

RULES AGAINST SEXUAL HARASSMENT

These rules are based on the Policy against Sexual Harassment of women at workplace by the College in accordance with the Ordinances laid by the M.D.University, Rohtak. The rules seek to maintain and create an academic and work environment free of sexual harassment for students, academic and non-teaching staff of the college.

TERMINOLOGY

“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 favors, sexually-coloured remarks, showing pornography or any other unwelcome physical, verbal or non-verbal conduct of sexual nature. “Sexual Harassment” shall include, but will not be confined to the following:

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

SCOPE

These rules shall be applicable to all complaints of sexual harassment made:

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

COMPOSITION OF THE COMMITTEE AT COLLEGE LEVEL:

- (i) Chairperson/Principal
- (ii) One Teacher Incharge Women Cell.
- (iii) One female student
- (iv) The Chairperson can co-opt a non-teaching female employee, if the complaint concerns with non-teaching section.

At least half of the number of members of Committee shall be the Quorum for holding a meeting of Committee.

JURISDICTION

The committee at College shall have the jurisdiction to entertain the complaints of Sexual Harassment on the campus.

LIMITATIONS

The complaints may be entertained by the committee within a period of ten days from the day of alleged event of Sexual Harassment.

MANNER OF FILING THE COMPLAINTS

The complaint may be made by any member against any other member in writing before the committee. The complaint shall contain the facts and specific allegations supported by evidence. At college level, the complaint is made to the Principal/Chairperson of the Committee. A copy of the complaint is also to be submitted with Chairperson of this Committee at University level.

PROCEDURE

After receiving the complaint the meeting of the committee shall be convened by the chairperson at the earliest at college level. The complaint shall be placed before the committee. After considering the complaint the committee shall follow the procedure as considered just and appropriate to meet the ends of justice. The burden of proving the allegation shall lie on the complainant(s). No decision shall be taken by the committee against any one without giving the opportunity of hearing. If the matter is not resolved in the College Complaint Committee, the complaint may be referred to Complaint Committee at University level.

FINDINGS

The committee shall decide the complaints at the earliest and recommend the punishment /action. The punishment /action shall be commensurate with the nature or gravity of incidents.

A. In case of college employees: disciplinary action may be in the form of:

- (i) Warning
- (ii) Written apology
- (iii) Bond of good behavior
- (iv) Adverse remarks in the Confidential Report
- (v) Debarring from supervisory duties
- (vi) Denial of membership of statutory bodies
- (vii) Denial or re-employment
- (viii) Stopping of increments/promotion
- (ix) Reverting, demotion
- (x) Suspension
- (xi) Dismissal
- (xii) Any other punishment as may be warranted by the case.

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

- (i) Warning
- (ii) Written apology
- (iii) Bond of good behavior
- (iv) Debarring entry into the campus
- (v) Suspension for a specified period of time
- (vi) Debarring from holding posts
- (vii) Expulsion
- (viii) Denial of admission
- (ix) Declaring the harasser as “persona non grata” for a stipulated period of time,
- (x) Any other punishment as may be warranted by the case.

C. In case of third party harassment, the college authorities shall initiate action by making a complaint with the appropriate authority as per law.

The recommendation of the committee on punishment /action shall be forwarded to the Vice-Chancellor, whose decision shall be final. Orders of the Vice-Chancellor shall be executed by the respective Head of the Department/Principal of College.

APPEAL

Any person/member, dissatisfied /aggrieved by the decision of the committee may make an appeal to the Vice-Chancellor within 15 days from the date of notification or communication of decision to him. The Vice-chancellor may give opportunity to the concerned persons /members and decide the matter accordingly. The decision of Vice- Chancellor shall be final.

ENFORCEMENT OF ORDERS

The enforcement of orders /decisions passed above shall be the responsibility of concerned Head /Principal of College.

ADMINISTRATIVE CONTROL

The Chairperson shall have the supervisory and administrative control over the committee.

REMOVAL OF DIFFICULTIES

If any difficulty arises in giving effect to the provision of this the rules the chairperson may remove the difficulties.

SAVINGS

No officer /member shall be liable for any legal proceedings for anything done in good faith in discharge of duties under these rules.