

**POLICY ON PREVENTION OF SEXUAL HARASSMENT
(AS PER THE UGC GUIDELINE NOTIFICATION DATED 02.05.2016)**

Prevention, Prohibition and Redressal of Sexual Harassment Policy

Policy and Purpose	The University of Transdisciplinary Health Sciences and Technology (hereinafter the Trans-disciplinary University - TDU) is committed in making the workspace and campus of the University a safe space to work and study. In pursuance of the same, TDU hereby adopts the Prevention of Sexual Harassment Policy
Authority	Registrar's office
Application of the policy	All the TDU staff
Responsible Division	Human Resource Department
Approval Date	
Guidelines	<ol style="list-style-type: none"> 1. TDU commits to zero tolerance policy towards sexual harassment. TDU prohibit sexual harassment in the campus and workplace. 2. TDU commits to take immediate and appropriate action against sexual harassment 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. 3. For the purposes of this Policy all words will have same meaning as given to them in the UGC (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Education), 2016 (hereinafter referred as UGC Regulation, 2016). <p>The following phrases are extracted:</p> <ol style="list-style-type: none"> a. '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 ,

	<p>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;</p> <p>b. 'sexual harassment' shall have the same meaning as defined in the UGC Regulations, 2016. Sexual harassment means:</p> <p>(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;-</p> <p>(a) any unwelcome physical, verbal or non verbal conduct of sexual nature;</p> <p>(b) demand or request for sexual favours;</p> <p>(c) making sexually coloured remarks</p> <p>(d) physical contact and advances; or</p> <p>(e) showing pornography'</p> <p>(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-</p> <p>(a) implied or explicit promise of preferential treatment as quid pro quo for sexual favours;</p> <p>(b) implied or explicit threat of detrimental treatment in the conduct of work;</p> <p>(c) implied or explicit threat about the present or future status of the person concerned;</p> <p>(d) creating an intimidating offensive or hostile learning environment;</p> <p>(e) humiliating treatment likely to affect the health, safety dignity or physical integrity of the person concerned;</p> <p>c. 'workplace' means the campus of TDU including-</p> <p>(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 TDU;</p> <p>(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 TDU;</p> <p>(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</p>
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	<p>TDU.’</p> <ol style="list-style-type: none"> 4. The Policy and Guidelines shall apply to: <ol style="list-style-type: none"> (a) all members of TDU including students, faculty and staff (full time and part-time) (b) Consultants (full or part-time), temporary, contractual or casual employees, trainees, persons on probation. interns, volunteers, teacher assistants, research assistants, whether employed or not, including those persons involved in field studies, projects, short-visits and camps (c) all persons working for the University whether directly employed or not all persons (d) who participate in programmes of the University. (e) Any other third party associated with the University 5. Registrar of TDU shall constitute an Internal Complaints Committee (ICC) for a period of three years. 6. The Committee shall have the responsibilities prescribed by the UGC Regulation, 2016 and in particular the following: <ol style="list-style-type: none"> a) Generate and spread awareness on a regular basis by conducting sensitization workshops about the Policy and the UGC Regulation, 2016; b) Counsel faculty, staff and students on issues of sexual harassment; c) Be authorised to receive complaints of sexual harassment and conduct inquiries on such complaints in the manner prescribed by the UGC Regulation, 2016; d) Be responsible for assisting victims of sexual harassment and eyewitnesses through the process of inquiry; e) Recommend necessary action to protect victims/eye-witnesses who have reported any instance of retaliation or threats of retaliation; f) Ensure that all discussions with the ICC are kept confidential. 7. The Registrar shall be responsible for redressal including interim redressal in the manner prescribed by the UGC Regulation, 2016. 8. Grievances against Registrar can be addressed
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	<p>to the vc@tdu.edu.in</p> <p>9. Grievances against the Vice Chancellor can be addressed to the chancellor@tdu.edu.in</p> <p>10. Appropriate actions will be taken with respect to frivolous complaints.</p> <p>11. Please note the National Helpline for addressing the grievances 1091, 1291 (toll free numbers)</p> <p>12. The University will review these guidelines from time to time and communicate changes if any.</p> <p>13. Staff or Students in distress owing to sexual harassment related incidents can register their grievances at helpdeskposh@tdu.edu.in</p> <p>Constitution of the Committee:</p> <ul style="list-style-type: none"> ● PRESENCE OF FEMALE MEMBERS, 50% female members on the committee. ● PRESENCE OF THIRD PARTY MEMBERS ● PRESENCE OF COUNSELLORS OR OTHER SUPPORT SERVICE, ● CONTACT ADDRESSES/NUMBERS OF COMMITTEE MEMBERS ● Internal Complaints Committee (ICC) at TDU. <p>(i) Dr Megha, Associate Professor, CABHN (Presiding Officer)</p> <p>(ii) Dr Noorunnisa Begum, Associate Professor, CCNR (Member)</p> <p>(iii) Dr Subrahmanya Kumar, Associate Professor, CABHN (Member)</p> <p>(iv) Dr Prakash BN, Associate Professor, CLHTP (Member)</p> <p>(v) Admin Representative (Ms. Vidya, Assistant Registrar HR) (Member)</p> <p>(vi) Ms. Nirmala Murthy (External Member)</p>
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GUIDELINES AGAINST SEXUAL HARASSMENT AT WORKPLACE

Vishaka Guidelines against Sexual Harassment in the Workplace. Guidelines and norms laid down by the Hon'ble Supreme Court in Vishaka and Others vs. State of Rajasthan and Others(JT1997(7)SC384)

Section294	Whoever, to the annoyance of others, (a) does any obscene act in any public place, or (b)sings ,recites and utters any obscene songs, ball ads or words, in or near any publics pace, shall be punished with imprisonment of either description for a term that may extend to three months, or with fine, or with both.' This provision is included in Chapter XVI entitled 'Of Offenses Affecting
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	Public Health, Safety, Convenience and Morals’ and is cognizable, bailable and triable by any magistrate
Section354	Who ever assaults or uses criminal force on any woman ,intending to outrage her modesty or knowing it likely that he will there by outrage her modesty, shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.
Section509	<p>(Word, gesture or act intended to insult the modesty of a woman) this is included in Chapter22 entitled ‘Of Criminal Intimidation, Insult and Annoyance’, and is cognizable, bailable and triable by any magistrate. It holds: ‘Whoever, intending to insult the modesty of a woman, utters any word, makes any sound or gesture, or exhibits any object, intending that such word or sound shall be heard, or that such gesture is seen by such woman ,or intrudes upon the privacy of such woman, shall be punished with simple imprisonment for a term which may extend to one year ,or with fine, or with both.’</p> <p>Under the Indecent Representation of Women (Prohibition)Act (1987) if an individual harasses another with books, photographs, paintings ,films, pamphlets, packages, etc. containing the “indecent representation of women” ,they are liable for a minimum sentence of 2years. Section7 (Offenses by Companies)further holds companies where there has been “indecent representation of women”(such as the display of pornography) on the premises, guilty of offenses under this act, with a minimum sentence of 2years.</p>
Civil case: A civil suit can be filed for damages under laws. That is, the basis for filing the case would be mental anguish, physical harassment, loss of income and employment caused by the sexual harassment.	
Preventive Steps	<p>All employers or persons in charge of work place whether in public or private sector should take appropriate steps to prevent sexual harassment. Without prejudice to the generality of this obligation they should take the following steps:</p> <p>(a) Express prohibition of sexual harassment as defined above at the workplace should be notified, published and circulated in appropriate ways.</p> <p>(b) The Rules / Regulations of Government and Public Sector bodies relating to conduct and discipline should include rules / regulations prohibiting sexual harassment and provide for appropriate penalties in such rules against the offender.</p> <p>(c) As regards private employers ,steps should be taken to include the aforesaid prohibitions in the standing orders under the University Employment (Standing Orders) Act,1946.</p> <p>(d) Appropriate work conditions should be provided in respect of work ,leisure, health and hygiene to further ensure that there is no hostile environment towards women at work places and no employee woman should have reasonable grounds to believe that she is disadvantaged in connection with her employment.</p>
Criminal Proceedings	<p>Where such conduct amounts to a specific offence under the Indian Penal Code or under any other law, the employer shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.</p> <p>In particular, it should ensure that victims ,or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.</p>

	The victims of sexual harassment should have the option to seek transfer of the perpetrator or their own transfer.
Disciplinary Action	Where such conduct amounts to misconduct in employment as defined by the relevant service rules, appropriate disciplinary action should be initiated by the employer in accordance with those rules
Complaint Mechanism	Whether or not such conduct constitutes an offence under law or a breach of the service rules, an appropriate complaint mechanism should be created in the employer's organization for redress of the complaint made by the victim. Such complaint mechanism should ensure time bound treatment of complaints.
Complaints Committee	<p>The complaint mechanism should be adequate to provide, where necessary, a Complaints Committee, a special counselor or other support service, including the maintenance of confidentiality. The Complaints Committee should be headed by a woman and not less than half of its member should be women. Further, to prevent the possibility of any undue pressure or influence from senior levels, such Complaints Committee should involve a third party ,either NGO or other body who is familiar with the issue of sexual harassment.</p> <p>The Complaints Committee must make an annual report to the Government department concerned of the complaints and action taken by them. The employers and person in charge will also report on the compliance with the aforesaid guidelines including on the reports of the Complaints Committee to the Government department.</p>
Worker's Initiative	Employees should be allowed to raise issues of sexual harassment at a workers' meeting and in other appropriate forum and it should be affirmatively discussed in Employer-Employee Meetings.
Awareness	Awareness of the rights of female employees in this regard should be created in particular by prominently notifying the guidelines(and appropriate legislation when enacted on the subject)in a suitable manner.
Third Party Harassment	<p>Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the employer and person in charge will take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.</p> <p>The Central / State Governments are requested to consider adopting suitable measures including legislation to ensure that the guidelines laid down by this order are also observed by the employers in Private Sector.</p>
Examples of Sexual Harassment	<ul style="list-style-type: none"> • Unnecessary and unwelcome physical contact • Unwelcome advances, attention, compliments ,invitations or propositions • Unwelcome or lewd references to a person's physical features, figure or dress • Suggestive and unwelcome comments, looks, attitudes or jokes • Sexist graffiti or the display of offensive pin ups, suggestive or pornographic material • Electronic transmission of pornographic/degrading/indecent material • Threats of academic failure or promises of promotion/training in exchange for sexual favors • Indecent assault, sexual assault or rape • Constantly chipping away at a person's morale and their standing within a working team

	<ul style="list-style-type: none">• Verbal or physical intimidation• Sexual innuendo and expletives
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