

Mahatma Education Society's
PILLAI COLLEGE OF ARCHITECTURE

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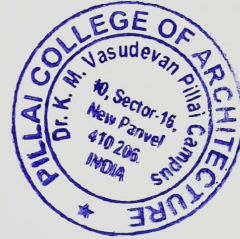
INDEX

5.1.4. Constitution of Committees along with UGC Guidelines

Sr. No.	Document	Page No.
1	Students Grievance Redressal Committee	2
2	Internal Complaints Committee	17
3	Anti Ragging Committee & Anti Ragging Squad	36
5	Women's Development Cell	49
6	Committee for Prevention of Atrocities to SC,ST	61

Dr. Sudhya Mahimkar
Principal

PRINCIPAL
PILLAI COLLEGE OF ARCHITECTURE
Dr. K. M. Vasudevan Pillai Campus,
10, Sector-16, New Panvel-410 206





Ref No : MES/PiCA/

Date : 5/9/2022

CONSTITUTION OF STUDENTS GRIEVANCE REDRESSAL COMMITTEE

Student's grievance redressal committee is to handle the grievances from various stakeholders such as students, faculty, parents and others. The committee will pay special attention to women's issues and other student's issues.

It is to provide an avenue for the aggrieved students to redress their individual grievances.

To promote healthy atmosphere among students, staff and management.

List of Committee members is as follows:

	Name	Des.	Position	Ph. No.	E mail
1.	Prof. Shubhangi Bhide	Faculty	Chairperson	9987087168	sbhide@mes.ac.in
2.	Prof. Sasmit Acharekar	Faculty	Member	9819573108	sasmita@mes.ac.in
3.	Prof. Ajita Deodhar	Faculty	Member	9819168033	ajitadeodhar@mes.ac.in
4.	Prof. Rupali Vaidya	Faculty	Member	9819948979	rupalivaidya@mes.ac.in
5.	Prof. Jinu Kurian	Faculty	Member	9833947673	jkurien@mes.ac.in
6.	Prof. Snehal Ghag	Faculty	Member	9969654286	snehalghag@mes.ac.in
7.	Prof. Biji Jaikumar	Librarian	Member	9702797570	bijikumar@mes.ac.in
8.	Prof. Radhika Sathe	Admin.	Member	9920409079	radhikasathe@mes.ac.in
9.	Prof. Anaswara Suthan	Student	Member	9137461190	Sanaswara20barch@student.mes.ac.in
10.	Prof. Virginia Fernandence	Off. Secretary	Member	9757078221	vfernandes@mes.ac.in

Prof. (Dr) Sudnya Mahimkar
Principal

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Prof. Shubhangi Bhide
Chairperson



ज्ञान-विज्ञान विमुक्तये

प्रो. रजनीश 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)

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F.No. 14-4/2012(CPP-II)

7th December, 2018

PUBLIC NOTICE

ON

UGC (GRIEVANCE REDRESSAL) REGULATIONS, 2018

UGC had notified UGC (Grievance Redressal) Regulations, 2012 in official Gazette of India on **23rd March, 2013**. These regulations were aimed at addressing and effectively resolving grievances of students related to Higher Educational Institutions.

The UGC had received a number of responses on these regulations and hence constituted an Expert Committee to revisit UGC (Grievance Redressal) Regulations, 2012. The draft University Grants Commission (Grievance Redressal of Students) Regulations, 2018 prepared by the Committee is attached herewith for observations and suggestions of stakeholders. The feedback and comments on the above draft may be sent to UGC via email grmhei.2018@gmail.com on or before **31st December, 2018**.

(Prof. Rajnish Jain)

**UNIVERSITY GRANTS COMMISSION
BAHADUR SHAH ZAFAR MARG
NEW DELHI – 110 002**

NOTIFICATION

F.No.14-4/2012 (CPP-II)

New Delhi, the __ October, 2018

In exercise of the power conferred under clause (g) of sub-section (1) of Section 26 of the University Grants Commission Act, 1956 (3 of 1956), and in supersession of the University Grants Commission (Grievance Redressal) Regulations, 2012, the University Grants Commission hereby makes the following regulations:

1. SHORT TITLE, APPLICATION AND COMMENCEMENT:

- a) These regulations shall be called as the University Grants Commission (Grievance Redressal of Students) Regulations, 2018.
- b) They shall apply to all HEIs, whether established or incorporated by or under a Central Act or a State Act, and every institution recognised by the University Grants Commission under clause (f) of Section 2 of the University Grants Commission Act, 1956 and to all institutions deemed to be a university declared as such under Section 3 of the said Act.
- c) They shall come into force from the date of their publication in the Official Gazette.

2. DEFINITION: IN THESE REGULATIONS, UNLESS THE CONTEXT OTHERWISE REQUIRES:

- (a) "Act" means the University Grants Commission Act, 1956 (3 of 1956);
- (b) "aggrieved student" means a student who has any complaint in the matters concerned with the grievances defined under these regulations, and includes a person seeking admission to any institution of higher education;
- (c) "college" means any institution, whether known as such or by any other name, which provides for a course of study for obtaining any

qualification from a university and which, in accordance with the rules and regulations of such university, is recognised as competent to provide for such course of study and present students undergoing such course of study for the examination for the award of such qualification;

(d) "Commission" means the University Grants Commission established under section 4 of the UGC Act, 1956.

(e) "declared admission policy" means such policy for admission to a course or program of study as may be offered by the institution and published in the prospectus referred to in sub-regulation (1) of regulation 3;

(f) "grievances" include the following complaints of the aggrieved students, namely:

- i. making admission contrary to merit determined in accordance with the declared admission policy of the institution;
- ii. irregularity in the admission process adopted by the institution;
- iii. refusing admission in accordance with the declared admission policy of the institution;
- iv. non publication of prospectus, (either hard copy / online) as specified in these regulations;
- v. publishing any information in the prospectus, which is false or misleading, and not based on facts;
- vi. withhold or refuse to return any document in the form of certificates of degree, diploma or any other award or other document deposited with it by a students for the purpose of seeking admission in such institution, with a view to induce or compel such student to pay any fee or fees in respect of any course or program of study which such student does not intend to pursue;
- vii. demand of money in excess of that specified in the declared admission policy to be charged by such institution;

- viii. breach in reservation policy in admission as may be applicable;
 - ix. nonpayment or delay in payment of scholarships to any student that such institution is committed, under the conditions imposed by University Grants Commission, or by any other authority;
 - x. delay in conduct of examinations or declaration of results beyond the specified schedule in the academic calendar;
 - xi. on provision of student amenities as may have been promised or required to be provided by the institution;
 - xii. non transparent or unfair evaluation practices;
 - xiii. Refund of fees, in case a student withdraws the admission within the stipulated time as mentioned in the prospectus, as notified by the Commission from time to time.
- (g) "Department Grievance Redressal Committee" means a committee constituted under these regulations, at the level of a Department.
- (h) "Institutional Grievance Redressal Committee" means a committee constituted under these regulations, at the level of an Institution.
- (i) "College Grievance Redressal Committee" means a committee constituted under these regulations, at the level of a college.
- (j) "University Grievance Redressal Committee" means a committee constituted under these regulations, at the level of a University.
- (k) "Higher Educational Institution" means a University within the meaning of clause (f) 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 declared under Section 3, of the University Grants Commission Act, 1956;
- (l) "Institution" for the purposes of these regulations, means any university, college or such other institutions, as the case may be;
- (m) "Office of profit" means an office which is capable of yielding a profit or pecuniary gain, and to which some pay, salary, emolument, remuneration or non-compensatory allowance is attached;

(n) "Ombudsperson" means the Ombudsperson appointed under these regulations;

(o) "University" means a university established or incorporated by or under a Central Act or a State Act and includes an institution deemed to be university declared as such under Section 3 of the Act.

3. MANDATORY PUBLICATION OF PROSPECTUS, ITS CONTENTS AND PRICING:

i. Every higher educational institution, shall publish and/or upload on its website, before expiry of at least sixty days prior to the date of the commencement of the admission to any of its courses or programs of study, a prospectus containing the following for the information of persons intending to seek admission to such institution and the general public, namely:

(a) the list of programs of study and courses offered along with the broad outlines of the syllabus specified by the appropriate statutory authority or by the institution, as the case may be, for every course or program of study, including teaching hours, practical sessions and other assignments;

(b) the number of seats approved by the appropriate statutory authority in respect of each course or program of study for the academic year for which admission is proposed to be made;

(c) the conditions of educational qualifications and eligibility including the minimum and maximum age limit of persons for admission as a student in a particular course or program of study, specified by the institution;

(d) the process of selection of eligible candidates applying for such admission, including all relevant information in regard to the details of test or examination for selecting such candidates for admission to each course or program of study and the amount of fee prescribed for the admission test;

- (e) each component of the fee, deposits and other charges payable by the students admitted to such institution for pursuing a course or program of study, and the other terms and conditions of such payment;
- (f) rules / regulations for imposition and collection of any fines specified heads or categories, minimum and maximum fine may be imposed.
- (g) the percentage of tuition fee and other charges refundable to a student admitted in such institution in case such student withdraws from such institution before or after completion of course or program of study and the time within and the manner in which such refund shall be made to that student;
- (h) details of the teaching faculty, including their educational qualifications, alongwith the category they belong to Regular / visiting ---- and teaching experience of every member of its teaching faculty.
- (i) information with regard to physical and academic infrastructure and other facilities including hostel accommodation and its fee, library, hospital or industry wherein the practical training to be imparted to the students and in particular the facilities accessible by students on being admitted to the institution;
- (j) all relevant instructions in regard to maintaining the discipline by students within or outside the campus of the institution.
- (k) any other information as may be specified by the Commission:

Provided that an institution shall publish / upload information referred to in items (a) to (k) of this regulation, on its website, and the attention of prospective students and the general public shall be drawn to such publication on the website through advertisements displayed prominently in different newspapers and through other media:

- ii. Every institution shall fix the price of each printed copy of the prospectus, being not more than the reasonable cost of its

publication and distribution and no profit be made out of the publication, distribution or sale of prospectus.

4. GRIEVANCE REDRESSAL COMMITTEES (GRC):

A. Department Grievance Redressal Committee (DGRC)

- (i) In case of universities, all complaints relating to a department shall first be addressed to Department Grievance Redressal Committee (DGRC) to be constituted at the level of departments/school/center whose composition shall be as follows:
 - a) Head of the Department / School / Center – Chairperson
 - b) a Professor from outside the department / school / center to be nominated by the Head of HEI – Member
 - c) A faculty member well-versed with grievance redressal mechanism to be nominated by the Head of the Department – Member.
- (ii) The Chairperson and members of the committee shall have a term of two years.
- (iii) The quorum for the meeting shall be two, including Chairperson.
- (iv) The DGRC shall follow the principles of natural justice while deciding the grievances of the students.
- (v) The DGRC shall make efforts to resolve the grievance within the stipulated period and shall submit its report to the Head of the Institution within a period of 15 days from the date of receipt of complaint to the DGRC.
- (vi) The DGRC shall provide a copy of the report to the aggrieved person(s).

B. Institutional Grievance Redressal Committee (IGRC)

- (i) The complaints not related to departments/schools / center and the grievances not resolved at the DGRC shall be referred to the Institutional Grievance Redressal Committee (IGRC) to be constituted by Head of the HEI, whose composition shall be as follows:
 - (a) Pro-Vice Chancellor / Dean/ Senior academician of HEI – Chairperson.
 - (b) Dean of students/Dean, Students Welfare
 - (c) Two senior academicians other than Chairperson.
 - (d) Proctor / Senior academician
- (ii) The above Committee shall be approved by the statutory body of institution (Executive Council or its equivalent).
- (iii) The Chairperson of IGRC and DGRC shall not be the same. The tenure of the Committee members shall be two years.
- (iv) The quorum for the meetings shall be three, including Chairperson.
- (v) The IGRC shall consider the recommendation of DGRC while giving its recommendations. However, the IGRC shall have the power to review recommendations of the DGRC.
- (vi) The IGRC shall follow the principles of natural justice while deciding the grievances.
- (vii) The IGRC shall send the report and the recommendations to the Head of the HEI within in a period of 15 workings days from the date of receipt of grievance, or appeal or recommendations of the DGRC.
- (viii) The IGRC shall provide a copy of the report to the aggrieved person(s).

C. College Grievance Redressal Committee (CGRC)

- (i) In case of colleges, all complaints shall first be addressed to College Grievance Redressal Committee (CGRC) whose composition shall be as follows:
 - a) Principal of the college -Chairperson
 - b) Two senior faculty members nominated by the principal of the College.
- (ii) The tenure of the members shall be two years.
- (iii) The quorum for the meeting shall be two, including Chairperson.
- (iv) The CGRC shall follow the principles of natural justice while considering the grievances of the students.
- (v) The CGRC shall send the report and recommendations to the Vice-Chancellor of the affiliating university within a period of 15 days of receiving the complaint.

D. University Grievance Redressal Committee (UGRC)

- (i) In case of grievances not resolved by CGRC, it shall be referred to University Grievance Redressal Committee (UGRC) for which the Vice-chancellor of the affiliating university shall constitute a University Grievance Redressal Committee (UGRC) consisting of five members for a individual colleges or a group of colleges keeping in view the location of the college(s). The UGRC shall be constituted by the Vice-chancellor of the affiliating university consisting of :
 - a) A senior Professor of the university – Chairperson
 - b) Dean, Student Welfare or its equivalent - Member
 - c) Three Principals drawn from the affiliating colleges, on rotation basis to be nominated by the Vice-Chancellor – Members
- (ii) The Chairperson and members of the committee shall have a term of two years.
- (iii) The quorum for the meeting shall be two, including Chairperson.

(iv) The CGRC shall follow the principle of normal justice while deciding the grievance of the students.

(v) The CGRC shall send the report and the recommendations to the principal of the college within a period of 15 days of receiving the complaint.

E. Any person aggrieved by the decision of the Institutional Grievance Redressal Committee or University Grievance Redressal Committee may within in a period of six days prefer an appeal to the Ombudsperson.

5. APPOINTMENT, TENURE, REMOVAL AND CONDITIONS OF SERVICES OF OMBUDSPERSON:

(i) Each HEI shall appoint an Ombudsperson for redressal of grievances of students under these regulations.

(ii) The Ombudsperson shall be a person not related to the university and who is a retired Vice-Chancellor, Registrar or a faculty member who has at least ten years of experience as a Professor.

(iii) The Ombudsperson shall not be in any conflict of interest with the university, either before or after his appointment.

(iv) The Ombudsperson, or any member of his immediate family shall not -

(a) hold or have held at any point in the past, any post or, employment in any office of profit in the university;

(b) have any significant relationship, including personal, family, professional or financial, with the university;

(c) hold any position in university by whatever name called, in the administration or governance structure of the university.

(v) The Ombudsperson in a State University shall be appointed by the Executive council of the university on part-time basis from a panel of three names recommended by the search committee consisting of the following members, namely:-

- (a) Nominee of the Governor of the State or his nominee - Chairperson
 - (b) Vice-Chancellor of a University of State to be nominated by the State Government – Member
 - (c) Vice-Chancellor of the concerned State University – Member
 - (d) Registrar of the concerned State University – Secretary (non-voting)
- (vi) The Ombudsperson in a Central University and institution deemed to be university shall be appointed by the Executive Council of the Central University or the equivalent statutory body of the Deemed to be University, as the case may be, on part - time basis from a panel of three member recommended by the search committee consisting of the following members, namely:-
- (a) Nominee of University Grants Commission – Chairperson
 - (b) One Vice Chancellor from Central University to be nominated by UGC (for Central Universities) – Member

OR

- One Vice Chancellor from institution deemed to be university to be nominated by the UGC (for Deemed to be Universities) - Member
- (c) The Vice Chancellor of the university – Member
 - (d) The Registrar of the university – Secretary (Non-Voting)
- (vii) The Ombudsperson shall be a part time officer appointed for a period of three years from the date he/she assumes the office and may be reappointed for another one term in the same university.
- (viii) The Ombudsperson shall be paid the sitting fee per day as per the norms of the university for hearing the cases, in addition to the reimbursement of the conveyance.

- (ix) The Ombudsperson may be removed on charges of proven misconduct or misbehavior or as defined under these regulations, by the concerned appointing authority i.e. the Executive Council of the University.

6. FUNCTIONS OF OMBUDSPERSON:

- (i) The Ombudsperson shall hear any appeal of an applicant for admission as student or student of the university against the university or institution affiliated to it as the case may be, after the student has availed all remedies available in such institution for redressal of grievance such as IGRC / UGRC;
- (ii) No application for revaluation or remarking of answer sheets shall be entertained by the Ombudsperson. However, the issues of malpractices in the examination and evaluation processes may be referred to the Ombudsperson.
- (iii) Ombudsperson may seek the assistance of any person as amicus curiae, for hearing complaints of alleged discrimination.
- (iv) The Ombudsperson shall make all efforts to resolve the grievances within a period of 30 days of receiving the appeal from the student(s).

7. PROCEDURE FOR REDRESSAL OF GRIEVANCES BY OMBUDSPERSON AND GRIEVANCE REDRESSAL COMMITTEE:

- (i) Each institution shall, within a period of three months from the date of issue of this notification, have an online portal where any aggrieved student of that institution may submit an application seeking grievance redressal.
- (ii) On receipt of any online complaint, the institution shall refer the complaint to the appropriate Grievance Redressal Committee, as the case may be, along with its comments within 15 days of receipt of complaint on online portal.
- (iii) The Grievance Redressal Committee, as the case may be, shall fix a date for hearing the complaint which shall be communicated to the institution and the aggrieved person.

- (iv) An aggrieved person may appear either in person or be represented by such person as may be authorized to present his/her case.
- (v) The Grievances not resolved at the appropriate Grievance Redressal Committee(s) shall be referred to the Ombudsperson.
- (vi) The institution shall co-operate with the Ombudsperson or the Grievance Redressal Committee(s), as the case may be, in redressal of grievances and failure to do so may be reported by the Ombudsperson to the Vice Chancellor.
- (vii) On the conclusion of proceedings, the Ombudsperson shall pass such order, with reasons for such order, as may be deemed fit to redress the grievance and provide such relief as may be desirable to the affected party at issue, after giving due hearing to both the parties.
- (viii) Every order under the signature of the Ombudsperson shall be provided to the aggrieved person and the institution and shall be placed on the website of the institution.
- (ix) The institution shall comply with the recommendations of the Ombudsperson. Any recommendations of the Ombudsperson not complied with by the institution shall be reported by the Ombudsperson to the Commission.
- (x) In case of any false or frivolous complaint, the Ombudsperson may recommend appropriate action against the complainant.

8. INFORMATION REGARDING OMBUDSPERSON GRIEVANCE REDRESSAL COMMITTEE:

The institution shall provide detailed information regarding provisions of Grievance Redressal Committee(s) and Ombudsperson on their website and in their prospectus prominently.

9. CONSEQUENCES OF NON-COMPLIANCE:

The Commission shall in respect of any institution which willfully contravenes these regulations or repeatedly fails to comply with the recommendation of the Ombudsperson or the Grievance Redressal

Committee(s), as the case may be, may proceed to take one or more of the following actions, namely:

- (a) withdrawal of declaration of fitness to receive grants under section 12B of the Act;
- (b) withholding any grant allocated to the Institution;
- (c) declaring the institution ineligible for consideration for any assistance under any of the general or special assistance programs of the Commission;
- (d) informing the general public, including potential candidates for admission, through a notice displayed prominently in suitable media and posted on the website of the Commission, declaring that the institution does not possess the minimum standards for redressal of grievances;
- (e) recommend to the affiliating university for withdrawal of affiliation, in case of a college;
- (f) The Commission may take necessary and appropriate action as it may deemed fit, in case of an institution deemed to be university;
- (g) recommend to the concerned State Government for necessary and appropriate action, in case of a university established or incorporated under a State Act;
- (h) The Commission may take necessary and appropriate actions against any institution for non-compliance.

Provided that no action shall be taken by the Commission under this regulation unless the institution has been given an opportunity to explain its position and an opportunity of being heard has been provided to it.

(Prof. Rajnish Jain)
Secretary



Ref No : MES/PiCA/

Date : 6/9/2022

INTERNAL COMPLAINTS COMMITTEE

The Internal Complaints Committee of Pillai College of Architecture, New Panvel has been constituted for Academic Year 2022-23 as per University of Mumbai, circular number CONCOL/24/OF2014-15 dated 12/11/2014 regarding the sexual harassment of women at the workplace (prevention, prohibition and redressal)

It will take preventive measures for curbing gender discrimination of any nature at workplace. Redressal of complaints filed within the scope of the laws without bias.

It will educate all the employees of the Institute about the same and its effects and laws against sexual harassment at workplace. If found so, a complaint can be filed with the Internal Complaints Committee (ICC).

Meeting would be once in a semester or/and on a need basis to address any complaint from students, teaching and non-teaching members and take necessary action.

List of committee members:

	Name	Des.	Position	Ph. No.	E mail
1.	Prof. Shubhangi Bhide	Faculty	Chairperson	9987087168	sbhide@mes.ac.in
2.	Mrs. Mamta Anil Patil	NGO, Eurdite Mission, Chembur, Mumbai.	Member	9870369700	mamtaanil@mes.ac.in
3.	Prof. Kavita Sawant	Faculty	Member	9972007940	kavita@mes.ac.in
4.	Prof. Smita Dalvi	Faculty	Member	9969664859	smitadalvi@mes.ac.in
5.	Prof. Vrinda Padhye	Faculty	Member	9820811619	vrindapadhye@mes.ac.in
6.	Prof. Aditya Gujarkar	Faculty	Member	8380883356	adityagujarkar@mes.ac.in
7.	Ms. Biji Jaykumar	Librarian	Member	9702797570	bijikumar@mes.ac.in
8.	Ms. Jayashree Gore	Assistant Librarian	Member	9321428696	kgore@mes.ac.in
9.	Ms. Anaswara Suthan	Student	Member	9137461190	Sanaswara20barch@student.mes.ac.in
10.	Ms. Virginia Fernandes	Office Secretary (Non-teaching staff)	Member	9757078221	vfernandes@mes.ac.in

Mamta Patil
06/09/2022

Prof. (Dr) Sudnya Mahimkar
Principal
PILLAI COLLEGE OF ARCHITECTURE
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10, Sector-16, New Panvel-410 206.

Sbhide
Prof. Shubhangi Bhide
Chairperson




भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग III—खण्ड 4

PART III—Section 4

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 171]

नई दिल्ली, सोमवार, मई 2, 2016/वैशाख 12, 1938

No. 171]

NEW DELHI, MONDAY, MAY 2, 2016/ VAISAKHA 12, 1938

मानव संसाधन विकास मंत्रालय

(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 जाएँगे।
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

संस्थान पर, अध्ययनों, अध्ययन भ्रमण, सैर-सपाटे के लिए, लघु-अवधि वाली नियुक्तियों के लिए, शिविरों के लिए उपयोग किए जा रहे स्थानों, सांस्कृतिक समारोहों, खेलकूद आयोजनों एवं ऐसी ही अन्य गतिविधियों जिनमें कोई व्यक्ति एक कर्मचारी अथवा उच्चतर शैक्षिक संस्थान के एक छात्र के रूप में भाग ले रहा है—यह समस्त उस परिसर में सम्मिलित हैं;

(डी) "आयोग" का अर्थ है विश्वविद्यालय अनुदान आयोग जो विश्वविद्यालय अनुदान आयोग अधिनियम 1956 (1956 का 3) के अनुच्छेद 4 के अन्तर्गत स्थापित है;

(ई) "आवृत्त व्यक्तियों" से अर्थ उन व्यक्तियों से है जो एक सुरक्षित गतिविधि में कार्यरत हैं जैसे कि किसी लैंगिक उत्पीड़न की शिकायत को दायर करना—अथवा वे ऐसे किसी व्यक्ति से घनिष्ठ रूप से सम्बद्ध हैं जो सुरक्षित गतिविधि में कार्यरत है तथा ऐसा व्यक्ति एक कर्मचारी हो सकता है अथवा उस पीड़ित व्यक्ति का एक कर्मचारी हो सकता है अथवा एक साथी छात्र अथवा अभिभावक हो सकता है;

(एफ) "कर्मचारी" का अर्थ, उस व्यक्ति से है जिसे अधिनियम में परिभाषित किया गया है तथा इसमें इन विनियमों की दृष्टि से प्रशिक्षार्थी, शिक्षार्थी अथवा वे अन्य जिस नाम से भी जाने जाते हैं। आन्तरिक अध्ययन में लगे छात्र, स्वयंसेवक, अध्यापन-सहायक शोध-सहायक चाहे वे रोजगार में हैं अथवा नहीं, तथा क्षेत्रीय अध्ययन में, परियोजनाओं लघु-स्तर के भ्रमण अथवा शिविरों में कार्यरत व्यक्तियों से है;

(जी) "कार्यकारी प्राधिकारी" से अर्थ है उच्चतर शैक्षिक संस्थान के प्रमुख कार्यकारी प्राधिकारी, चाहे जिस नाम से वे जाने जाते हों— तथा जिस संस्थान में उच्चतर शैक्षिक संस्थान का सामान्य प्रशासन सम्मिलित है। सार्वजनिक रूप से निधि प्राप्त संस्थानों के लिए, कार्यकारी प्राधिकारी से अर्थ है अनुशासनात्मक प्राधिकारी जैसा कि केन्द्रीय नागरिक सेवायें (वर्गीकरण, नियन्त्रण एवं अपील) नियम तथा इसके समतुल्य नियमों में दर्शाया गया है;

(एच) "उच्चतर शैक्षिक संस्थान" (एचई.आई.) से अर्थ है—एक विश्वविद्यालय जो अनुच्छेद 2 की धारा (जे) के अन्तर्गत अर्थों के अनुसार है, ऐसा एक महाविद्यालय जो अनुच्छेद 12 (ए) के उप-अनुच्छेद (1) की धारा (बी) के अर्थ के अनुसार है तथा एक ऐसा संस्थान जो मानित विश्वविद्यालय के रूप में विश्वविद्यालय अनुदान आयोग अधिनियम 1956 (1956 का 3) के अनुच्छेद 3 के अन्तर्गत है;

(आई) "आन्तरिक शिकायत समिति" (आई.सी.सी.) (इन्टरनल कम्प्लेन्ट्स कमिटी) से अर्थ है इन विनियमों के विनियम 4 के उप-विनियम (1) के अर्थ के अनुसार उच्चतर शैक्षिक संस्थान द्वारा गठित की जाने वाली आन्तरिक शिकायत समिति से है। यदि पहले से ही समान उद्देश्य वाला कोई निकाय सक्रिय है, (जैसे कि लैंगिक संवेदीकरण समिति जो लैंगिक उत्पीड़न संबंधी विवाद देखेगी (जी.एस.सी.ए.एस.एच.) ऐसे निकाय को आन्तरिक शिकायत समिति (आईसीसी) के रूप में पुनर्गठित किया जाना चाहिए;

बशर्ते, बाद वाले मामले में उच्चतर शैक्षिक संस्थान ऐसा सुनिश्चित करेगा कि इन विनियमों के अन्तर्गत आन्तरिक शिकायत केन्द्र के लिए ऐसे एक निकाय का गठन आवश्यक है। बशर्ते कि ऐसा निकाय इन विनियमों के प्रावधानों द्वारा बाध्य होगा;

(जे) "संरक्षित गतिविधि" में ऐसी एक परम्परा, के प्रति तर्कपूर्ण विरोध शामिल है, जिसके बारे में ऐसा माना जाता है कि अपनी तरफ से अथवा कुछ दूसरे लोगों की तरफ से लैंगिक उत्पीड़न संबंधी कानूनों का उल्लंघन उस परम्परा के माध्यम से किया जा रहा है— जैसे कि लैंगिक उत्पीड़न मामलों की कार्रवाई में भागीदारी करना, किसी भी आन्तरिक जांच पड़ताल में अथवा कथित लैंगिक उत्पीड़न मामलों में सहयोग करना अथवा किसी बाहरी एजेन्सी द्वारा की जा रही जांच पड़ताल में अथवा किसी मुकदमे में बतौर गवाह मौजूद रहना;

(के) "लैंगिक उत्पीड़न" का अर्थ है—

(i) ऐसा एक अनचाहा आचरण जिसमें छिपे रूप में लैंगिक भावनाएँ जो प्रत्यक्ष भी हो जाती हैं अथवा जो भावनाएँ अत्यन्त मजबूत होती, नीचतायुक्त होती हैं, अपमानजनक होती हैं अथवा एक प्रतिकूल और धमकी भरा वातावरण पैदा करती हैं अथवा वास्तविक अथवा धमकी भरे परिणामों द्वारा अधीनता की ओर प्रेरित करने वाली होती हैं तथा ऐसी भावनाओं में निम्नलिखित अवांछित काम या व्यवहारों में कोई भी एक या उससे अधिक या ये समस्त व्यवहार शामिल हैं (चाहे सीधे तौर से या छिपे तौर से) नामतः—

(अ) लैंगिक भावना से युक्त कोई भी अप्रिय शारीरिक, मौखिक अथवा गैर मौखिक के अतिरिक्त कोई आचरण

(ब) लैंगिक अनुग्रह या अनुरोध करना

(स) लैंगिकतायुक्त टिप्पणी करना

- (ड़) 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 हैं;
- (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;

- (स) जैसा कि आयोग की "सक्षम" (परिसरों में महिलाओं की सुरक्षा एवं लैंगिक संवेदीकरण कार्यक्रम) रिपोर्ट में दर्शाया गया है, प्रशिक्षण कार्यक्रम अथवा कार्यशाला, अधिकारियों, कार्यपालकों, संकाय सदस्यों एवं छात्रों के लिए उन्हें सभी को सुग्राही बनाना तथा इस अधिनियम एवं इन विनियमों में स्थापित अधिकारों, पात्रताओं एवं दायित्वों की जानकारी उन्हें सुनिश्चित कराना तथा उनके प्रति उन्हें जागरूक बनाना;
- (द) इस बात को पहचानते हुए कि प्राथमिक रूप से महिला कर्मचारी तथा छात्राओं एवं कुछ छात्र तथा तीसरे लिंग वाले छात्र कई प्रकार के लैंगिक उत्पीड़न, अपमान एवं शोषण के अन्तर्गत संवेदनशील हैं, तदनुसार सभी लिंगों के कर्मचारियों एवं छात्रों के प्रति सुनियोजित समस्त लिंग आधारित हिंसा के विरुद्ध निर्णयात्मक रूप से सक्रिय बनना ;
- (ई) लैंगिक उत्पीड़न के प्रति शून्य स्तर सहन संबंधी नीति की सार्वजनिक प्रतिबद्धता रखना;
- (एफ) सभी स्तरों पर अपने परिसर को, भेदभाव, उत्पीड़न, प्रतिशोध अथवा लैंगिक आक्रमणों से मुक्त बनाने की प्रतिबद्धता की पुनः पुष्टि करना;
- (जी) इस विषय में जागरूकता पैदा करना कि लैंगिक उत्पीड़न में क्या शामिल है— तथा इसके साथ ही हिंसापूर्ण वातावरण उत्पीड़न एवं प्रतिकर उत्पीड़न इन विषयों में जागरूकता पैदा करना;
- (एच) अपनी विवरणिका में सम्मिलित करना और महत्वपूर्ण स्थलों पर, विशिष्ट स्थानों पर या नोटिस बोर्ड पर लैंगिक उत्पीड़न के दण्ड एवं परिणामों को दर्शाया जाना तथा संस्थान के सभी समुदायों के वर्गों को इस तन्त्र की सूचना के प्रति जागरूक करना जो तन्त्र लैंगिक उत्पीड़न संबंधी शिकायतों के समाधान के लिए बनाया गया है तथा इसके बारे में आन्तरिक शिकायत समिति के सदस्यों का विवरण, उनसे संपर्क साधना, शिकायत के बारे में विधि आदि के बारे में बताना यदि कोई मौजूदा निकाय पहले से ही उसी लक्ष्य के साथ सक्रिय है (जैसे कि लैंगिक संवेदीकरण समिति जो लैंगिक उत्पीड़न के विरुद्ध है, ऐसे जेन्डर सेन्सीटाइजेशन कमिटी अगेंस्ट सैक्सुअल ह्यासमेंट—जी.एस.सी. ए.एस.एच निकाय को आन्तरिक शिकायत समिति) (इण्टरनल कम्प्लेन्टस कमिटी—आई.सी.सी) के समान ही पुनर्गठित करना :
- बशर्ते, बाद में दर्शाये गए मामले में उच्चतर शैक्षिक संस्थान सुनिश्चित करेंगे कि इस प्रकार के निकाय का गठन आई.सी.सी. के लिए आवश्यक सिद्धान्तों के आधार पर इन विनियमों के अन्तर्गत किया गया है। ऐसा कोई भी निकाय इन विनियमों के प्रावधानों के द्वारा बाध्य होगा;
- (आई) कर्मचारियों एवं छात्रों को उपलब्ध आश्रय के बारे में बताना, यदि वे लैंगिक उत्पीड़न के शिकार हुए हैं;
- (जे) आन्तरिक शिकायत समिति के सदस्यों द्वारा शिकायतों के निपटान, समाधान अथवा समझौते आदि की प्रक्रिया का संचालन संवेदनशील रूप से करने के लिए, नियमित अभिमुखी अथवा प्रशिक्षण कार्यक्रम संचालित करना;
- (के) कर्मचारियों एवं छात्रों के सभी प्रकार के उत्पीड़न के निराकरण हेतु सक्रिय रूप से गतिशील बनाना चाहे वह उत्पीड़न किसी प्रबल अधिकारी अथवा उच्चतर शैक्षिक संस्थान में स्थित पदानुक्रम संबंधों के आधार पर है। अथवा किसी घनिष्ठ भागीदार की हिंसा संबंधी हो अथवा समकक्षों से अथवा उस उच्चतर शैक्षिक संस्थान की भौगोलिक सीमाओं से बाहर किन्हीं तत्वों के कारण हो;
- (एल) उसके कर्मचारियों एवं छात्रों के प्रति किए गए लैंगिक उत्पीड़न के लिए दोषी जो लोग हैं उन्हें दण्डित करना तथा विधि द्वारा मान्य कानून के अनुसार समस्त कार्यवाही करना तथा परिसर में लैंगिक उत्पीड़न के निराकरण एवं अवरोध हेतु तन्त्रों एवं समाधान प्रणाली को यथार्थिती बनाना;
- (एम) यदि उस दुराचार का षडयंत्रकारी वहाँ का कर्मचारी है तो सेवा नियमों के अन्तर्गत लैंगिक उत्पीड़न को एक दुराचार के रूप में मानना;
- (एन) यदि अपराधकर्ता कोई छात्र है तो लैंगिक उत्पीड़न को अनुशासनात्मक नियमों (जो बहिष्कार एवं बहिष्करण तक हो सकता है) के उल्लंघन के रूप में देखना;
- (ओ) इन विनियमों के प्रकाशन की तिथि से लेकर 60 दिनों की अवधि में इन विनियमों के प्रावधानों का अनुपालन सुनिश्चित किया जाना, जिनमें आन्तरिक शिकायत समिति की नियुक्ति शामिल है;
- (पी) आन्तरिक शिकायत समिति द्वारा की गई रिपोर्टों का समयबद्ध रूप से प्रस्तुतीकरण;
- (क्यू) एक वार्षिक स्थिति रिपोर्ट जिसमें दायर मामलों का, उनके निपटान का विवरण हो, वह तैयार करना तथा इसे आयोग को प्रस्तुत करना;

3.2 समर्थन करने वाली गतिविधियाँ—

- (1) जिन नियमों, विनियमों अथवा अन्य इसी प्रकार के माध्यम जिनके द्वारा आन्तरिक शिकायत केन्द्र (आई.सी.सी.) प्रकाश करेगा, उन्हें अद्यतन किया जाएगा तथा उन्हें समय-समय पर संशोधित किया

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 डॉक्टरल 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 पुनश्चर्या 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;

- (13) युवा छात्रों की तुलना में छात्रावास में स्थित छात्राओं की सुरक्षा के मामले को भेदभाव पूर्ण नियमों का आधार नहीं बनाया जाना चाहिए। परिसर की सुरक्षा संबंधी नीतियों को महिला कर्मचारी एवं छात्राओं की सुरक्षात्मकता के रूप में नहीं बन जाना चाहिए, जैसे कि आवश्यकता से अधिक सर्वेक्षण या पुलिसिया निगरानी अथवा आने जाने की स्वतंत्रता में कटौती करना— विशेषकर महिला कर्मचारी एवं छात्राओं के लिए;
- (14) सभी उच्चतर शैक्षिक संस्थानों के लिए पर्याप्त स्वास्थ्य सुविधायें होनी अधिदेशात्मक हैं। महिलाओं के विषय में इस प्रक्रिया में लिंग संवेदी डाक्टर और नर्सों तथा इसके साथ ही एक स्त्री रोग विशेषज्ञ की सेवाएँ उपलब्ध होनी चाहिए;
- (15) महाविद्यालयों में महिला विकास प्रकोष्ठ पुनः चालू किये जाने चाहिए एवं उन्हें धन दिया जाना चाहिए और इन्हें लैंगिक उत्पीड़न विरोधी समितियों तथा आन्तरिक शिकायत समिति के प्रकार्यों से पृथक करके स्वशासी रखा जाना चाहिए। उसके साथ ही वे आन्तरिक शिकायत केन्द्रों के परामर्श से अपनी गतिविधियाँ विस्तारित करेंगे जिनमें लैंगिक संवेदीकरण कार्यक्रम शामिल हैं तथा नियमित आधार पर लैंगिक उत्पीड़न विरोधी नीतियाँ परिसरों में प्रचारित प्रसारित करेंगे। "सांस्कृतिक पृष्ठभूमि" एवं "औपचारिक अकादमिक स्थल" इन्हें परस्पर सहभागिता करनी चाहिए ताकि ये कार्यशालाएँ नवोन्मेषी, आकर्षक बनें एवं मशीनी न हों;
- (16) छात्रावासों के वार्डन, अध्यक्ष, प्राचार्यों, कुलपतियों, विधि अधिकारियों एवं अन्य कार्यकारी सदस्यों को नियमों के अथवा अध्यादेशों में संशोधनों द्वारा जबाबदेही के दायरे में यथाआवश्यक रूप से लाना चाहिए;

4. शिकायत समाधान तन्त्रः—

- (1) लैंगिक उत्पीड़न के विरुद्ध प्रत्येक कार्यकारी प्राधिकारी लैंगिक संवेदीकरण के लिए एक आन्तरिक तन्त्र सहित एक आन्तरिक शिकायत समिति (आई.सी.सी.) का गठन करेंगे। आई.सी.सी. की निम्न संरचना होगी:—
 - (अ) एक पीठासीन अधिकारी जो एक महिला संकाय सदस्य हो और जो एक वरिष्ठ पद पर (एक विश्वविद्यालय की स्थिति में प्रोफेसर से निम्न न हो तथा किसी महाविद्यालय की स्थिति में सह-प्रोफेसर अथवा रीडर से निम्न न हो) शैक्षिक संस्थान में नियुक्त हो तथा कार्यकारी प्राधिकारी द्वारा नामित हो:

बशर्ते यदि किसी स्थिति में कोई वरिष्ठ स्तर की महिला कर्मचारी उपलब्ध नहीं है तो पीठासीन अधिकारी को उप-अनुभाग 2(ओ) में दर्शाये कार्यस्थल के अन्य कार्यालय अथवा प्रशासनिक एकांश से उन्हें नामित किया जाएगा:

"बशर्ते यदि उस कार्यस्थल के अन्य कार्यालयों अथवा प्रशासनिक एकांशों में कोई वरिष्ठ स्तर की महिला कर्मचारी नहीं है तो अध्यक्ष अधिकारी को उसी नियुक्ता के कार्यस्थल से अथवा किसी अन्य विभाग या संगठन में से नामित किया जा सकता है"
 - (ब) दो संकाय सदस्य एवं दो गैर-अध्यापनरत कर्मचारी जो अधिमानतः महिलाओं की समस्याओं के लिए प्रतिबद्ध हैं तथा जिन्हें सामाजिक कार्य अथवा कानूनी जानकारी है, उन्हें कार्यकारी प्राधिकारी द्वारा नामित किया जाना चाहिए;
 - (स) यदि किसी मामले में छात्र शामिल हैं तो उसमें तीन छात्र हों जिन्हें स्नातक पूर्व, स्नातकोत्तर एवं शोधस्तर पर क्रमशः भर्ती किया जायेगा जिन छात्रों को पारदर्शी लोकतांत्रिक प्रणाली द्वारा चुना गया है;
 - (द) गैर सरकारी संगठनों में से किसी एक में से अथवा किसी ऐसी सभा में से जो महिलाओं की समस्याओं के लिए प्रतिबद्ध हैं या एक ऐसा व्यक्ति हो जो लैंगिक उत्पीड़न से जुड़े मामलों का जानकार हो, जो कार्यकारी प्राधिकारी द्वारा नामित हो;
- (2) आन्तरिक शिकायत समिति के कुल सदस्यों में न्यूनतम आधे सदस्य महिलायें होनी चाहिए;
- (3) उच्चतर शैक्षिक संस्थानों में वरिष्ठ प्रशासनिक पदों पर नियुक्त व्यक्ति जैसे कुलपति, पदेन कुलपति, रेक्टर, कुलसचिव, डीन, विभागों के अध्यक्ष आदि आन्तरिक समिति के सदस्य नहीं होंगे ताकि ऐसे केन्द्र के प्रकार्यों की स्वायत्तता सुनिश्चित रहे;

- (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 की 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 सेवा में 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:-

- (1) शिकायत मिलने पर आन्तरिक शिकायत समिति इसकी एक प्रति को प्रतिवादी को इसके प्राप्त होने से सात दिनों के भीतर भेजेगी;
 - (2) शिकायत की प्रति मिलने के बाद प्रतिवादी अपना उत्तर इस शिकायत के बारे में, समस्त दस्तावेजों की सूची, गवाहों के नामों एवं पतों के नामों एवं उनके पतों सहित दस दिन की अवधि में दाखिल करेगा;
 - (3) शिकायत प्राप्त होने के 90 दिनों के भीतर ही जाँच पड़ताल पूरी की जानी चाहिए। अनुशंसाओं सहित, यदि वे हों, तो, जाँच पड़ताल रिपोर्ट उस जाँच के पूरा होने के 10 दिनों के भीतर उच्चतर शैक्षिक संस्थान के कार्यकारी प्राधिकारी को प्रस्तुत की जानी चाहिए। इस शिकायत से जुड़े दोनों पक्षों के समक्ष इस जाँच के तथ्यों या सिफारिशों की प्रति दी जाएगी;
 - (4) जाँच रिपोर्ट प्राप्त होने के 30 दिनों के भीतर इस समिति की सिफारिशों पर उच्चतर शैक्षिक संस्थान के अध्यक्ष प्राधिकारी कार्यवाही करेंगे, यदि किसी भी पक्ष द्वारा उस अवधि में जाँच के विरुद्ध कोई अपील दायर न की गई हो;
 - (5) दोनों में से किसी भी पक्ष द्वारा आन्तरिक शिकायत समिति द्वारा प्रदान तथ्यों/अनुशंसाओं के विरुद्ध उच्चतर शैक्षिक संस्थान के कार्यकारी प्राधिकारी के समक्ष की गई अनुशंसाओं की तिथि से तीस दिन की अवधि में अपील दायर की जा सकती है;
 - (6) उच्चतर शैक्षिक संस्थान का कार्यकारी प्राधिकारी यदि आन्तरिक शिकायत समिति की सिफारिशों के अनुसार कार्य नहीं करने का निर्णय लेता है तो वह इसके बारे में लिखित रूप से कारण स्पष्ट करेगा जिन्हें आन्तरिक शिकायत समिति को तथा उस कार्यवाही से जुड़े दोनों पक्षों को भेजा जाएगा। यदि दूसरी ओर वह आन्तरिक शिकायत समिति द्वारा की गई सिफारिशों के अनुसार कार्य करने का निर्णय लेता है तो एक कारण बताओ नोटिस जिसका 10 दिनों के भीतर उत्तर भेजा जाना है— उसे उस पक्ष को भेजा जाएगा जिसके विरुद्ध कार्यवाही की जानी है। उच्चतर शैक्षिक संस्थान के कार्यकारी प्राधिकारी उस असन्तुष्ट व्यक्ति का पक्ष सुनने के पश्चात ही आगे की कार्यवाही करेंगे;
 - (7) मामले को निपटाने के उद्देश्य से पीड़ित पक्ष एक सुलह का आग्रह कर सकता है। सुलह का आधार कोई आर्थिक समझौता नहीं होना चाहिए। यदि कोई सुलह का प्रस्ताव रखा जाता है तो यथास्थिति उच्चतर शैक्षिक संस्थान सुलह की प्रक्रिया को आन्तरिक शिकायत समिति के माध्यम से सुलभ कराएगा। किसी भी दण्डात्मक हस्तक्षेप की तुलना में, जहाँ तक संभव होता है, उस पीड़ित पक्ष की पूरी संतुष्टि के लिए उस पारस्परिक विरोध के समाधान को अधिमानता दी जाती है;
 - (8) पीड़ित पक्ष अथवा पीड़ित व्यक्ति अथवा गवाह अथवा अपराधकर्ता की पहचान सार्वजनिक नहीं की जाएगी या विशेष रूप से उस जाँच प्रक्रिया के दौरान इसे सार्वजनिक क्षेत्र में रखा जाएगा;
- 9. अन्तरिम समाधान:— उच्चतर शैक्षिक संस्थान,**
- (अ) यदि आन्तरिक शिकायत केन्द्र सिफारिश करता है तो शिकायतकर्ता अथवा प्रतिवादी को अन्य किसी अनुभाग अथवा विभाग में स्थानान्तरित किया जा सकता है ताकि सम्पर्क अथवा अन्योन्य क्रिया में शामिल जोखिम कम से कम बना रहे;
 - (ब) पीड़ित पक्ष को, सम्पूर्ण स्तर संबंधी एवं अन्य हित लाभों के संरक्षण सहित तीन माह तक का अवकाश स्वीकृत कर दे;
 - (स) शिकायतकर्ता के किसी भी काम अथवा निष्पादन अथवा परीक्षण अथवा परीक्षाओं के संबन्ध में कोई बात प्रकट न करने के लिए प्रतिवादी को बाध्य कर दें;
 - (द) सुनिश्चित करें कि अपराधकर्ताओं को पीड़ित व्यक्तियों से दूरी बना कर रखनी चाहिए तथा यथा आवश्यक, यदि कोई प्रत्यक्ष धमकी है तो उनका परिसर में प्रवेश प्रतिबंधित कर दे;
 - (ई) लैंगिक उत्पीड़न की किसी शिकायत के परिणाम स्वरूप, शिकायतकर्ता को प्रतिशोध एवं उत्पीड़न से सुरक्षा प्रदान करने के लिए तथा एक अनुकूल वातावरण उपलब्ध कराने के लिए सख्त उपाय किये जाने चाहिए;
- 10. दण्ड एवं हरजाना:—**
- (1) अपराधकर्ता यदि उच्चतर शैक्षिक संस्थान का कर्मचारी है तथा लैंगिक उत्पीड़न का दोषी पाया जाता है तो उसे संस्थान के सेवा नियमों के अनुसार दण्डित किया जाएगा;
 - (2) अपराध की गंभीरता को देखते हुए— यदि प्रतिवादी कोई छात्र है, तो उच्चतर शैक्षिक संस्थान:—
 - (अ) ऐसे छात्र के विशेषाधिकारों को रोक सकता है तो, जैसे—पुस्तकालय, सभागार, आवासीय आगारों, यातायात, छात्रवृत्ति, भत्तों एवं पहचान पत्र आदि तक पहुँच बनाना;

- (ब) एक विशेष समय तक परिसर में उसका प्रवेश स्थगित अथवा बाधित करना;
- (स) 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 जाती 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 चवसपबलद्ध 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;

- (जी) यदि वह एक मानित विश्वविद्यालय संस्थान है तो केन्द्र सरकार को उस मानित विश्वविद्यालय के आहरण की अनुशंसा करना;
- (एच) यदि वह किसी राज्य अधिनियम के अन्तर्गत स्थापित अथवा नियमित विश्वविद्यालय है तो उसके इस स्तर को आहरित करने के लिए उपयुक्त राज्य सरकार को सिफारिश करना;
- (आई) जैसे कि विश्वविद्यालय अनुदान आयोग अधिनियम 1956 के अन्तर्गत प्रावधान किया जाना हो तदनुसार अपने अधिकारों के अनुसार यथोचित रूप से ऐसी समयावधि के लिए दण्ड प्रदान कर सकता है जिस समय तक वह संस्थान इन विनियमों में निर्धारित प्रावधानों का अनुपालन नहीं करता है;
- (जे) इन विनियमों के अन्तर्गत आयोग द्वारा उस समय तक कार्रवाई नहीं की जाएगी जब तक कि संस्थान को अपना पक्ष प्रस्तुत करने के लिए प्रदत्त सुअवसर के आधार पर उनकी सुनवाई कर ली गई हो;

[विज्ञापन—III/4/असा./53]

जसपाल एस. संधु, सचिव, यूजीसी

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(University Grants Commission)

NOTIFICATION

New Delhi, the 2nd May, 2016

University Grants Commission (Prevention, prohibition and redressal of sexual harassment of women employees and students in higher educational institutions) Regulations, 2015

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.**—(1) These regulations may be called the University Grants Commission (Prevention, prohibition and redressal of sexual harassment of women employees and students in higher educational institutions) Regulations, 2015.
 - (2) They shall apply to all higher educational institutions in India.
 - (3) They shall come into force on the date of their publication in the Official Gazette.
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 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;

- (l) “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;
Provided that a student who is in the process of taking admission in HEIs campus, although not yet admitted, shall be treated, for the purposes of these regulations, as a student of that HEI, where any incident of sexual harassment takes place against such student;
Provided that a student who is a participant in any of the activities in a HEI other than the HEI where such student is enrolled shall be treated, for the purposes of these regulations, as a student of that HEI where any incident of sexual harassment takes place against such student;
- (m) “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 a visitor to the HEI in some other capacity or for some other purpose or reason;
- (n) “victimisation” means any unfavourable treatment meted out to a person with an implicit or explicit intention to obtain sexual favour;
- (o) “workplace” means the campus of a HEI including-
- (a) 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;
 - (b) 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;
 - (c) Any place visited by the employee or student arising out of or during the course of employment or study including transportation provided by the Executive Authority for undertaking such journey for study in HEIs.

3. Responsibilities of the Higher Educational Institution- (1) Every HEI shall,-

- (a) Wherever required, appropriately subsume the spirit of the above definitions in its policy and regulations on prevention and prohibition of sexual harassment against the employees and the students, and modify its ordinances and rules in consonance with the requirements of the Regulations;
- (b) publicly notify the provisions against sexual harassment and ensure their wide dissemination;
- (c) organise training programmes or as the case may be, workshops for the officers, functionaries, faculty and students, as indicated in the SAKSHAM Report (Measures for Ensuring the Safety of Women and Programmes for Gender Sensitization on Campuses) of the Commission, to sensitize them and ensure knowledge and awareness of the rights, entitlements and responsibilities enshrined in the Act and under these regulations;
- (d) act decisively against all gender based violence perpetrated against employees and students of all sexes recognising that primarily women employees and students and some male students and students of the third gender are vulnerable to many forms of sexual harassment and humiliation and exploitation;
- (e) publicly commit itself to a zero tolerance policy towards sexual harassment;
- (f) reinforce its commitment to creating its campus free from discrimination, harassment, retaliation or sexual assault at all levels;
- (g) create awareness about what constitutes sexual harassment including hostile environment harassment and quid pro quo harassment;
- (h) include in its prospectus and display prominently at conspicuous places or Notice Boards the penalty and consequences of sexual harassment and make all sections of the institutional community aware of the information on the mechanism put in place for redressal of complaints pertaining to sexual

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.

- (6) All Academic Staff Colleges (now known as Human Resource Development Centres (HRDCs) and Regional Centres for Capacity Building (RCCBs) must incorporate sessions on gender in their orientation and refresher courses. This should be across disciplines, and preferably mainstreamed using the UGC SAKSHAM Report which provides indicative modules in this regard.
- (7) Orientation courses for administrators conducted in HEIs must have a module on gender sensitization and sexual harassment issues. Regular workshops are to be conducted for all sections of the HEI community.
- (8) Counselling services must be institutionalised in all HEIs and must have well trained full-time counsellors.
- (9) Many HEIs having large campuses have a deficit in lighting and are experienced as unsafe places by the institutional community. Adequate lighting is a necessary aspect of infrastructure and maintenance.
- (10) Adequate and well trained security including a good proportion or balance of women security staff is necessary. Security staff must receive gender sensitization training as a part of conditions of appointment.
- (11) HEIs must ensure reliable public transport, especially within large campuses between different sections of the HEI, hostels, libraries, laboratories and main buildings, and especially those that do not have good access for day scholars. Lack of safety as well as harassment is exacerbated when employees and students cannot depend on safe public transport. Reliable transport may be considered by HEIs to enable employees and students to work late in libraries, laboratories and to attend programmes in the evenings.
- (12) Residential HEIs should accord priority to construction of women's hostels. For the growing population of young women wishing to access higher education, hostel accommodation is desirable in both urban and rural areas and at all levels of higher education which provides a modicum of protection from harassment of all kinds.
- (13) Concern for the safety of women students must not be cited to impose discriminatory rules for women in the hostels as compared to male students. Campus safety policies should not result in securitization, such as over monitoring or policing or curtailing the freedom of movement, especially for women employees and students.
- (14) Adequate health facilities are equally mandatory for all HEIs. In the case of women this must include gender sensitive doctors and nurses, as well as the services of a gynaecologist.
- (15) The Women's Development Cells in colleges shall be revived and funded to be able to carry out the range of activities required for gender sensitization and remain autonomous of the functioning of anti sexual harassment committees and ICCs. At the same time they shall extend their activities to include gender sensitization programmes in consultation with ICCs and help to disseminate anti-sexual harassment policies on campuses on a regular basis. The 'cultural' space and the 'formal academic space' need to collaborate to render these workshops innovative, engaging and non-mechanical.
- (16) Hostel Wardens, Provosts, Principals, Vice Chancellors, Legal Officers and other functionaries must be brought within the domain of accountability through amendments in the rules or Ordinances where necessary.

4. Grievance redressal mechanism.—(1) Every Executive Authority shall constitute an Internal Complaints Committee (ICC) with an inbuilt mechanism for gender sensitization against sexual harassment. The ICC shall have the following composition:-

- (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:
- (a) contravenes the provisions of section 16 of the Act; or
 - (b) 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
 - (c) he has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or
 - (d) 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:

- (a) provide assistance if an employee or a student chooses to file a complaint with the police;

- (b) provide mechanisms of dispute redressal and dialogue to anticipate and address issues through just and fair conciliation without undermining complainant's rights, and minimize the need for purely punitive approaches that lead to further resentment, alienation or violence;
- (c) protect the safety of the complainant by not divulging the person's identity, and provide the mandatory relief by way of sanctioned leave or relaxation of attendance requirement or transfer to another department or supervisor as required during the pendency of the complaint, or also provide for the transfer of the offender;
- (d) ensure that victims or witnesses are not victimised or discriminated against while dealing with complaints of sexual harassment; and
- (e) ensure prohibition of retaliation or adverse action against a covered individual because the employee or the student is engaged in protected activity.

6. The process for making complaint and conducting Inquiry – The ICC shall comply with the procedure prescribed in these Regulations and the Act, for making a complaint and inquiring into the complaint in a time bound manner. The HEI shall provide all necessary facilities to the ICC to conduct the inquiry expeditiously and with required privacy

7. Process of making complaint of sexual harassment - An aggrieved person is required to submit a written complaint to the ICC within three months from the date of the incident and in case of a series of incidents within a period of three months from the date of the last incident.

Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Committee shall render all reasonable assistance to the person for making the complaint in writing:

Provided further that the ICC may, for the reasons to be accorded in the writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the person from filing a complaint within the said period.”

Friends, relatives, Colleagues, Co-students, Psychologist, or any other associate of the victim may file the complaint in situations where the aggrieved person is unable to make a complaint on account of physical or mental incapacity or death.

8. Process of conducting Inquiry- (1) The ICC shall, upon receipt of the complaint, send one copy of the complaint to the respondent within a period of seven days of such receipt.

(2) Upon receipt of the copy of the complaint, the respondent shall file his or her reply to the complaint along with the list of documents, and names and addresses of witnesses within a period of ten days.

(3) The inquiry has to be completed within a period of ninety days from the receipt of the complaint. The inquiry report, with recommendations, if any, has to be submitted within ten days from the completion of the inquiry to the Executive Authority of the HEI. Copy of the findings or recommendations shall also be served on both parties to the complaint.

(4) The Executive Authority of the HEI shall act on the recommendations of the committee within a period of thirty days from the receipt of the inquiry report, unless an appeal against the findings is filed within that time by either party.

(5) An appeal against the findings or /recommendations of the ICC may be filed by either party before the Executive Authority of the HEI within a period of thirty days from the date of the recommendations.

(6) If the Executive Authority of the HEI decides not to act as per the recommendations of the ICC, then it shall record written reasons for the same to be conveyed to ICC and both the parties to the proceedings. If on the other hand it is decided to act as per the recommendations of the ICC, then a show cause notice, answerable within ten days, shall be served on the party against whom action is decided to be taken. The Executive Authority of the HEI shall proceed only after considering the reply or hearing the aggrieved person.

(7) The aggrieved party may seek conciliation in order to settle the matter. No monetary settlement should be made as a basis of conciliation. The HEI shall facilitate a conciliation process through ICC, as the

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)

of that regulation, if the complainant happens to be a student. However, the mere inability to substantiate a complaint or provide adequate proof will not attract attention against the complainant. Malicious intent on the part of the complainant shall not be established without an inquiry, in accordance with the procedure prescribed, conducted before any action is recommended.

12. Consequences of non-compliance.—(1) The Commission shall, in respect of any institution that will fully contravenes or repeatedly fails to comply with the obligations and duties laid out for the prevention, prohibition and redressal of sexual harassment of employees and students, take one or more of the following actions after providing due notice: -

- (a) withdrawal of declaration of fitness to receive grants under section 12B of the University Grants Commission Act, 1956.
 - (b) removing the name of the university or college from the list maintained by the Commission under clause (f) of section 2 of said Act, 1956;
 - (c) withholding any grant allocated to the institution;
 - (d) declaring the institution ineligible for consideration for any assistance under any of the general or special assistance programmes of the Commission;
 - (e) informing the general public, including potential candidates for employment or admission, through a notice displayed prominently in the newspapers or other suitable media and posted on the website of the Commission, declaring that the institution does not provide for a zero tolerance policy against sexual harassment;
 - (f) recommending the affiliating university for withdrawal of affiliation, in case of a college;
 - (g) recommending the Central Government for withdrawal of declaration as an institution deemed to be university, in case of an institution deemed to be university;
 - (h) recommending the appropriate State Government for withdrawal of status as university in case of a university established or incorporated under a State Act.
 - (i) taking such other action within its powers as it may deem fit and impose such other penalties as may be provided in the University Grants Commission Act, 1956 for such duration of time till the institution complies with the provisions of these regulations.
- (2) No action shall be taken by the Commission under these regulations unless the Institution has been given an opportunity to explain its position and an opportunity of being heard has been provided to it.

[Advt.-III/4/Exty./53]

JASPAL S. SANDHU, Secy. UGC

Mahatma Education Society's
PILLAI COLLEGE OF ARCHITECTURE

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Ref No: MES/PiCA/
Date: 17/6/2022

ANTI-RAGGING COMMITTEE

In pursuant to following regulations the Anti-Ragging Committee has been constituted
For the AY 2022 – 2023 consisting of the following staff to prevent ragging in the
Institute.

- “Maharashtra Prohibition of Ragging Act, 1999, from Government of Maharashtra.
- All India Council for Technical Education (Prevention and Prohibition of Ragging in Technical Institution, Universities including Deemed Universities imparting Technical Education) Regulations 2009.
- “UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009

List of Committee members:

	Name	Des.	Position	Ph. No.	E mail
1.	Assistant Prof.Jayesh patil	Faculty	Chairperson	8689871553	jayeshkpatil@mes.ac.in
2.	Prof. Shubhangi Bhide	Faculty	Member	9987087168	sbhide@mes.ac.in
3.	Prof. Sarojini Lohot	Faculty	Member	9890946152	slohot@mes.ac.in
4.	Assistant Prof.Jayraj Ghatge	Faculty	Member	9664177071	jayrajghatge@mes.ac.in
5.	Ms. Anaswara Suthan	Student	Member	9137461190	Sanaswara20barch @student.mes.ac.in
6.	Ms. Virginia Fernandes	Office Secretary (Non-teaching staff)	Member	9757078221	vfernandes@mes.ac.in

Sudnya Mahimkar
17/06/2022
Prof. Dr. Sudnya Mahimkar
Principal

PRINCIPAL

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Jayesh Patil
17/06/22
Assistant Prof. Jayesh Patil
Chairperson

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Ref No: MES/PiCA/

Date: 17/6/2022

ANTI-RAGGING SQUAD COMMITTEE

An Anti-Ragging Squad has been constituted by the principal with the following Members to meet all the objectives for the Anti-Ragging Squad, for the year 2022- 2023

The Anti-Ragging Squad is for maintain vigil, oversight, and patrolling functions, Conducting raids at vulnerable places and other Anti-Ragging measures as per the directions of the Anti – Ragging Committee.

List of Committee members:

	Name	Des.	Position	Ph. No.	E mail
1.	Assistant Prof.Avinash Sabhagani	Faculty	Chairperson	8888382820	avinashsabhagani@mes.ac.in
2.	Assistant Prof. Jayesh Patil	Faculty	Member	8689871553	jayeshkpatil@mes.ac.in
3.	Assistant Prof. Ashwini Bhosale	Faculty	Member	9969654286	ashwini.patil@mes.ac.in
4.	Assistant Prof.Prashant Borge	Faculty	Member	7715988831	prashantborge@mes.ac.in
5.	Mrs. Radhika Sathe	Administrative staff	Member	9920409079	radhikasathe@mes.ac.in
6.	Mrs. Biji Jayakumar	Librarian	Member	9702797570	bjaykumar@mes.ac.in
7.	Mr. Rajesh Pillai	Administrative staff	Member	9820908432	rajeshpillai@mes.ac.in

Sudnya Mahimkar
17/06/2022

Prof. Dr. Sudnya Mahimkar

Principal

PRINCIPAL
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Avinash Sabhagani
17-06-2022

Assistant Prof. Avinash Sabhagani

Chairperson

DRAFT

**UNIVERSITY GRANTS COMMISSION
BAHADURSHAH ZAFAR MARG
NEW DELHI - 110 002**

NO. F 1-16/2007 (CPP-II)

April, 2009

**UGC REGULATION ON CURBING THE MENACE OF RAGGING IN HIGHER
EDUCATIONAL INSTITUTIONS, 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 University Grants Commission hereby makes the following Regulations, namely -

1. Title, commencement and applicability:-

- 1.1. These regulations shall be called the "UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009".
- 1.2. They shall come into force with immediate effect.
- 1.3. They shall apply to all the universities established or incorporated by or under a Central Act, a Provincial Act or a State Act, to all institutions deemed to be university under Section 3 of the UGC Act, 1956, to all other higher educational institutions, including the departments, constituent units and all the premises (academic, residential, sports, canteen, etc) of such universities, deemed universities and other higher educational institutions, whether located within the campus or outside, and to all means of transportation of students whether public or private.

2. Objective:-

To root out ragging in all its forms from universities, colleges and other educational institutions in the country by prohibiting it by law, preventing its occurrence by following the provisions of these Regulations and punishing those who indulge in ragging as provided for in these Regulations and the appropriate law in force.

3. Definitions:- For the purposes of these Regulations:-

- 3.1. "college" means any institution, whether known as such or by any other name, which provides for a programme of study beyond 12 years of schooling for obtaining qualification from a university and which, in accordance with the rules and regulations of such university, is recognized as competent to provide for such programme of study and present students undergoing such programme of study for the examination for the award of such qualification.

- 3.2. "Head of the institution" means the "Vice-Chancellor" in case of a university/deemed to be university, "Principal" in case of a college, "Director" in case of an institute.
- 3.3. "institution" means a higher educational institution (HEI), like a university, a college, an institute, etc. imparting higher education beyond 12 years of schooling leading to a degree (graduate, postgraduate and/or higher level) and/or to a university diploma.
- 3.4. "Ragging" means the following:
Any conduct whether by words spoken or written or by an act which has the effect of teasing, treating or handling with rudeness any other student, indulging in rowdy or undisciplined activities which causes or is likely to cause annoyance, hardship or psychological harm or to raise fear or apprehension thereof in a fresher or a junior student or asking the students to do any act or perform something which such student will not in the ordinary course and which has the effect of causing or generating a sense of shame or embarrassment so as to adversely affect the physique or psyche of a fresher or a junior student.
- 3.5. "Statutory/Regulatory body" means a body so constituted by a Central/ State Government legislation for setting and maintaining standards in the relevant areas of higher education, such as the All India Council for Technical Education (AICTE), the Bar Council of India (BCI), the Dental Council of India (DCI), the Distance Education Council (DEC), the Indian Council of Agricultural Research (ICAR), the Indian Nursing Council (INC), the Medical Council of India (MCI), the National Council for Teacher Education (NCTE), the Pharmacy Council of India (PCI), etc. and the State Higher Education Councils.
- 3.6. "University" means a university established or incorporated by or under a Central Act, a Provincial Act or a State Act, an institution deemed to be university under Section 3 of the UGC Act, 1956, or an institution specially empowered by an Act of Parliament to confer or grant degrees.

4. Punishable ingredients of Ragging:-

- Abetment to ragging;
- Criminal conspiracy to rag;
- Unlawful assembly and rioting while ragging;
- Public nuisance created during ragging;
- Violation of decency and morals through ragging;
- Injury to body, causing hurt or grievous hurt;
- Wrongful restraint;
- Wrongful confinement;
- Use of criminal force;
- Assault as well as sexual offences or unnatural offences;
- Extortion;
- Criminal trespass;
- Offences against property;
- Criminal intimidation;

- Attempts to commit any or all of the above mentioned offences against the victim(s);
- Physical or psychological humiliation;
- All other offences following from the definition of "Ragging".

5. Measures for prohibition of ragging at the institution level:-

- 5.1 The institution shall strictly observe the provisions of the Act of the Central Government and the State Governments, if any, or if enacted, considering ragging as a cognizable offence under the law on a par with rape and other atrocities against women and ill-treatment of persons belonging to the SC/ST, and prohibiting ragging in all its forms in all institutions.
- 5.2 Ragging in all its forms shall be totally banned in the entire institution, including its departments, constituent units, all its premises (academic, residential, sports, canteen, etc) whether located within the campus or outside and in all means of transportation of students whether public or private.
- 5.3 The institution shall take strict action against those found guilty of ragging and/or of abetting ragging.

6 Measures for prevention of ragging at the institution level:-

6.1 Before admissions:-

- 6.1.1 The advertisement for admissions shall clearly mention that ragging is totally banned in the institution, and anyone found guilty of ragging and/or abetting ragging is liable to be punished appropriately (for punishments, ref. section 8 below).
- 6.1.2 The brochure of admission/instruction booklet for candidates shall print in block letters these Regulations in full (including Annexures).
- 6.1.3 The 'Prospectus' and other admission related documents shall incorporate all directions of the Supreme Court and /or the Central or State Governments as applicable, so that the candidates and their parents/ guardians are sensitized in respect of the prohibition and consequences of ragging. If the institution is an affiliating university, it shall make it mandatory for the institutions under it to compulsorily incorporate such information in their 'Prospectus'.
- 6.1.4 The application form for admission/ enrolment shall have a printed undertaking, preferably both in English/Hindi and in one of the regional languages known to the institution and the applicant (English version given in Annexure I, Part I), to be filled up and signed by the candidate to the effect that he/she is aware of the law regarding prohibition of ragging as well as the punishments, and to the effect that he/she has not been expelled and/or debarred from admission by any institution and that he/she, if found guilty of the offence of ragging and/or abetting ragging, is liable to be punished appropriately.

- 6.1.5 The application form shall also contain a printed undertaking, preferably both in English/Hindi and in one of the regional languages known to the institution and the parent/ guardian (English version given in Annexure I, Part II), to be signed by the parent/ guardian of the applicant to the effect that he/ she is also aware of the law in this regard and agrees to abide by the punishment meted out to his/ her ward in case the latter is found guilty of ragging and/or abetting ragging.
- 6.1.6 The application for admission shall be accompanied by a document in the form of the School Leaving Certificate/Transfer Certificate/ Migration Certificate/ Character Certificate which shall include a report on the behavioral pattern of the applicant, so that the institution can thereafter keep intense watch upon a student who has a negative entry in this regard.
- 6.1.7 A student seeking admission to the hostel shall have to submit additional undertaking in the form of Annexure I (both Parts) along with his/ her application for hostel accommodation.
- 6.1.8 At the commencement of the academic session the Head of the Institution shall convene and address a meeting of various functionaries/agencies, like Hostel Wardens, representatives of students, parents/ guardians, faculty, district administration including police, to discuss the measures to be taken to prevent ragging in the Institution and steps to be taken to identify the offenders and punish them suitably.
- 6.1.9 To make the community at large and the students in particular aware of the dehumanizing effect of ragging, and the approach of the institution towards those indulging in ragging, big posters (preferably multicolored with different colours for the provisions of law, punishments, etc.) shall be prominently displayed on all Notice Boards of all departments, hostels and other buildings as well as at vulnerable places. Some of such posters shall be of permanent nature in certain vulnerable places.
- 6.1.10 The institution shall request the media to give adequate publicity to the law prohibiting ragging and the negative aspects of ragging and the institution's resolve to ban ragging and punish those found guilty without fear or favour.
- 6.1.11 The institution shall identify, properly illuminate and man all vulnerable locations.
- 6.1.12 The institution shall tighten security in its premises, especially at the vulnerable places. If necessary, intense policing shall be resorted to at such points at odd hours during the early months of the academic session.
- 6.1.13 The institution shall utilize the vacation period before the start of the new academic year to launch wide publicity campaign against ragging through posters, leaflets, seminars, street plays, etc.
- 6.1.14 The faculties/ departments/ units of the institution shall have induction arrangements (including those which anticipate, identify

and plan to meet any special needs of any specific section of students) in place well in advance of the beginning of the academic year with a clear sense of the main aims and objectives of the induction process.

6.2 On admission:-

- 6.2.1 Every fresh student admitted to the institution shall be given a printed leaflet detailing when and to whom he/she has to turn to for help and guidance for various purposes (including Wardens, Head of the institution, members of the anti-ragging committees, relevant district and police authorities), addresses and telephone numbers of such persons/authorities, etc., so that the fresher need not look up to the seniors for help in such matters and get indebted to them and start doing things, right or wrong, at their behest. Such a step will reduce the freshers' dependence on their seniors.
- 6.2.2 The institution through the leaflet mentioned above shall explain to the new entrants the arrangements for their induction and orientation which promote efficient and effective means of integrating them fully as students.
- 6.2.3 The leaflet mentioned above shall also inform the freshers about their rights as bona fide students of the institution and clearly instructing them that they should desist from doing anything against their will even if ordered by the seniors, and that they have nothing to fear as the institution cares for them and shall not tolerate any atrocities against them.
- 6.2.4 The leaflet mentioned above shall contain a calendar of events and activities laid down by the institution to facilitate and complement familiarization of freshers with the academic environment of the institution.
- 6.2.5 The institution shall also organize joint sensitization programmes of 'freshers' and seniors.
- 6.2.6 Freshers shall be encouraged to report incidents of ragging, either as victims, or even as witnesses.

6.3 At the end of the academic year:-

- 6.3.1 At the end of every academic year the Vice-Chancellor/ Dean of Students Welfare/ Director/ Principal shall send a letter to the parents/ guardians of the students who are completing the first year informing them about the law regarding ragging and the punishments, and appealing to them to impress upon their wards to desist from indulging in ragging when they come back at the beginning of the next academic session.
- 6.3.2 At the end of every academic year the institution shall form a 'Mentoring Cell' consisting of Mentors for the succeeding academic year. There shall be as many levels or tiers of Mentors as

the number of batches in the institution, at the rate of 1 Mentor for 6 freshers and 1 Mentor of a higher level for 6 Mentors of the lower level.

6.4 Setting up of Committees and their functions:-

- 6.4.1 The Anti-Ragging Committee:- The Anti-Ragging Committee shall be headed by the Head of the institution and shall consist of representatives of faculty members, parents, students belonging to the freshers' category as well as seniors and non-teaching staff. It shall monitor the anti-ragging activities in the institution, consider the recommendations of the Anti-Ragging Squad and take appropriate decisions, including spelling out suitable punishments to those found guilty.
- 6.4.2 The Anti-Ragging Squad:- The Anti-Ragging Squad shall be nominated by the Head of the institution with such representation as considered necessary and shall consist of members belonging to the various sections of the campus community. The Squad shall have vigil, oversight and patrolling functions. It shall be kept mobile, alert and active at all times and shall be empowered to inspect places of potential ragging and make surprise raids on hostels and other hot spots. The Squad shall investigate incidents of ragging and make recommendations to the Anti-Ragging Committee and shall work under the overall guidance of the said Committee.
- 6.4.3 Monitoring Cell on Ragging:- If the institution is an affiliating university, it shall have a Monitoring Cell on Ragging to coordinate with the institutions affiliated to it by calling for reports from the Heads of such institutions regarding the activities of the Anti-Ragging Committees, Squads, and Mentoring Cells, regarding compliance with the instructions on conducting orientation programmes, counseling sessions, etc., and regarding the incidents of ragging, the problems faced by wardens and other officials, etc. This Cell shall also review the efforts made by such institutions to publicize anti-ragging measures, cross-verify the receipt of undertakings from candidates/students and their parents/guardians every year, and shall be the prime mover for initiating action by the university authorities to suitably amend the Statutes or Ordinances or Bye-laws to facilitate the implementation of anti ragging measures at the level of the institution.

6.5 Other measures:-

- 6.5.1 The Annexures mentioned in sub-clauses 6.1.4, 6.1.5 and 6.1.7 of these Regulations shall be furnished at the beginning of each academic year by every student, that is, by freshers as well as seniors.

- 6.5.2 The institution shall arrange for regular and periodic psychological counseling and orientation for students (for freshers separately, as well as jointly with seniors) by professional counselors during the first three months of the new academic year. This shall be done at the institution and department/ course levels. Parents and teachers shall also be involved in such sessions.
- 6.5.3 Apart from placing posters mentioned in sub-clause 6.1.9 above at strategic places, the institution shall undertake measures for extensive publicity against ragging by means of audio-visual aids, by holding counseling sessions, workshops, painting and design competitions among students and other methods as it deems fit.
- 6.5.4 If the institution has B.Ed. and other Teacher training programmes, these courses shall be mandated to provide for anti-ragging and the relevant human rights appreciation inputs, as well as topics on sensitization against corporal punishments and checking of bullying amongst students, so that every teacher is equipped to handle at least the rudiments of the counseling approach.
- 6.5.5 Wardens shall be appointed as per the eligibility criteria laid down for the post reflecting both the command and control aspects of maintaining discipline, as well as the softer skills of counseling and communicating with the youth outside the class-room situations. Wardens shall be accessible at all hours and shall be provided with mobile phones. The institution shall review and suitably enhance the powers and perquisites of Wardens and authorities involved in curbing the menace of ragging.
- 6.5.6 The security personnel posted in hostels shall be under the direct control of the Wardens and assessed by them.
- 6.5.7 Private commercially managed lodges and hostels shall be registered with the local police authorities, and this shall be done necessarily on the recommendation of the Head of the institution. Local police, local administration and the institutional authorities shall ensure vigil on incidents that may come within the definition of ragging and shall be responsible for action in the event of ragging in such premises, just as they would be for incidents within the campus. Managements of such private hostels shall be responsible for not reporting cases of ragging in their premises.
- 6.5.8 The Head of the institution shall take immediate action on receipt of the recommendations of the Anti-Ragging Squad. He/ She shall also take action suo motto if the circumstances so warrant.
- 6.5.9 Freshers who do not report the incidents of ragging either as victims or as witnesses shall also be punished suitably.
- 6.5.10 Anonymous random surveys shall be conducted across the 1st year batch of freshers every fortnight during the first three months of the academic year to verify and cross-check whether the campus is indeed free of ragging or not. The institution may design its own methodology of conducting such surveys.

- 6.5.11 The burden of proof shall lie on the perpetrator of ragging and not on the victim.
- 6.5.12 The institution shall file an FIR with the police / local authorities whenever a case of ragging is reported, but continue with its own enquiry and other measures without waiting for action on the part of the police/ local authorities. Remedial action shall be initiated and completed within the one week of the incident itself.
- 6.5.13 The Migration / Transfer Certificate issued to the student by the institution shall have an entry, apart from those relating to general conduct and behaviour, whether the student has been punished for the offence of committing or abetting ragging, or not, as also whether the student has displayed persistent violent or aggressive behaviour or any inclination to harm others.
- 6.5.14 Preventing or acting against ragging shall be the collective responsibility of all levels and sections of authorities or functionaries in the institution, including faculty, and not merely that of the specific body/ committee constituted for prevention of ragging.
- 6.5.15 The Heads of institutions other than universities shall submit weekly reports to the Vice-chancellor of the university the institution is affiliated to or recognized by, during the first three months of new academic year and thereafter each month on the status of compliance with anti-ragging measures. The Vice Chancellor of each university shall submit fortnightly reports of the university, including those of the Monitoring Cell on Ragging in case of an affiliating university, to the Chancellor.
- 6.5.16 Access to mobile phones and public phones shall be unrestricted in hostels and campuses, except in class-rooms, seminar halls, library etc. where jammers shall be installed to restrict the use of mobile phones.

6.6 Measures for encouraging healthy interaction between freshers and seniors:-

- 6.6.1 The institution shall set up appropriate committees including the course-in-charge, student advisor, Warden and some senior students to actively monitor, promote and regulate healthy interaction between the freshers and senior students.
- 6.6.2 Freshers' welcome parties shall be organized in each department by the senior students and the faculty together soon after admissions, preferably within the first two weeks of the beginning of the academic session, for proper introduction to one another and where the talents of the freshers are brought out properly in the presence of the faculty, thus helping them to shed their inferiority complex, if any, and remove their inhibitions.
- 6.6.3 The institution shall enhance the student-faculty interaction by involving the students in all matters of the institution, except those relating to the actual processes of evaluation and of faculty appointments, so that the students shall feel that they are responsible partners in managing the

affairs of the institution and consequently the credit due to the institution for good work/ performance is due to them as well.

7. Measures at the UGC/ Statutory/ Regulatory body level:-

7.1 Regulatory measures:-

- 7.1.1 The UGC and other Statutory /Regulatory bodies shall make it mandatory for the institutions to compulsorily incorporate in their 'Prospectus' the directions of the Supreme Court and/or the Central or State Governments with regard to prohibition and consequences of ragging, and that non-compliance with the directives against ragging in any manner whatsoever shall be considered as lowering of academic standards by the erring institution making it liable for appropriate action.
- 7.1.2 The UGC (including NAAC and UGC Expert Committees visiting institutions for various purposes) and similar Committees of other Statutory/Regulatory bodies shall cross-verify that the institutions strictly comply with the requirement of getting the undertakings from the students and their parents/ guardians as envisaged under these Regulations.
- 7.1.3 The UGC and other funding bodies shall make it one of the conditions in the Utilization Certificate for sanctioning any financial assistance or aid to the institution under any of the general or special schemes that the institution has strictly complied with the anti-ragging measures and has a blemish-less record in terms of there being no incidents of ragging during the period pertaining to the Utilization Certificate.
- 7.1.4 The NAAC and other accrediting bodies shall factor in any incident of ragging in the institution while assessing the institution in different grades.

7.2 Incentives for curbing ragging:-

- 7.2.1 The UGC shall consider providing special/ additional annual financial grants-in-aid to those eligible institutions which report a blemish-less record in terms of there being no incidents of ragging.
- 7.2.2 The UGC shall also consider instituting another category of financial awards or incentives for those eligible institutions which take stringent action against those responsible for incidents of ragging.
- 7.2.3 The UGC shall lay down the necessary incentive for the post of Warden in order to attract the right type of eligible candidates, and motivate the incumbents.

7.3 Monitoring mechanism to ensure compliance:-

Apart from the monitoring mechanism built in under different sub-clauses of these Regulations, there shall also be the following monitoring mechanism:

7.3.1 The UGC shall constitute an Inter-Council Committee for prevention of Ragging consisting of representatives of the AICTE, the IITs, the NITs, the IIMs, the MCI, the DCI, the NCI, the ICAR and such other bodies which have to deal with higher education to coordinate and monitor the anti-ragging movement across the country and to make certain policy decisions. The said Committee shall meet at least twice a year in the normal course.

7.3.2 The UGC shall also have an Anti-Ragging Cell within the Commission as an institutional mechanism to provide secretarial support for collection of information and monitoring, and to coordinate with the State level and university level Committees for effective implementation of anti-ragging measures.

8 Punishments:-

8.1 At the institution level:-

Depending upon the nature and gravity of the offence as established by the Anti-Ragging Committee of the institution, the possible punishments for those found guilty of ragging at the institution level shall be any one or any combination of the following:

- 8.1.1 Suspension from attending classes and academic privileges
- 8.1.2 Withholding/ withdrawing scholarship/ fellowship and other benefits
- 8.1.3 Debarring from appearing in any test/ examination or other evaluation process
- 8.1.4 Withholding results
- 8.1.5 Debarring from representing the institution in any regional, national or international meet, tournament, youth festival, etc.
- 8.1.6 Suspension/ expulsion from the hostel
- 8.1.7 Cancellation of admission
- 8.1.8 Rustication from the institution for period ranging from 1 to 4 semesters
- 8.1.9 Expulsion from the institution and consequent debarring from admission to any other institution for a specified period
- 8.1.10 Fine ranging between Rupees 25,000/- and Rupees 1 lakh
- 8.1.11 Collective punishment: When the persons committing or abetting the crime of ragging are not identified, the institution shall resort to collective punishment.

8.2 At the university level in respect of institutions under it:-

If an institution under a university (being constituent of, affiliated to or recognized by it) fails to comply with any of the provisions of these Regulations

and fails to curb ragging effectively, the university may impose any one or any combination of the following penalties on it:

- 8.2.1 Withdrawal of affiliation/ recognition or other privileges conferred on it
- 8.2.2 Prohibiting such institution from presenting any students then undergoing any programme of study therein for the award of any degree/diploma of the university
- 8.2.3 Withholding grants allocated to it by the university, if any
- 8.2.4 Withholding any grants channellised through the university to the institution
- 8.2.5 Any other appropriate penalty within the powers of the university.

8.3 At the appointing authority level:-

The authorities of the institution, particularly the Head of the institution, shall be responsible to ensure that no incident of ragging takes place in the institution. In case any incident of ragging takes place, the Head shall take prompt and appropriate action against the person(s) whose dereliction of duty lead to the incident. The authority designated to appoint the Head shall, in its turn, take prompt and appropriate action against the Head.

8.4 At the UGC/Statutory/Regulatory body level:-

If an institution fails to curb ragging, the UGC/Statutory/Regulatory body concerned may impose any one or any combination of the following penalties on it:

- 8.4.1 Delisting the institution from section 12B of the UGC Act or any similar provision in the Act of the Statutory/Regulatory body concerned
- 8.4.2 Withholding any grants allocated to it
- 8.4.3 Declaring the institution ineligible for consideration for any assistance under any of the general or special assistance programmes of the UGC/Statutory/Regulatory body concerned
- 8.4.4 Declaring that the institution does not have the minimum academic standards and warning the potential candidates for admission accordingly through public notice and posting on the UGC Website/ Website of the Statutory/Regulatory body concerned.
- 8.4.5 Taking such other action within its powers as it may deem fit and impose such other penalties as provided till such time as the institution achieves the objective of curbing ragging.
- 8.4.6 Collaborating with one another to work out other possible deterrents.

Mahatma Education Society's
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Ref No : MES/PiCA/

Date: 5/9/2022

WOMEN DEVELOPMENT CELL

As the earlier WDC was dissolved for academic year 2021-22, a new Women Development Cell for academic year 2022-23 has been constituted.

WDC is to address the issues by the women at workplace and to organize awareness generation programs to take preventive steps towards protection of women staff and female students in the college to create and maintain, safe and supportive environment. It is to follow the norms laid down by all India Council for Technical Education and University of Mumbai.

List of Committee members:

	Name	Des.	Position	Ph. No.	E mail
1.	Prof. Shubhangi Bhide	Faculty	Chairperson	9987087168	sbhide@mes.ac.in
2.	Mrs. Mamta Anil Patil	NGO, Eurdite Mission, Chembur, Mumbai.	Member	9870369700	mamtaanil@mes.ac.in
3.	Prof. Sumitra Kadam	Faculty	Member	9967915710	sumitrakadam@mes.ac.in
4.	Prof. Sayalee Kulkarni	Faculty	Member	8779689286	sayaleekulkarni@mes.ac.in
5.	Prof. Jasmine Bhavsar	Faculty	Member	9820811619	vrindapadhye@mes.ac.in
6.	Ms. Biji Jaykumar	Librarian	Member	9702797570	bijikumar@mes.ac.in
7.	Ms. Anaswara Suthan	Student	Member	9137461190	sanaswara20barch@student.mes.ac.in
8.	Ms. Vaishnavi Gharat	Student	Member	9370830982	vaishnavigharat17pc@student.mes.ac.in
9.	Ms. Virginia Fernandes	Office Secretary (Non- teaching staff)	Member	9757078221	vfernandes@mes.ac.in

Mahimkar
05/09/2022

Prof. Dr. Sudnya Mahimkar
Principal

sbhide

Prof. Shubhangi Bhide
Chairperson

PRINCIPAL
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Mumbai Office: Dr. K. M. Vasudevan Pillai Campus, Chembur Naka, Sector-16, New Panvel-410 206. Tel: 022 2745 6100 / 2745 1700 / 27481764 Fax: 2522 4856 Fax: 2522 2587

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WOMEN'S DEVELOPMENT CELL

1. PREAMBLE

In an effort to promote the well being of the students, teaching and Non- teaching women staff of the University of Mumbai and affiliated colleges/ institutes, the Vice- Chancellor shall establish a Cell, which will be called, Women Development Cell. The Cell shall be accountable for its work directly to the Vice- Chancellor.

2.COMPOSITION OF THE COMMITTEE

The composition of the Committee shall be determined by the Vice- Chancellor ensuring that.

- a) Representation is given to the different sections of the University and affiliated colleges/ institutions.
- b) Representation is given to the NGOs, which are working in the area of women's causes.
- c) Out of the total membership, including the Vice- Chancellor, at any point of time, a minimum of fifty percent of the membership of the Cell shall be constituted by women.
- d) At least one of the members of the Cell may be a person with legal background.

The vice- Chancellor shall be **the ex-officio president** of the cell and he/ she shall appoint a Secretary from amongst the members of the Committee.

The Cell shall have two wings with one wing concerned with the implementation of the Women's Policy in general and the second wing shall deal with the cases / complaints of sexual harassment .

2. OBJECTIVES OF THE CELL The objectives of the Cell shall be

- a) Prevention of sexual harassment and the promotion of the general well – being of female students, teaching women staff of the University and affiliated colleges / institutes.
- b) Provision of guidelines for the redressal of grievances of female students, teaching and non- teaching women staff of the University and affiliated colleges / institutes.
- c) Creation of social awareness about the problems of women and in particular regarding gender discrimination.
- d) Establishment of committees at the collegiate level and seeking the participation of both male and female students from NCC, NSS and other activities for the prevention of sexual harassment of women
- e) Provision of assistance to the College level Women's Development Cell for taking preventive steps in the matter of gender discrimination and sexual harassment.
- f) Encouragement of the participation of NGOs working in the area of women's development in the activities of the Cell.
- g) Organization of seminars and workshops at different centers in the University for the creation of general awareness and for the orientation of both male and female teachers for their participation in the activities of the Cell.

h) Organization of various types of training programs and self-employment schemes for the encouragement of self-reliance among women.

4. DRAFT POLICY TO PREVENT AND DEAL WITH SEXUAL HARASSMENT

1. SHORT TITLE, EXTENT AND COMMENCEMENT

a) This policy will be called the "Policy for the Prevention of Sexual Harassment of Women in Educational Institutions and for dealing with cases of Sexual Harassment".

b) It extends to all Departments and Faculties of the University of Mumbai and all colleges / institutions affiliated to the University of Mumbai whether such colleges / institutions are state- owned or privately owned, whether they are aided or unaided and whether they enjoy the minority status under Article 30 of the Constitution or not.

c) This Policy will come into effect immediately on the date of issuance of directions by the Vice- Chancellor or from a date to Maharashtra University Act , 1994.

3. DEFINITIONS:

For the purpose of this policy, the definitions of the terms used are as follows:

a) **"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 colored remarks, showing pornography or any other physical, verbal or non-verbal conduct of sexual nature.

Explanation: "Sexual Harassment" shall include, but will not be confined to the following:

(i) When submission to unwelcome sexual advances, request for sexual favours and verbal or physical conduct of a sexual nature made, either explicitly or implicitly, as a term or condition for instruction , employment , participation or evaluation of a person's engagement in any university or college activity.

(ii) When unwelcome sexual advances and verbal, non-verbal or physical conduct such as loaded comments, remarks or jokes, letters, phone- calls or emails, 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 individual performance or of creating an intimidating, hostile or offensive university or college environment;

(iii) Where any form of sexual assault is committed where a person uses the body or any part of it or any object as extension of the body in relation to another person without the latter's consent or against that person's will, and

(iv) 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 or community or vice versa.

(b) **"EMPLOYEE "** means any person on the staff of the University or any of the Colleges or Institutions to which this Policy is applicable including any teaching or non-teaching

staff, temporary, part-time, honorary and visiting employee, including persons engaged in examination duties by whatever designation called and would also include employees employed on a leave vacancy, casual or project basis and also employed through contractor.

(c) "Student" includes any person who is enrolled for any course, whether by attendance or by distance education, with the University or any of the colleges or institutions to which this policy is applicable and includes a post-graduate student, a Research Scholar and a Repeater. It also includes a student of another University or another college / institution who has been placed or who has opted for placement with the University or any college to which the present policy applies. It also includes any person, student or ex-student who has permitted the use of any of the facilities of the university or college / institution such as library, laboratory, reading room, gymkhana, etc on the payment of fee or otherwise.

(d) "College" means each college and each institution separately affiliated to the University of Mumbai.

(e) "Management" means and includes the trustees or the managing or governing body, by whatever name called, of any trust registered under the Bombay Public Trust Act, 1950 (Bom xxix of 1950), or any society registered under the Societies Registration Act, 1860 (21 of 1860), under whose management a College is functioning.

(f) "NGO" includes any non-governmental organization operating on a secular non-profit basis and involved in the amelioration of the status of women and children.

(g) "Expert means" any person who has done or is engaged in research work in any University and / or college / institution of academic learning / deemed universities and such others in the country or outside in the field of women's studies or other related areas, and also includes the Heads of Women's Studies' Centres which may exist in any of the universities / institutions Of academic learning in the country.

3. APPLICATION OF THE POLICY

The provisions of this Policy will apply to all the students and employees of the University of Mumbai or any of the colleges affiliated to it and the managements of the University of Mumbai and all the colleges / institutions affiliated to it.

4. SCOPE OF THE POLICY

This policy will apply to all cases and / or complaints or allegations of sexual harassment-

By a student against a co-student, an employee or the Management

By an employee against a student, another employee or the Management

By a person from the Management against a student or an employee.

This Policy will also apply in respect of all cases and / or allegations of sexual harassment-

By a student, employee or management against a third party or an outsider;

By a third party or an outsider against a student, employee or Management

Explanation: The applicability of this Policy will be irrespective of whether the alleged sexual harassment has taken place within or outside the university or college / institutional premises.

5.COMPOSITION OF THE COMMITTEE

(a) The University's Women's Development Cell will constitute a committee to deal with the cases /complaints of sexual harassment.

The Committee shall consist of

- (i) One retired judge of a court not lower than a District Court (Junior Division) as maybe nominated by the Management Council of the University of Mumbai.
 - (ii) Two teachers form amongst the teachers of Departments of the University of Mumbai of whom at least one shall be a women to be nominated by the Vice-Chancellor.
 - (iii) Two Principals / Directors of affiliated college / institutions , at lenth one of one of whom will be a women, to be nominated by the Vice- Chancellor of the University.
 - (iv) Four teachers from among the colleges / institutions of whom at least two shall be women to be nominated by he Vice- Chancellor.
 - (v) One teacher from the field of social work to be nominated by the Vice- Chancellor.
 - (vi) Two non-teaching employees from amongst the non-teaching employees of the University of Mumbai of whom at least one shall be a woman, to be nominated by the Vice- Chancellor.
 - (vii) Two non-teaching employees form amongst the non- teaching employees of the colleges / institutions affiliated to the University of Mumbai of least one shall be a women, to be nominated by the Vice- Chancellor.
 - (viii) Two students from amongst the students of the University of Mumbai and college / institutions affiliated to it of whom at least one shall be a woman, to be nominated by the Vice- Chancellor.
 - (ix) Two representative form the NGOs , in the geographical area of the University of Mumbai form amongst the names of the NGOs in the pool of NGOs to be created for the purpose of this policy of whom at least one shall be a woman, to be nominated by the Vice- Chancellor / Committee.
 - (x) Two representative of the women's organizations in the geographical area of the University of Mumbai form amongst the names of such organizations in the pool of organizations to be created for the purpose of this policy both of whom shall be women, to be nominated by the Committee.
 - (xi) The Member Secretary of the Committee shall have the custody of all the records of the Cell.
- (b) At least 50% of the members of the Cell shall be women.
- (c) The term of office of the Committee shall be for 3 years. Provided however that a person shall cease to hold office as a member of the committee if he or she ceases to be an employee or student. In case of any vacancy due to resignation, termination, death, by

a student nominee becoming an ex- student or for any other reason whatsoever the same shall be filled up immediately in accordance with the procedure in clause (a).

(d) The names of persons who are on the Committee, from time to time, along with their contact places and telephone numbers will be displayed at all times in a prominent manner on a conspicuous part of the main Notice Boards of each of the University premises and in all colleges / institutions affiliated to the University.

(e) A person shall be disqualified for being appointed, elected, nominated or designated as, or for being continued as a member of the Committee if there is any complaint concerning sexual harassment, moral turpitude or serious criminal charges pending against him / her or if he / she is found guilty of sexual harassment.

(f) If a member of the Committee remains absent without permission of the Committee for three consecutive meetings, his / her office shall there upon become vacant and it shall be filled up in accordance with clause (a).

(g) A member of the Committee not being a member ex-officio may resign at any time by tendering her / his resignations in writing to the Chairperson and such person shall be deemed to have vacated her / his office as soon as the Chairperson accepts the resignation and the same shall be filled in accordance with clause (a).

6. MEETINGS OF THE UNIVERSITY COMMITTEE

(a) The Committee shall meet at least twice every year and six months shall not intervene between two successive meetings. Provided that in the first year after the constitution of the Committee, there shall be at least one meeting, every two months.

(b) The Chairperson of the Committee at any time, and shall upon the written request of not less than one third of the total number of the Committee, call a special meeting of the Committee on a date not later than 15 days after the receipt of such requisitions by the Chairperson.

(c) The quorum for any meeting of the Committee will be one third of its members. If the quorum is not present at any meeting it shall be adjourned for half an hour and proceed with those who are present and the proceeding of such a meeting will not be challenged on the ground of absence of quorum.

7. POWERS AND DUTIES OF THE COMMITTEE

(a) To ensure implementation of this policy in the University and other constituents to which it is applicable;

(b) To ensure and supervise the proper constitutions and functioning of the second wing of the Women's Development Cell set up in various colleges and institutions.

(c) To organize regular workshops and training programs for members of the Complaints Committee in each college / institution.

- (d) To process individual grievances concerning sexual harassment in the University Departments and to take suitable action in the manner and mode particularly provided hereafter.
- (e) To formulate programs for the spread of awareness of this Policy amongst the Managements of College / Institutions affiliated to the University, employees and the students.
- (f) To bring out publications in Indian languages and English concerning sexual harassment and also concerning the implementation of this Policy.
- (g) To hold annual programs, seminars, workshops and meetings of the question of sexual harassment, to propagate against sexual harassment amongst managements, students and employees of colleges / institutions affiliated to the Mumbai University and for that purpose to invite experts or resource persons.
- (h) To set up pools one each for NGOs and Women's Associations working within the geographical area of the University for carrying out the purposes of this Policy.
- (i) To act as the Appellate Authority in respect of the decisions taken by the College Women's Development Cell at the College/ Institution.
- (j) To exercise such other powers and perform such other duties as may be conferred or imposed on it by or under this Policy.
- (k) To do all such acts and things as may be necessary to carry out the objects of this Policy.

8. COLLEGE WOMEN'S DEVELOPMENT CELL. (CWDC)

A. ESTABLISHMENT OF THE CWDC

Each college / institution affiliated to the University of Mumbai shall establish / set up CWDC at college level to implement this Policy in general and to deal with complaints / cases of sexual harassment in particular in relation to the college / institution. The office of the Cell shall be located in the College / Institution and the Principal / Director of the College / Institution shall be the custodian of all the records of the cell.

B COMPOSITION OF THE CWDC

The C.W.D.C. shall consist of

- a) Two members from the teaching staff of College/Institution of whom at least one shall be woman, to be nominated by the Local Managing Committee. (LMC) One of the members of LMC will be convener of the Cell.
- b) One woman member of the a non-academic staff in the College/Institution will be nominated by the LMC.

Explanation: In respect of (a) and (b) in case there is no women academic/non-academic staff, the condition that a woman member should be nominated shall stand waived.

- c) Two students nominated by the students Council of whom at least one shall be a girl student, to be nominated by Student Council, or in the absence of any such Student Council, to be nominated by the Principal/Director of the College/Institution. One of the members shall be from the post-graduate/final year students and the other from the second year

- d) At least 50 percent of the member of the CWDC shall be women.
- e) One of the members of the LMC will be convener of the CWDC.
- f) The term of the office of the Cell shall be for three years except for the student member. A student member will be appointed for one academic year. PROVIDED however that a person shall cease to hold office as a member of the CWDC if he or she ceases to be member of the academic staff, non-academic staff or students as the case may be. In the case of any vacancy caused due to death, termination, resignation or for any other reason whatsoever the same shall be filled immediately in accordance with the procedure prescribed for the Constitution of the Cell.
- g) The names of the person who are on the Cell from time to time along with their contact places will be displayed at all times in a prominent manner on a conspicuous part of the main notice board of the College/Institution.
- h) A person shall be disqualified for being nominated, elected or designated, or for being continued as a member of the CWDC, if there is any complaint with sexual harassment or moral turpitude pending against him/her or if he/she found guilty of sexual harassment/moral turpitude, or against whom any criminal proceedings are pending in any court of law.
- i) If a member nominated, elected/designated to the CWDC remains absent for three consecutive meetings of the Committee, without permission of the Committee, his/her office shall thereupon fall vacant.
- j) The Principal of the College will be Ex-officio President of the Cell.
- k) A member of the CWDC may resign his/her office at any time by tendering his/her resignation in writing to Chairperson of the said Committee directly or through the Registrar of the College or in the absence of the Registrar, to the Office Superintendent. Such persons shall be deemed to have vacated his/her offices as soon as the Chairperson accepts the resignation.
- l) The Chairperson of the meeting shall be elected from amongst the women members of the Cell.
- m) The CWDC shall meet at least twice every academic year provided that in the first year after the constitution of the Cell there shall be at least one meeting in every two months.
- n) The Chairperson of the CWDC may, at any time, and shall, upon the written requisition of not less than one-third of the total number of the members of the Cell cause to convene a Special Meeting of the Cell on a day not later than 14 days after the receipt of the requisition by the Chairperson.
- o) The quorum for any meeting of the Cell will be 50 percent of its member. If the quorum is not present at any meeting it shall be adjourned for half an hour and shall proceed with those who are present and the proceedings of such meetings will not be challenged on ground of quorum.

C. THE POWERS AND DUTIES OF CWDC

- a) To ensure implementation of this policy in the College/Institution.
- b) To depute members of the CWDC to attend and participate in the workshop and training programs that may be arranged by the University Cell for members of CWDC colleges/Institutions in connection with this Policy.
- c) To implement the programs for the spread of Awareness of this Policy as may be formulated by the University Cell.
- d) To arrange to distribute all the publications of the University Cell concerning this policy amongst the teachers, non-teaching employees and students.

- e) To process all the individual complaints concerning sexual harassment that may be received from any person and suitable action thereon in the manner and mode more particularly set out hereinafter.

PROVIDED that where a woman complainant specifically expresses a desire that she be allowed to depose in the presence of only women member of the Cell, the Cell shall hear the complaint after the male members have withdrawn from the hearing.

PROVIDED further that the complaint shall not be disposed of until after the male members of the Cell attend and participate in the decision – making process.

- f) To exercise such powers and perform such other function as may be conferred or imposed on it by / under this Policy.
- g) To do all such acts and things as may become necessary to carry out the purpose of this Policy.

D. PUNISHMENT FOR SEXUAL HARASSMENT

Any employee, student third party/outsider, member of the management found guilty of sexual harassment shall be liable to be punished.

E. PENALTIES

A person found guilty of sexual harassment shall be subject to the same penalties for major and minor misconduct as prescribed under the Statutes of the University for the teaching staff and as per the Standard Code Rule 1984 for non-teaching staff.

- a) An employee guilty of sexual harassment shall be liable for any of the following penalties:
 - i) Warning, reprimand or censure.
 - ii) Withholding of increments.
 - iii) Reduction in Rank.

Provided however, that in addition to all these penalties the employee is also required to give a written apology to the victim and upon his failure to do so his punishment can be enhanced.

- b) A student guilty of sexual harassment shall be liable for any of the following penalties:
 - i) Warning, reprimand or censure.
 - ii) Suspension from the University / College/ Institution for a period up to one month.
 - iii) Debarment from appearing for the final examination for period up to three years.
 - iv) Rustication from the University/College/Institution as the case may be.

Provided however, that in addition to all these the penalties the employee or the student is also required to give a written apology to the victim and upon his failure to do so his punishment can be enhanced.

- c) Any person from the Management found guilty of sexual harassment shall be liable for any of the following penalties:
 - i) Warning, reprimand or censure.
 - ii) Suspension from the Management of the University/ College/ Institution for a period up to one month.
 - iii) Removal from the Management of the University/ College/ Institution as the case may be.

F. GRIEVANCE PRECEDUR

- a) Any women employee or female student will have the right to lodge a complaint concerning sexual harassment against a male student or employee or representative of the management with any of the member of the Cell as the case may be.
- b) Such a complaint may be oral or in writing.
- c) Any complaint in writing has to be signed by the person making the complaint. If the complaint is oral the same shall be reduced in writing in detail by Cell member to whom the complaint is made and will not be acted upon till signed by the complainant.
- d) The complainant will be afforded full confidentiality at this stage.
- e) In the event of the complaint being made to the member of the Cell or Committee immediately upon receipt of the complaint, and within not more than five working days, the member of the Cell to whom the complaint is made shall communicate the same to the Chairperson of the Cell as the case may be.
- f) However, if the complainant so desires, her name shall be kept confidential and will not be divulged even to the Cell.
- f) Within 10 working days of the enquiry committee being set up the Convener shall convene a meeting for which an advance intimation will be given to the complainant, At the first meeting the complainant shall be heard. The Inquiry Committee shall then decide whether the stand dropped if according to the committee the complainant has not been able to disclose prima facie an offence of sexual harassment
- g) In case the complainant decides to proceed with the complaint the wishes of the complainant shall be ascertained and if the complainant wishes that a warning would suffice then the alleged offender shall a warning is just and proper he may be warned about his behaviour. The matter will then be treated as concluded with a recording to that effect made in the Complaint Register.
- h) In case the complainant requests that the complaint should be proceeded with beyond a mere warning, the same may be proceeded with in the manner prescribed hereafter.

G. RIGHT TO APPEAL

- a) In the event of the CWDC or the management not taking action on a complaint or in the event of the complainant being dissatisfied with the action taken and / or the delinquent not being satisfied with the decision of the inquiry committee and / or Cell, an Appeal shall lie to the University Committee within 3 months from the date of lodging the complaint.
- b) On receipt of such an Appeal from either party, a meeting of the University Committee shall be convened to go into the Appeal and decide the issue on merits. The University Committee may, if it comes to the conclusion that no Enquirer has been held or enquiry held was improper and / or vitiated, appoint

another committee to hold fresh inquiry and take action as may be necessary acting as a quasi judicial appellate authority.

- c) The accused will have the freedom to appeal to the University Committee against the College Women's Development Cell (CWDC).

H, PROTECTION AGAINST VICTMIZATION:

- a) In the event of the complainant being a student and the accused being a teacher, during the pendency of the investigation and inquiry and even after such an enquiry if the teacher is found to be guilty, the accused will not act as examiner for any examination for which the student appears.
- b) In the event the complainant and the accused both being employees, during the pendency of the investigation and inquiry even after such an inquiry, even after such an inquiry if the accused is found to be guilty, the accused shall not write the Confidential Reports of the complainant, if he is otherwise so authorized.

9. OBLIGATHONS OF THE MANAGEMENT OF THE UNIVERSITY, COLLEGES / INSTITUTIONS:

- 1. The Management of the University / College / Institution affiliated to the University of Mumbai shall provide all the necessary assistance for of the purpose of the purpose of ensuring full, effective and speedy implementation of this policy. It shall be found by the decisions of the various committees as set out in this scheme and shall implement such decisions.
- 2. In case of sexual harassment in the University / College / Institution premises, active assistance shall be provided to the complainant by the University / College / Institution to pursue the complaint. Thus the safety of complainant shall also be ensured at least within the premises.

10. SAVINGS:

- a) The Provision of this policy shall apply not withstanding any contrary law, Statutes, Ordinances, Regulations, Rules and Directives.
- b) The proceedings under this policy shall not be stalled or postponed merely because the complainant is proceeding against the accused under any other provision of civil or criminal law.
- c) The provisions of this policy shall not restrict the powers of the Management of the University / College / Institutions or the complainant to proceed against the alleged offender for any other misconduct or pursue the criminal or civil remedies.
- d) It shall be the responsibility of the Cell to ensure that the provisions of this Policy are not misused or abused by any person with malafide motives of humiliating, harassing and / or vindictively acting against the interests of innocent persons.

23. PROCEDURE FOR INVESTIGATION:

If the Complainant wishes to proceed ahead with the Complaint beyond a mere warning to the accused, the accused shall be given in writing by the Investigation Committee an opportunity to explain within one week why he should not be for good and sufficient reasons be punished for the act of sexual harassment on his part. If the written explanation of the accused is not found to be satisfactory or if he does not provide any written explanation, the Investigation Committee will decide whether the offence deserves a minor penalty or a major penalty.

In the event of the Investigation Committee deciding that the accused shall be imposed a minor penalty the said penalty will be recommended by the Investigation Committee to the Management and such a recommendation shall be binding on the Management. The Management will there upon , expeditiously act on this recommendation and impose a minor penalty as prescribed by the Investigation Committee on the accused.

24. PROCEDURE FOR IMPOSING MAJOR PUNISHMENT;

If the investigation Committee comes to the conclusion that the accused, in case of his guilt being proved, should be imposed a major penalty, it shall make such a recommendation to the Management. This recommendation shall be binding on the Management and the Management shall be bound to institute a departmental enquiry as per the Statutes against the accused. The Investigation Committee shall also recommend whether to place the accused employee under suspension. If the accused employee is to be placed under suspension the provisions of suspension and subsistence allowance as prescribed under the Statutes for other misconduct will apply.

If a person is charged with physical molestation or rape on the University or College premises, he shall be immediately placed under suspension pending the completion of the investigation and enquiry.

In the event of a domestic enquiry being instituted against the accused, a member of the Investigation Committee shall act as the representative of the representative of the management for presenting the case against the accused.

The provisions of the Statutes and other legal provisions shall be followed for the purpose of conducting the departmental enquiry and for implementing its decision.

However, the Complainant's past sexual history will not be probed into or enquired during the proceedings before any of the committees.

Mahatma Education Society's
PILLAI COLLEGE OF ARCHITECTURE

Dr. K.M. Vasudevan Pillai Campus, Sector 16, New Panvel, Mah. India 410 206.

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Ref No : MES/PiCA/

Date : 17/06/2022

SC & ST COMMITTEE FOR THE SESSION 2022-2023

As Per AICTE Guidelines, A Committee Is Formed For Prevention Of Atrocities Against SC/ST Students Under Act No. 33 Of 1989, Scheduled Castes And The Scheduled Tribes (Prevention Of Atrocities) Act, 1989 An SC & ST Committee Is Formed In An Institution For The Session 2022-23. In Case Of Any Grievance In This Regard, Students Can Approach The Committee For Redressal. The Committee Will Suggest Measures To Prevent Atrocities, If Any Against The Members Of SC/ST Students In College And To Ensure The Feeling Of Security Amongst Them As Per The Provisions In The Said Act.

Sr.No	Name of the Committee member	Designation	Position	Mobile number	E-Mail Address
1	Mrs. Shital Marlapalle	Assistant Professor	Chairperson	7777039676	m.shital@mes.ac.in
2.	Mrs. Shubhangi Bhide	Associate Professor	Faculty member	9987087168	sbhide@mes.ac.in
3	Ms.Sarojini Lohot	Professor	Faculty member	9890946152	slohot@mes.ac.in
4	Mr. Jinu Kurien	Associate Professor	Faculty member	9833947673	jkurien@mes.ac.in
5	Mr. Jayraj Ghatge	Assistant Professor	Faculty member	9664177071	jayrajghatge@mes.ac.in
6	Mr.Avinash Sabhagani	Assistant Professor	Faculty member	8888382820	avinashsabhagani@mes.ac.in
7	Ms.Shreya Alangekar	Student	Student Member	7045184568	alangekarshvi19pi@student.mes.ac.in
8	Mr. Atharva Tambe	Student	Student Member	8828350627	tambeatma19pi@student.mes.ac.in
9	Mrs. Virginia Fernandes	Registrar	Member Representative of Non teaching Staff	9757078221	vfernandes@mes.ac.in

Mahatma Education Society's

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Functions Of The SC & ST Committee:

- (I) To Collect Reports And Information Of State Govt. And Central Govt. Orders On Various Aspects Of Education, Employment Of SC/ST Students.
- (II) To Circulate State Govt. And UGC Decisions About Different Scholarship Programs.
- (Iii) To Communicate With The Students And Motivate Them For Better Future Planning.
- (Iv) To Counsel And Guide SC/ ST Students And Help Them To Manage Academic And Personal Issues Of College Life Effectively.
- (V) To Ensure Provisions Of An Environment Where All Such Students Feel Safe And Secure.
- (Vi) To Provide Prompt Counselling For Any Emotional Emergencies Arising On Account Of Any Event At The Campus.

Sudnya Mahimkar
17/06/2022

Prof. (Dr) Sudnya Mahimkar
Principal



Shital Marlapalle
17/6/22

Mrs. Shital Marlapalle
Chairperson



UNIVERSITY GRANTS COMMISSION
35, FERoze SHAH ROAD
NEW DELHI-110001

F.1-5/2014(SCT)

May, 2014

The Registrar,
All universities.
As per list attached.

16 MAY 2014

Sub:-The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities)
Amendment Ordinance, 2014 – regarding.

Sir,

I am directed to enclose herewith a copy of Gazette Notification No.7 dated
04-03-2014 on the subject mentioned above, for compliance and necessary action
under intimation to University Grants Commission.

Yours faithfully,

(Joseph Varghese)
Education Officer

Encl: As above.

O/C
16-5-14



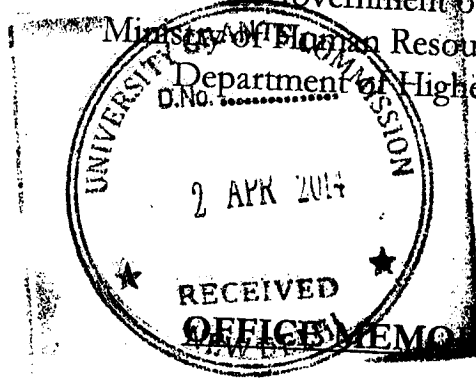
D. 140. - 17 / SET / 2014
18/04/14

- 1 -

F. No 7-1/2014-SC/ST

Government of India

Ministry of Human Resource Development
Department of Higher Education



Shastri Bhawan, New Delhi
Dated the 25th March, 2014

Secretary

Subject: The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance, 2014-reg.

A copy of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance, 2014 as notified in the Gazette of India, Extraordinary on 04.03.2014 received from Ministry of Social Justice & Empowerment is circulated for appropriate action.

2. The objective of amendments in the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) {PoA} Act, 1989 made by the aforesaid Ordinance is to deliver members of Scheduled Castes and Scheduled Tribes, greater justice and an enhanced deterrent to the offenders. The offence under section 3(1) (za)(D) of the Ordinance, which attracts stipulated punishment, inter-alia, relates to obstructing or preventing a member of a Scheduled Caste or a Scheduled Tribe in any manner with regard to entering any educational institution.

Encl.: As above

Phm
JS(SC/ST)

@gairola
(Anil Gairola)
Under Secretary to the Govt. of India
Tel. No. 23388030

The Chairman,
University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi - 110002

Che
11/04/14
S.N.B.R

Sent Through office
Secretary 2655
Date 4/4/14



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 1

PART II—Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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नई दिल्ली, मंगलवार, मार्च 4, 2014/ फाल्गुन 13, 1935 (शक)

No. 7]

NEW DELHI, TUESDAY, MARCH 4, 2014/PHALGUNA 13, 1935 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 4th March, 2014/Phalguna 13, 1935 (Saka)

THE SCHEDULED CASTES AND THE SCHEDULED TRIBES
(PREVENTION OF ATROCITIES) AMENDMENT ORDINANCE, 2014

(No. 1 OF 2014)

Promulgated by the President in the Sixty-fifth Year of the Republic of India.

An Ordinance to amend the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

WHEREAS the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Bill, 2013, to give effect to the aforesaid objective, was introduced on the 12th December, 2013 in the House of the People;

AND WHEREAS the said Bill could not be taken up for consideration and passing in the House of the People;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

Short title and commencement.

1. (1) This Ordinance may be called the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance, 2014.

(2) It shall come into force at once.

Amendment of long title.

2. In the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the principal Act), in the long title, for the words "Special Courts", the words "Special Courts and the Exclusive Special Courts" shall be substituted.

33 of 1989.

Amendment of section 2.

3. In section 2 of the principal Act, in sub-section (1),—

(i) after clause (b), the following clauses shall be inserted, namely:—

(bb) "dependent" means the spouse, children, parents, brother and sister of the victim, who are dependent wholly or mainly on such victim for his support and maintenance;

(bc) "economic boycott" means—

(i) a refusal to deal with, work for hire or do business with other person; or

(ii) to deny opportunities including access to services or contractual opportunities for rendering service for consideration; or

(iii) to refuse to do anything on the terms on which things would be commonly done in the ordinary course of business; or

(iv) to abstain from the professional or business relations that one would maintain with other person;

(bd) "Exclusive Special Court" means the Exclusive Special Court established under sub-section (1) of section 14 exclusively to try the offences under this Ordinance;

(be) "forest rights" shall have the meaning assigned to it in sub-section (1) of section 3 of the Scheduled Tribes and Other

2 of 2007.

Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006;

25 of 2013.

(bf) "manual scavenger" shall have the meaning assigned to it in clause (g) of sub-section (1) of section 2 of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013;

45 of 1860.

(bg) "public servant" means a public servant as defined under section 21 of the Indian Penal Code, as well as any other person deemed to be a public servant under any other law for the time being in force and includes any person acting in his official capacity under the Central Government or the State Government, as the case may be;';

(ii) after clause (e), the following clauses shall be inserted, namely:-

'(ea) "Schedule" means the Schedule appended to this Ordinance;

(eb) "social boycott" means a refusal to permit a person to render to other person or receive from him any customary service or to abstain from social relations that one would maintain with other person or to isolate him from others;

(ec) "victim" means any individual who falls within the definition of the 'Scheduled Caste and Scheduled Tribe' under clause (c) of sub-section (1) of section 2, and who has suffered or experienced physical, mental, psychological, emotional or monetary harm or harm to his property as a result of the commission of any offence under this Ordinance and includes his relatives, legal guardian and legal heirs;

(ed) "witness" means any person who is acquainted with the facts and circumstances, or is in possession of any information or has knowledge necessary for the purpose of investigation, inquiry or trial of any crime involving an offence under this Ordinance, and who is or may be required to give information or make a statement or produce any document during investigation, inquiry or trial of such case and includes a victim of such offence;';

(iii) for clause (f), the following clause shall be substituted, namely:-

"(f) the words and expressions used but not defined in this Ordinance and defined in the Indian Penal Code, the Indian Evidence Act, 1872 or the Code of Criminal Procedure, 1973, as

45 of 1860.
18 of 1872.
2 of 1974.

the case may be, shall be deemed to have the meanings respectively assigned to them in those enactments.”.

Amendment of
section 3.

4. In section 3 of the principal Act,—

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

(1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe,—

(a) puts any inedible or obnoxious substance into the mouth of a member of a Scheduled Caste or a Scheduled Tribe or forces such member to drink or eat such inedible or obnoxious substance;

(b) dumps excreta, sewage, carcasses or any other obnoxious substance in premises, or at the entrance of the premises, occupied by a member of a Scheduled Caste or a Scheduled Tribe;

(c) with intent to cause injury, insult or annoyance to any member of a Scheduled Caste or a Scheduled Tribe, dumps excreta, waste matter, carcasses or any other obnoxious substance in his neighborhood;

(d) garlands with footwear or parades naked or semi-naked a member of a Scheduled Caste or a Scheduled Tribe;

(e) forcibly commits on a member of a Scheduled Caste or a Scheduled Tribe any act, such as removing clothes from the person, forcible tonsuring of head, removing moustaches, painting face or body or any other similar act, which is derogatory to human dignity;

(f) wrongfully occupies or cultivates any land, owned by, or in the possession of or allotted to, or notified by any competent authority to be allotted to, a member of a Scheduled Caste or a Scheduled Tribe, or gets such land transferred;

(g) wrongfully dispossesses a member of a Scheduled Caste or a Scheduled Tribe from his land or premises or interferes with the enjoyment of his rights, including forest rights, over any land or premises or water or irrigation

facilities or destroys the crops or takes away the produce therefrom.

Explanation.—For the purposes of clause (f) and this clause, the expression “wrongfully” includes—

- (A) against the person’s will;
 - (B) without the person’s consent;
 - (C) with the person’s consent, where such consent has been obtained by putting the person, or any other person in whom the person is interested in fear of death or of hurt; or
 - (D) fabricating records of such land;
- (h) makes a member of a Scheduled Caste or a Scheduled Tribe to do “begar” or other forms of forced or bonded labour other than any compulsory service for public purposes imposed by the Government;
- (i) compels a member of a Scheduled Caste or a Scheduled Tribe to dispose or carry human or animal carcasses, or to dig graves;
- (j) makes a member of a Scheduled Caste or a Scheduled Tribe to do manual scavenging or employs or permits the employment of such member for such purpose;
- (k) performs, or promotes dedicating a Scheduled Caste or a Scheduled Tribe woman to a deity, idol, object of worship, temple, or other religious institution as a devadasi or any other similar practice or permits aforementioned acts;
- (l) forces or intimidates or prevents a member of a Scheduled Caste or a Scheduled Tribe—
- (A) not to vote or to vote for a particular candidate or to vote in a manner other than that provided by law;
 - (B) not to file a nomination as a candidate or to withdraw such nomination; or
 - (C) not to propose or second the nomination of a member of a Scheduled Caste or a Scheduled Tribe as a candidate in any election;
- (m) forces or intimidates or obstructs a member of a Scheduled

Caste or a Scheduled Tribe, who is a member or a Chairperson or a holder of any other office of a panchayat under Part IX of the Constitution or a municipality under Part IX A of the Constitution, from performing their normal duties and functions;

(n) after the poll, causes hurt or grievous hurt or assault or imposes or threatens to impose social or economic boycott upon a member of a Schedule Caste or a Scheduled Tribe or prevents from availing benefits of any public service which is due to him;

(o) commits any offence under this Ordinance against a member of a Scheduled Caste or a Scheduled Tribe for having voted or not having voted for a particular candidate or for having voted in a manner provided by law;

(p) institutes false, malicious or vexatious suit or criminal or other legal proceedings against a member of a Scheduled Caste or a Scheduled Tribe;

(q) gives any false or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled Tribe;

(r) intentionally insults or intimidates with intent to humiliate a member of a Scheduled Caste or a Scheduled Tribe in any place within public view;

(s) abuses any member of a Scheduled Caste or a Scheduled Tribe by caste name in any place within public view;

(t) destroys, damages or defiles any object generally known to be held sacred or in high esteem by members of the Scheduled Castes or the Scheduled Tribes.

Explanation.—For the purposes of this clause, the expression “object” means and includes statue, photograph and portrait;

(u) by words either written or spoken or by signs or by visible representation or otherwise promotes or attempts to promote feelings of enmity, hatred or ill-will against members of the Scheduled Castes or the Scheduled Tribes;

(v) by words either written or spoken or by any other means disrespects any late person held in high esteem by members of the Scheduled Castes or the Scheduled Tribes;

(w) (i) intentionally touches a woman belonging to a Scheduled Caste or a Scheduled Tribe, knowing that she belongs to a Scheduled Caste or a Scheduled Tribe, when such act of touching is of a sexual nature and is without the recipient's consent;

(ii) uses words, acts or gestures of a sexual nature towards a woman belonging to a Scheduled Caste or a Scheduled Tribe, knowing that she belongs to a Scheduled Caste or a Scheduled Tribe.

Explanation.—For the purposes of sub-clause (i), the expression “consent” means an unequivocal voluntary agreement when the person by words, gestures, or any form of non-verbal communication, communicates willingness to participate in the specific act:

Provided that a woman belonging to a Scheduled Caste or a Scheduled Tribe who does not offer physical resistance to any act of a sexual nature is not by reason only of that fact, is to be regarded as consenting to the sexual activity:

Provided further that a woman's sexual history, including with the offender shall not imply consent or mitigate the offence;

(x) corrupts or fouls the water of any spring, reservoir or any other source ordinarily used by members of the Scheduled Castes or the Scheduled Tribes so as to render it less fit for the purpose for which it is ordinarily used;

(y) denies a member of a Scheduled Caste or a Scheduled Tribe any customary right of passage to a place of public resort or obstructs such member so as to prevent him from using or having access to a place of public resort to which other members of public or any other section thereof have a right to use or access to;

(z) forces or causes a member of a Scheduled Caste or a Scheduled Tribe to leave his house, village or other place of residence:

Provided that nothing contained in this clause shall apply to any action taken in discharge of a public duty;

(za) obstructs or prevents a member of a Scheduled Caste or a Scheduled Tribe in any manner with regard to —

(A) using common property resources of an area, or burial or cremation ground equally with others or using any river, stream, spring, well, tank, cistern, water-tap or other watering place, or any bathing *ghat*, any public conveyance, any road, or passage;

(B) mounting or riding bicycles or motor cycles or wearing footwear or new clothes in public places or taking out wedding procession, or mounting a horse or any other vehicle during wedding processions;

(C) entering any place of worship which is open to the public or other persons professing the same religion or taking part in, or taking out, any religious, social or cultural processions including *jatras*;

(D) entering any educational institution, hospital, dispensary, primary health centre, shop or place of public entertainment or any other public place; or using any utensils or articles meant for public use in any place open to the public; or

(E) practicing any profession or the carrying on of any occupation, trade or business or employment in any job which other members of the public, or any section thereof, have a right to use or have access to;

(zb) causes physical harm or mental agony of a member of a Scheduled Caste or a Scheduled Tribe on the allegation of practicing witchcraft or being a witch; or

(zc) imposes or threatens a social or economic boycott of any person or a family or a group belonging to a Scheduled Caste or a Scheduled Tribe,

shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.;

(ii) in sub-section (2),—

(a) in clause (v), for the words “on the ground that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member”, the words “knowing that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member” shall be substituted;

10

(b) after clause (v), the following clause shall be inserted, namely:—

“(va) commits any offence specified in the Schedule, against a person or property, knowing that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member, shall be punishable with such punishment as specified under the Indian Penal Code for such offences and shall also be liable to fine.”.

45 of 1860.

5. For section 4 of the principal Act, the following section shall be substituted, namely:—

Substitution of new section for section 4.

“4. (1) Whoever, being a public servant but not being a member of a Scheduled Caste or a Scheduled Tribe, wilfully neglects his duties required to be performed by him under this Ordinance and the rules made thereunder, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to one year.

Punishment for neglect of duties.

(2) The duties of public servant referred to in sub-section (1) shall include—

(a) to read out to an informant the information given orally, and reduced to writing by the officer in charge of the police station, before taking the signature of the informant;

(b) to register a complaint or a First Information Report under this Ordinance and other relevant provisions and to register it under appropriate sections of this Ordinance;

(c) to furnish a copy of the information so recorded forthwith to the informant;

(d) to record the statement of the victims or witnesses;

(e) to conduct the investigation and file charge sheet in the Special Court or the Exclusive Special Court within a period of sixty days, and to explain the delay if any, in writing;

(f) to correctly prepare, frame and translate any document or electronic record;

(g) to perform any other duty specified in this Ordinance or the rules made thereunder:

Provided that the charges in this regard against the public

servant shall be booked on the recommendation of an administrative enquiry.

(3) The cognizance in respect of any dereliction of duty referred to in sub-section (2) by a public servant shall be taken by the Special Court or the Exclusive Special Court and shall give direction for penal proceedings against such public servant.”.

Amendment of section 8.

6. In section 8 of the principal Act,—

(i) in clause (a), for the words “any financial assistance to a person accused of”, the words “any financial assistance in relation to the offences committed by a person accused of” shall be substituted;

(ii) after clause (b), the following clause shall be inserted, namely:—

“(c) the accused was having personal knowledge of the victim or his family, the Court shall presume that the accused was aware of the caste or tribal identity of the victim, unless the contrary is proved.”.

Amendment of section 10.

7. In section 10 of the principal Act, in sub-section (1),—

(a) after the words and figures “article 244 of the Constitution”, the words, brackets and figures “or any area identified under the provisions of clause (vii) of sub-section (2) of section 21” shall be inserted;

(b) for the words “two years”, the words “three years” shall be substituted.

Substitution of new section for section 14.

8. For section 14 of the principal Act, the following section shall be substituted, namely:—

Special Court and Exclusive Special Court.

“14. (1) For the purpose of providing for speedy trial, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification in the Official Gazette, establish an Exclusive Special Court for one or more Districts:

Provided that in Districts where less number of cases under this Ordinance is recorded, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification in the Official Gazette, specify for such Districts, the Court of Session to be a Special Court to try the offences under this

12-

Ordinance:

Provided further that the Courts so established or specified shall have power to directly take cognizance of offences under this Ordinance.

(2) It shall be the duty of the State Government to establish adequate number of Courts to ensure that cases under this Ordinance are disposed of within a period of two months, as far as possible.

(3) In every trial in the Special Court or the Exclusive Special Court, the proceedings shall be continued from day-to-day until all the witnesses in attendance have been examined, unless the Special Court or the Exclusive Special Court finds the adjournment of the same beyond the following day to be necessary for reasons to be recorded in writing:

Provided that when the trial relates to an offence under this Ordinance, the trial shall, as far as possible, be completed within a period of two months from the date of filing of the charge sheet.”.

9. After section 14 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 14A.

2 of 1974.

“14A. (1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, an appeal shall lie, from any judgment, sentence or order, not being an interlocutory order, of a Special Court or an Exclusive Special Court, to the High Court both on facts and on law.

Appeals.

2 of 1974.

(2) Notwithstanding anything contained in sub-section (3) of section 378 of the Code of Criminal Procedure, 1973, an appeal shall lie to the High Court against an order of the Special Court or the Exclusive Special Court granting or refusing bail.

(3) Notwithstanding anything contained in any other law for the time being in force, every appeal under this section shall be preferred within a period of ninety days from the date of the judgment, sentence or order appealed from:

Provided that the High Court may entertain an appeal after the expiry of the said period of ninety days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the period of ninety days:

Provided further that no appeal shall be entertained after the

expiry of the period of one hundred and eighty days.

(4) Every appeal preferred under sub-section (1) shall, as far as possible, be disposed of within a period of three months from the date of admission of the appeal.

Substitution of
new section for
section 15

10. For section 15 of the principal Act, the following section shall be substituted, namely:—

Special Public
Prosecutor and
Exclusive
Public
Prosecutor.

“15. (1) For every Special Court, the State Government shall, by notification in the Official Gazette, specify a Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than seven years, as a Special Public Prosecutor for the purpose of conducting cases in that Court.

(2) For every Exclusive Special Court, the State Government shall, by notification in the Official Gazette, specify an Exclusive Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than seven years, as an Exclusive Public Prosecutor for the purpose of conducting cases in that Court.”

Insertion of new
Chapter IVA.

11. After Chapter IV of the principal Act, the following Chapter shall be inserted, namely:—

“CHAPTER IVA RIGHTS OF VICTIMS AND WITNESSES

Rights of
victims and
witnesses.

15A. (1) It shall be the duty and responsibility of the State to make arrangements for the protection of victims, their dependents, and witnesses against any kind of intimidation or coercion or inducement or violence or threats of violence.

(2) A victim shall be treated with fairness, respect and dignity and with due regard to any special need that arises because of the victim's age or gender or educational disadvantage or poverty.

(3) A victim or his dependent shall have the right to reasonable, accurate, and timely notice of any Court proceeding including any bail proceeding and the Special Public Prosecutor or the State Government shall inform the victim about any proceedings under this Ordinance.

(4) A victim or his dependent shall have the right to apply to the Special Court or the Exclusive Special Court, as the case may be, to summon parties for production of any documents or material, witnesses or examine the persons present.

(5) A victim or his dependent shall be entitled to be heard at any proceeding under this Ordinance in respect of bail, discharge, release, parole, conviction or sentence of an accused or any connected proceedings or arguments and file written submission on conviction, acquittal or sentencing.

2 of 1974.

(6) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the Special Court or the Exclusive Special Court trying a case under this Ordinance shall provide to a victim, his dependent, informant or witnesses—

- (a) the complete protection to secure the ends of justice;
- (b) the travelling and maintenance expenses during investigation, inquiry and trial; and
- (c) the social-economic rehabilitation during investigation, inquiry and trial;
- (d) relocation.

(7) The State shall inform the concerned Special Court or the Exclusive Special Court about the protection provided to any victim or his dependent, informant or witnesses and such Court shall periodically review the protection being offered and pass appropriate orders.

(8) Without prejudice to the generality of the provisions of subsection (6), the concerned Special Court or the Exclusive Special Court may, on an application made by a victim or his dependent, informant or witness in any proceedings before it or by the Special Public Prosecutor in relation to such victim, informant or witness or on its own motion, take such measures including—

- (a) concealing the names and addresses of the witnesses in its orders or judgments or in any records of the case accessible to the public;
- (b) issuing directions for non-disclosure of the identity and addresses of the witnesses;
- (c) take immediate action in respect of any complaint relating to harassment of a victim, informant or witness and on the same day, if necessary, pass appropriate orders for protection:

Provided that inquiry or investigation into the complaint received under clause (c) shall be tried separately from the main case by such Court and concluded within a period of two months from the date of receipt of the complaint:

Provided further that where the complaint under clause (c) is against any public servant, the Court shall restrain such public servant from interfering with the victim, informant or witness, as the case may be, in any matter related or unrelated to the pending case, except with the permission of the Court.

(9) It shall be the duty of the Investigating Officer and the Station House Officer to record the complaint of victim, informant or witnesses against any kind of intimidation, coercion or inducement or violence or threats of violence, whether given orally or in writing, and a photocopy of the First Information Report shall be immediately given to them at free of cost.

(10) All proceedings relating to offences under this Ordinance shall be videe recorded.

(11) It shall be the duty of the concerned State to specify an appropriate scheme to ensure implementation of the following rights and entitlements of victims and witnesses in accessing justice so as

(a) to provide a copy of the recorded First Information Report at free of cost;

(b) to provide immediate relief in cash or in kind to atrocity victims or their dependents;

(c) to provide necessary protection to the atrocity victims or their dependents, and witnesses;

(d) to provide relief in respect of death or injury or damage to property;

(e) to arrange food or water or clothing or shelter or medical aid or transport facilities or daily allowances to victims;

(f) to provide the maintenance expenses to the atrocity victims and their dependents;

(g) to provide the information about the rights of atrocity victims at the time of making complaints and registering the First

Information Report:

(h) to provide the protection to atrocity victims or their dependents and witnesses from intimidation and harassment:

(i) to provide the information to atrocity victims or their dependents or associated organisations or individuals, on the status of investigation and charge sheet and to provide copy of the charge sheet at free of cost;

(j) to take necessary precautions at the time of medical examination:

(k) to provide information to atrocity victims or their dependents or associated organisations or individuals, regarding the relief amount;

(l) to provide information to atrocity victims or their dependents or associated organisations or individuals, in advance about the dates and place of investigation and trial;

(m) to give adequate briefing on the case and preparation for trial to atrocity victims or their dependents or associated organisations or individuals and to provide the legal aid for the said purpose;

(n) to execute the rights of atrocity victims or their dependents or associated organisations or individuals at every stage of the proceedings under this Ordinance and to provide the necessary assistance for the execution of the rights.

(12) It shall be the right of the atrocity victims or their dependents, to take assistance from the Non-Government Organisations, social workers or advocates.”

12. After section 23 of the principal Act, the following Schedule shall be inserted, namely:—

insertion of new Schedule.

“THE SCHEDULE
[See section 3(2) (va)]

Section under the Indian Penal Code.	Name of offence and punishment.
120A	Definition of criminal conspiracy.
120B	Punishment of criminal conspiracy.
141	Unlawful assembly.
142	Being member of unlawful assembly.
143	Punishment for unlawful assembly.
144	Joining unlawful assembly armed with deadly weapon.
145	Joining or continuing in unlawful assembly, knowing it has been commanded to disperse.
146	Rioting.
147	Punishment for rioting.
148	Rioting, armed with deadly weapon.
217	Public servant disobeying direction of law with intent to save person from punishment or property from forfeiture.
319	Hurt.
320	Grievous hurt.
323	Punishment for voluntarily causing hurt.
324	Voluntarily causing hurt by dangerous weapons or means.
325	Punishment for voluntarily causing grievous hurt.
326B	Voluntarily throwing or attempting to throw acid.
332	Voluntarily causing hurt to deter public servant from his duty.

-18-

341	Punishment for wrongful restraint.
354	Assault or criminal force to woman with intent to outrage her modesty.
354A	Sexual harassment and punishment for sexual harassment.
354B	Assault or use of criminal force to woman with intent to disrobe.
354C	Voyeurism.
354D	Stalking.
359	Kidnapping.
363	Punishment for kidnapping.
365	Kidnapping or abducting with intent secretly and wrongfully to confine person.
376B	Sexual intercourse by husband upon his wife during separation.
376C	Sexual intercourse by a person in authority.
447	Punishment for criminal trespass.
506	Punishment for criminal intimidation.
509	Word, gesture or act intended to insult the modesty of a woman."

PRANAB MUKHERJEE,
President.

P.K. MALHOTRA,
Secy. to the Govt. of India.