



GALGOTIAS UNIVERSITY

Uttar Pradesh

**REGULATIONS FOR
PREVENTION OF SEXUAL HARASSMENT**



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1. Definition

“Sexual Harassment” includes unwelcome behaviour of sexual nature (whether directly or by implication) such as

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

2. Who Can Make a Complaint?

- (a) A person who is –
 - i) A student of the University
 - ii) An employee of the University or holding a consultative position in the University
 - iii) An applicant for admission into any course offered by the University

The following conditions apply to all complaints:

If a complaint filed is found by the Complaint Committee to be frivolous or vexatious, the Committee shall, for reasons to be recorded in writing, dismiss the complaint and recommend to the Vice-Chancellor that the complainant pay the defendant a fine. The amount of fine imposed will depend on the severity of damage caused to the defendant’s reputation.

- ### 3. The Complaint Committee
- The ‘University Complaint Committee’ will be constituted by the Vice-Chancellor; comprising of 5 members including chairperson. At least half of the members of the Committee shall be women and the committee will have representation from the non-teaching staff. The Chairperson of the Complaint Committee will be nominated by the Vice-Chancellor and shall be a woman. Committee may

include members in addition to above. Three members shall form the quorum for a committee meeting.

4. Eligibility for Membership of the Committee (i) The Committee will comprise of faculty members of the rank of Professor or Associate Professor or a staff member in an equivalent position in the University.

(ii) In appointing ordinary members, the Vice-Chancellor may take into account the seniority, ability and background of the members.

The Committee may co-opt as many members as are necessary to make an informed, reasonable and expeditious decision. Students, Staff, NGO's or other relevant persons can be co-opted as members.

5. Jurisdiction

All members of staff teaching or non-teaching of the University are subject to the jurisdiction of this ordinance. Even if the complainant is not a staff or faculty member, but the complaint is against a faculty or staff member, it will be heard by the Complaint Committee.

The jurisdiction of the University Complaints Committee shall extend to acts of sexual harassment committed in the University Campus. The campus shall also include hostels, guesthouses, car parks, Buses and other properties owned, maintained, hired or under the control of the University.

In the case of sexual harassment of a third person by a staff of the University, the Complaint Committee may in its discretion provide information regarding the student or staff to facilitate a proper determination of the third person's complaint.

6. Conduct of Enquiry by the Complaint Committee i) Any person aggrieved must file a complaint with the Complaint Committee at the earliest point in time but in no case after 15 days from the date of occurrence of the alleged

incident.

- ii) The complaint shall contain all the material and relevant details concerning the alleged sexual harassment including the names of the contravener and the complaint shall be addressed to the Chairperson of Complaint Committee
- iii) If the complainant feels that she/he cannot disclose her/his identity for any particular reason, the complainant shall address the complaint in writing to the Vice Chancellor and submit the complaint in person or in a sealed envelope. Upon receipt of such complaint the Vice Chancellor shall retain the original complaint with himself/herself and send to the Complaint Committee a gist of the complaint containing all material and relevant details, but withhold the name of the complainant and other particulars that might disclose the identity of the complainant.
- iv) The Complaint Committee shall take immediate necessary action(s) by initiating a discrete inquiry or hold a full-blown inquiry, as necessary.
- v) The Complaint Committee shall after examination of the complaint submit its recommendations to the Vice Chancellor recommending the penalty to be imposed.
- vi) Vice Chancellor upon receipt of the report from the Complaint Committee shall, after giving an opportunity to hear the person(s) against whom the complained is filed, decide a course of action following the prescribed procedure.

7. Disciplinary Action

Where the conduct of an employee amounts to misconduct in the form of sexual harassment as defined in Section 1 above, appropriate disciplinary action will be taken in the form a fine, demotion to a lower position or outright dismissal from the university. If the alleged harassment rises to the level of a felony, the case will be referred to the police for prosecution.

8. Third Party Harassment

Where sexual harassment occurs as a result of an act by any third party or outsider on campus and the victim is a university employee, the university shall take all reasonable steps to assist the affected person(s) in prosecution of the case.

9. Annual Report

The Complaint Committee shall prepare an Annual Report giving full account of its activities during the previous year and provide a copy of the report to the Vice Chancellor, who shall report to the Chancellor.