

**GUIDELINES FOR REDRESSAL OF GENDER
ISSUES**

DOON UNIVERSITY, DEHRADUN



(Approved Vide Executive Council meeting held on 25.10.2010, 1111/89/R/DU/2010)



Committee for Redressal of Gender Issues (CRGI)

Doon University, Dehradun

Guidelines on the working of Committee for Redressal of Gender Issues

Background:

According to the Constitution of India, Right to Equality is a Fundamental Right that includes the right to equality before law, prohibition of discrimination and equality of opportunities in matters of public employment. Equality between men and women, right to work, to education and to public assistance in case of unemployment, old age, sickness and disablement and provision of just and humane conditions for work and maternity relief, are important Directive Principles of State Policy. Following the 1997 Supreme Court judgment in the case of Vishaka and others versus the State of Rajasthan, the **Committee for Redressal of Gender Issues (CRGI)** was constituted by the Vice-Chancellor by Office Order 1111/89/R/DU/2010 dated 25 October, 2010). This body will implement the Doon University Policy against Sexual Harassment as per the guidelines laid down by the Hon'ble Supreme Court of India, in its ruling on the Writ Petition (Criminal) Vishakha vs. State of Rajasthan on 13 August 1997, on the prevention and deterrence of sexual harassment at the workplace. The Hon'ble Supreme Court in a subsequent judgment titled Apparel Export Promotion Council vs A. K. Chopra, on 20th January, 1999 has reiterated that incidents of sexual harassment violate fundamental rights to gender equality and right to life and liberty. It may be pointed out that although these Rules and Procedures follow the spirit of the above mentioned judgments, they cover a wider spectrum of sexual harassment in consonance with the requirements of an institution of higher education.

Definition of Sexual Harassment:

Sexual harassment in this context, (as is described in the Supreme Court Judgment, and the Doon University Policy), includes any unwelcome sexually determined behavior, whether directly or by implication, and includes physical contact and advances, a demand or request for sexual favors, sexually colored remarks, showing pornography, and other unwelcome physical, verbal or non-verbal conduct of a sexual nature. It shall include, but will not be confined to, the following:

1. When unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature, explicitly or implicitly, are made a term of condition of instruction, employment, participation, or evaluation of a person's engagement in any academic or campus activity.
2. When unwelcome sexual advances and verbal, non-verbal, or physical conduct such as loaded comments, slander, remarks or jokes, letters, phone calls or e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds or display of a

derogatory nature have the purpose or effect of interfering with an individual's performance or of creating an intimidating, hostile or offensive campus environment.

According to the Code of Conduct at the work place prepared by the Doon University policy, sexual harassment includes such unwelcome sexually determined behavior by any person either individually or in association with other persons or by any person in authority, whether directly or by implications, such as the following:

- Eve Teasing.
- Unsavory remarks.
- Jokes causing or likely to cause embarrassment or awkwardness.
- Innuendos and taunts.
- Gender bias insults or sexist remarks.
- Unwelcome sexual overtone in any manner such as over telephone (obnoxious telephone calls) and the like.
- Touching or brushing against any part of the body and the like.
- Displaying pornographic or other offensive or derogatory pictures, cartoons, pamphlets, sayings.
- Forcible physical touch or molestation.
- Physical confinement against one's will and any other act likely to violate one's privacy.

Other Definitions:

'Academic staff' includes any person on the staff of Doon University who is appointed to a teaching and/or research post, whether full-time, temporary, ad-hoc, part-time, visiting, honorary or on special duty or deputation, and shall include employees employed on a casual or project basis.

'Campus' includes all places of work and residence in the Doon University campus. It includes all places of instruction, research and administration, as well as hostel, guesthouse, public places and places of residence allotted and administered by Doon University.

'Non-teaching staff' includes any person in the staff of Doon University who is not appointed to a teaching and/or research post, whether full-time, temporary, ad-hoc, part-time, daily wage, honorary or on special duty or deputation, and shall include employees employed on a casual or project basis, as also persons employed through a contractor.

'Outsider' includes any person who is not a student, resident, or member of the academic or non-teaching staff of Doon University.

'Resident' includes any person who is a temporary or permanent resident of any of the accommodations or premises managed and/or allotted by Doon University, irrespective of whether he/she is the person to whom the accommodation is officially allotted.

‘Service provider’ includes any person who runs or manages commercial enterprises, or provides services, on the campus. It includes, but is not limited to, persons working in canteen, guest house, hostels, creche on the campus, as well as persons working in premises allotted on the campus, such as the Bank, Doon University extension counter, Doon University Telephone Exchange, and any other such similar services.

‘Student’ includes any person who is enrolled for any course, whether full time or part time, with Doon University, Dehradun and includes an undergraduate or postgraduate student, a Research Scholar, a visitor, and a repeater. It also includes a student of another University or college who has been placed or has opted for placement with Doon University or short-term courses at Doon University.

‘Supreme Court Judgment’ shall refer to the guidelines on the prevention and deterrence of sexual harassment in the workplace laid down by the Supreme Court of India on 13 August 1997 in its ruling on the Writ Petition (Criminal) Vishaka vs. State of Rajasthan and the judgment titled Apparel Export promotion Council vs. A. K. Chopra, on 20th January 1999.

‘Doon University authorities’ shall refer to the Vice-Chancellor, Doon University, and/or any person who is entrusted with any powers and functions to act on behalf of Doon University as per the Bye-laws framed under Rule 30 of the “Rules for the Administration and Management” (Doon University).

Complaint Redressal

Procedure for the Complaint

A complaint of sexual harassment may be lodged with any member of Committee for Redressal of Gender Issues in writing by the complainant.

Under special circumstances, an individual, who may be a friend/ colleague/ teacher/parent of the complainant, may make a written complaint on behalf of the complainant.

A written complaint to the Committee for Redressal of Gender Issues may be addressed to the Convenor of the Committee for Redressal of Gender Issues. If a written complaint is made to the Vice-Chancellor, Dean or any of the Committee members, the complaint shall be forwarded to the Convenor of the Committee for Redressal of Gender Issues.

Immediate Action

The member of the Committee for Redressal of Gender Issues, to whom the complaint has been made, should immediately provide initial support and consultation to the victim.

On receipt of the written complaint, the Committee for Redressal of Gender Issues shall initially try to resolve the dispute through informal discussions. However, if the dispute cannot be resolved through such means, an enquiry Committee shall be set up by the Committee for Redressal of Gender Issues Convenor preferably within the next ten

working days. The Enquiry Committee thus set up will consist of at least three persons from the Committee for Redressal of Gender Issues, co-opting other members from Doon University, or outside Doon University, if necessary. At least 50% members of this Committee shall be women. The Enquiry Committee will be headed by a woman and will have one outside member (preferably a member of NGO).

During the pending enquiry, the complainant shall be protected against the accused. For example, if the complainant is a student and the accused a teacher, the accused will not act as an examiner to this student. If the complainant is a student and the accused his/her supervisor, the student's placement may be changed or his/her supervisor may be changed. If the complainant and the accused are both employees, either may be temporarily transferred. If the accused is an outsider, he/she may not be allowed to enter the Institute, during this period.

The victim may be referred to a lawyer, doctor and/or a counsellor, if necessary.

Procedure for the Enquiry

The Enquiry Committee shall investigate into the issue, by laying down its own procedure, to find out if the accused is prima facie guilty and the nature and extent of the guilt. It shall interview the complainant, the accused and others related to the case, and investigate relevant documents or evidence that may be referred to. Determining what constitutes sexual harassment will depend upon the specific facts and circumstances of each case. The Enquiry Committee may consult a lawyer, doctor and/or a counsellor, as the need may be.

The Enquiry Committee shall submit its report to the Committee for Redressal of Gender Issues Convenor within four weeks of its appointment. In case the enquiry has to be extended beyond this period, the Enquiry Committee may give reasons for the delay in writing to the Convenor of the Committee.

Procedure for Redressal

If there is a prima facie case against the accused, the Committee for Redressal of Gender Issues may recommend immediate suspension till the person is proved innocent or the issue is settled. Efforts must be made to resolve the dispute through counselling and mediation.

In case the accused is found guilty, the Committee for Redressal of Gender Issues may recommend appropriate punitive action (see below) to be undertaken by the Vice- Chancellor. The victim of sexual harassment should have the option to seek transfer of the perpetrator or her own transfer.

The Committee for Redressal of Gender Issues may submit its report to the Vice-Chancellor within eight weeks after the date of receipt of the complaint. In case the enquiry has to be extended beyond this period, the Convener of the Committee for Redressal of Gender Issues shall give the reasons for the delay in writing to the complainant.

The Vice-Chancellor may discuss his/her plan of punitive action against the guilty party with the Committee for Redressal of Gender Issues and then implement it within fifteen working days.

A copy of the Vice-Chancellor's order (or an action taken report) of the punitive action to the perpetrator may be given to the complainant/victim.

The complainant shall have the right to appeal to the Chairperson of the Governing Board if she/he is not satisfied by the action taken by the Vice-Chancellor.

Nothing in these guidelines shall preclude anybody from simultaneously lodging a complaint with the police in respect of any act amounting to an offence under the law.

Punitive Action

An employee guilty of sexual harassment shall be liable to give a written apology to the victim and any of the following punitive actions:

- Suitable censure/warning.
- Withholding of increments.
- Reduction to lower service, grade or post.
- Compulsory retirement.
- Removal from service, or
- Dismissal from service.

A student guilty of sexual harassment shall be liable to give a written apology to the victim and any of the following punitive actions:

- Suitable censure/warning.
- Withholding/withdrawing scholarship/fellowship and other benefits.
- Suspension/expulsion from the hostel.
- Rustication from the Institute for a period up to a certain period or
- Expulsion from the Institute.

Constitution

General Requirements

While constituting the Committee for Redressal of Gender Issues, the following requirements need to be met:

Representative members from all the constituencies of the Institute should be in the Cell.

Convener should be a woman.

A socially aware non-Doon University person (possibly an NGO member) has to be on the committee.

At least 50% of the members should comprise of females.

Members should have personal integrity and gender sensitivity.

COMMITTEE FOR REDRESSAL OF GENDER ISSUES (2015-2016)

CRGI MEMBERS

Contact No.

Dr. Prachi Pathak	Chairperson	8936900025
Dr. Vijay Sridhar	Member	9760118019
Ms.Karuna Sharma	Member	8953880515
Dr.Asha Ram Gairola	Member	9456318192
Dr.Indu Singh	External Member Principal, MKP Girls College ,Dehradun	
Ms.Geeta Gairola	NGO Representative	
Mr.O.P.Sati	Legal Advisor, Dehradun Court, Dehradun	
Girl Student Representative	To be elected through election	
Boy Student Representative	To be elected through election	