilty of sexual harassment shall be liable to receive the following penalties:

- **Minor Penalties:**

- (i) Warning, Reprimand or Censure
- (ii) Fine
- (iii) Withholding of increments or promotion
- (iv) Reduction to a post in the lower pay□scale or to a lower stage of increment in his own pay□scale

- **Major Penalties**

- (i) Compulsory retirement
- (ii) Termination of service
- (iii) Removal/dismissal from service

- b) A student found guilty of sexual harassment shall be liable to receive the following penalties:

- **Minor Penalties:**

- (i) Warning
- (ii) Written Apology
- (iii) Bond of good behaviour
- (iv) Debarring entry into a hostel/campus/off□campus
- (v) Suspension for a specified period of time
- (vi) Withholding results.

- **Major Penalties**

- (i) Debarring from examinations for a specified period of time
- (ii) Expulsion from university

The University shall decide whether the person against whom a complaint of sexual harassment is made should be placed under suspension. An employee placed under suspension shall be entitled to subsistence allowance at the rates as applicable under the rules of discipline.



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The University may direct that the person against whom a complaint of sexual harassment is made, be prohibited from entering the premises of the University during the pendency of the matter before the Committee.

8. Steps involved in forwarding complaint:

In the event any Complaint is received, the following procedure shall be followed by the Women Grievance Redressal Committee:

- a) An enquiry is initiated through the members of Committee, as the case may be as advised by the Coordinator at the earliest after receiving the Complaint in writing /email.
- b) The enquiry seeking detailed information / explanation/ reasoning will be conducted with the Complainant as well as Respondent independently by the Woman Harassment Committee without the presence of opposite party person.
- c) On submission of report the Committee shall consider the report at the earliest and, on being satisfied for the need, may order full enquiry into the Complaint.
- d) It is important to mention herein that the Committee on receipt of any Complaint from the Complainant should upfront seek his / her expectation from the Committee with regard to Complaint and the Committee should also brief the Complainant about the option of conciliation available to him / her with the Respondent, if so desired by the Complainant. However, once the enquiry is initiated the option of conciliation ceases to exist.
- e) The Committee will study the findings and shall then proceed to deal with the Complaint in accordance with the Policy and the Act and redress the Complaint within ninety (90) days from the date of receipt of the Complaint and accordingly submit its detailed finding and advise in connection with the Complaint to the respective Employer, as the case may be.
- f) However, the Sexual Harassment Committee may close the enquiry and / or is not required to initiate same in the event the Complainant fails to appear before the Committee and / or fails to revert to the query(s) raised by the Sexual Harassment Committee for three consecutive events. The Sexual Harassment Committee shall record the reasons for closure of the Complaint accordingly. Further, in the event the Respondent deliberately avoids his / her appearance before the Committee, the employer or any person so appointed by the employer should direct / instruct the Respondent to appear before the Committee and take appropriate action.



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- g) Thereafter, the Committee will present the decision including handover of all the collected material i.e. the duly signed statement of the Complainant, Respondent, witnesses, involved parties and material objects if any.
- h) The final decision must be communicated to the Complainant and the Respondent so as to meet the satisfaction of the complainant.
- i) The enquiry Committee / Member/s of the Committee should be prepared to deal with the Complainant's embarrassment and anger by patiently, but firmly, explaining the detail and documentation that are needed for an accurate enquiry.
- j) The Complainant should report any further incidents of harassment or retaliation during the continuance of enquiry.
- k) Witnesses should not be told anything about the details of the Complaint in order to maintain confidentiality under the Policy.

The Women Grievance Redressal Committee consists of the following members:

Dr. Nisha Sharma (Coordinator, Physical Science, UISH)- CONVENER *Nisha Sharma*
Dr. Vijay Dhir (Dean, UIET) *Vijay Dhir*
Dr. Aneet Kumar (Dean, UIE) *Aneet Kumar*
Dr. Seema Rani (Dean UIL, UICM & UICA) *Seema Rani*
Dr. Shweta Singh (Coordinator, Life Science, UISH) *Shweta Singh*
Dr. Ratnesh Kumari (Agriculture, UISH)

National Woman Helpline No. 1091

Appointment of Ombudsman for Woman Grievance Redressal

(To be appointed by the university)

1. If the aggrieved student/ staff is not satisfied with the decision of the Grievance Redressal committee of the institute, he/she may appeal to the ombudsman by registering grievance with, Deputy Registrar of the university.
2. The ombudsman will follow the same procedure at outline above for the grievance redressal committee to hear and dispose the complaint.
 - In case of any false or frivolous complaint the redressal committee/ the ombudsman may order appropriate action against the complaint. All grievance issue related to student and staff should be forward to Registrar, Sant Baba Bhag Singh University.



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The Committee shall meet quarterly in a year but the chairperson may direct additional meetings to be held as and when required.

The Minutes of Meeting shall be submitted in the Registrar Office on regular basis.

Dr. Vijay Dhir
Director of R & D
SBBSU

Dr. Indu Sharma
Dean Academic
SBBSU