

**UNIVERSITY GRANTS COMMISSION**  
**Bahadurshah Zafar Marg**  
**New Delhi-110002**

**No. F. 1-127/2011 (Anti Ragging)**

**PUBLIC NOTICE**

**CURBING THE MENACE OF RAGGING IN HIGHER EDUCATIONAL INSTITUTIONS**

It is brought to the notice of the Institutions, students and other various stakeholders that ragging is a criminal offence and UGC has framed regulations, on curbing the menace of ragging in higher educational institution, in order to prohibit, prevent and eliminate the scourge of ragging. The regulations have been notified vide No. F. 1-16/2009 (CPP-II) dated 21.10.2009 and are available on UGC website [www.ugc.ac.in](http://www.ugc.ac.in).

The above mentioned regulations are mandatory and shall apply to all Universities established or incorporated by or under a Central Act, a Provincial Act or a State/Union Territory Act and all Institutions recognized by or affiliated to such Universities and all Institutions deemed to be Universities under Section (3) of the UGC Act, 1956 with effect from 4<sup>th</sup> July, 2009 i.e. the date of its Publication in the official Gazette. **All institutions are required to take necessary steps for its implementation in to including the monitoring mechanism as per provisions provided in the above regulation and ensure its strict compliance.** The following preventive measures for Anti-Ragging should also be strictly followed:-

- 1) The Institutions may erect suitable hoardings/bill boards/banners in prominent places within the campus to exhort the students to prevent or not to indulge in ragging and also indicating therein the names of the officials and their telephone numbers to be contacted in case of ragging.
- 2) All Educational Institutions should form an Anti-Ragging-Committee and squads and dedicated cadre of wardens and professional counselors to ensure that the directions of Hon'ble Supreme Court of India and Justice Raghavan Committee recommendations are followed without exception.

- 3) An affidavit must be obtained from every Student, Parent/Guardian separately as per clause (m & n) of Regulation 6.2.
- 4) The Institution may also undertake other forms of campaign as it may consider appropriate for prevention of ragging.
- 5) UGC has uploaded a film on anti-ragging on its website. All universities and colleges are requested to download the same and give wide publicity amongst the students, before the start of the academic session. Besides, this may be constantly monitored during the entire period of the academic session.

Any violation of UGC regulations as cited above or if any Institution fails to take adequate steps to prevent ragging or act in accordance with these regulations or fails to punish perpetrators of incidents of ragging suitably, UGC shall call for punitive action against erring institutions.

Students in distress owing to ragging related incidents can access the toll free helpline 1800-180-5522.

**SECRETARY**

**UNIVERSITY GRANTS COMMISSION**  
**UGC REGULATIONS ON CURBING THE MENACE OF RAGGING IN**  
**HIGHER EDUCATIONAL INSTITUTIONS, 2009.**

(under Section 26 (1)(g) of the University Grants Commission Act, 1956)

New Delhi-110002, the 17th June 2009

**F.1-16/2007(CPP-II)**

**PREAMBLE.**

In view of the directions of the Hon'ble Supreme Court in the matter of "University of Kerala v/s. Council, Principals, Colleges and others" in SLP no. 24295 of 2006 dated 16.05.2007 and that dated 8.05.2009 in Civil Appeal number 887 of 2009, and in consideration of the determination of the Central Government and the University Grants Commission to prohibit, prevent and eliminate the scourge of ragging including any conduct by any student or students whether by words spoken or written or by an act which has the effect of teasing, treating or handling with rudeness a fresher or any other student, or indulging in rowdy or indisciplined activities by any student or students which causes or is likely to cause annoyance, hardship or psychological harm or to raise fear or apprehension thereof in any fresher or any other student or asking any student to do any act which such student will not in the ordinary course do and which has the effect of causing or generating a sense of shame, or torment or embarrassment so as to adversely affect the physique or psyche of such fresher or any other student, with or without an intent to derive a sadistic pleasure or showing off power, authority or superiority by a student over any fresher or any other student, in all higher education institutions in the country, and thereby, to provide for the healthy development, physically and psychologically, of all students, the University Grants Commission, in consultation with the Councils, brings forth this Regulation.

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 from the date of their publication in the Official Gazette.

1.3 They shall apply to all the institutions coming within the definition of an University under sub-section (f) of section (2) of the University Grants Commission Act, 1956, and to all institutions deemed to be a university under Section 3 of the University Grants Commission Act, 1956, to all other higher educational institutions, or elements of such universities or institutions, including its departments, constituent units and all the premises, whether being academic, residential, playgrounds, canteen, or other such premises of such universities, deemed universities and higher educational institutions, whether located within the campus or outside, and to all means of transportation of students, whether public or private, accessed by students for the pursuit of studies in such universities, deemed universities and higher educational institutions.

**2. Objectives.-**

To prohibit any conduct by any student or students whether by words spoken or written or by an act which has the effect of teasing, treating or handling with rudeness a fresher or any other student, or indulging in rowdy or indisciplined activities by any student or students which causes or is likely to cause annoyance, hardship or psychological harm or to raise fear or apprehension thereof in any fresher or any other student or asking any student to do any act which such student will not in the ordinary course do and which has the effect of causing or generating a sense of shame, or torment or embarrassment so as to adversely affect the physique or psyche of such fresher or any other student, with or without an intent to derive a sadistic pleasure or showing off power, authority or superiority by a student over any fresher or any other student; and thereby, to eliminate ragging in all its forms from universities, deemed universities and other higher educational institutions in the country by prohibiting it

under these Regulations, preventing its occurrence and punishing those who indulge in ragging as provided for in these Regulations and the appropriate law in force.

**3. What constitutes Ragging.-** Ragging constitutes one or more of any of the following acts:

- a. any conduct by any student or students whether by words spoken or written or by an act which has the effect of teasing, treating or handling with rudeness a fresher or any other student;
- b. indulging in rowdy or indisciplined activities by any student or students which causes or is likely to cause annoyance, hardship, physical or psychological harm or to raise fear or apprehension thereof in any fresher or any other student;
- c. asking any student to do any act which such student will not in the ordinary course do and which has the effect of causing or generating a sense of shame, or torment or embarrassment so as to adversely affect the physique or psyche of such fresher or any other student;
- d. any act by a senior student that prevents, disrupts or disturbs the regular academic activity of any other student or a fresher;
- e. exploiting the services of a fresher or any other student for completing the academic tasks assigned to an individual or a group of students.
- f. any act of financial extortion or forceful expenditure burden put on a fresher or any other student by students;
- g. any act of physical abuse including all variants of it: sexual abuse, homosexual assaults, stripping, forcing obscene and lewd acts, gestures, causing bodily harm or any other danger to health or person;
- h. any act or abuse by spoken words, emails, post, public insults which would also include deriving perverted pleasure, vicarious or sadistic thrill from actively or passively participating in the discomfiture to fresher or any other student ;
- i. any act that affects the mental health and self-confidence of a fresher or any other student

with or without an intent to derive a sadistic pleasure or showing off power, authority or superiority by a student over any fresher or any other student.

**4. Definitions.-**

- 1) In these regulations unless the context otherwise requires,-
  - a) "Act" means, the University Grants Commission Act, 1956 (3 of 1956);
  - b) "Academic year" means the period from the commencement of admission of students in any course of study in the institution up to the completion of academic requirements for that particular year.
  - c) "Anti-Ragging Helpline" means the Helpline established under clause (a) of Regulation 8.1 of these Regulations.
  - d) "Commission" means the University Grants Commission;
  - e) "Council" means a body so constituted by an Act of Parliament or an Act of any State Legislature for setting, or co-ordinating or 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.
  - f) "District Level Anti-Ragging Committee" means the Committee, headed by the District Magistrate, constituted by the State Government, for the control and elimination of ragging in institutions within the jurisdiction of the district.
  - g) "Head of the institution" means the Vice-Chancellor in case of a university or a deemed to be university, the Principal or the Director or such other designation as the executive head of the institution or the college is referred.
  - h) "Fresher" means a student who has been admitted to an institution and who is undergoing his/her first year of study in such Institution.
  - i) "Institution" means a higher educational Institution including, but not limited to an university, a deemed to be university, a college, an institute, an institution of national importance set up by an Act of Parliament or a constituent unit of such institution, imparting higher education beyond 12 years of schooling leading to, but not necessarily culminating in, a degree (graduate, postgraduate and/or higher level) and/or to a university diploma.

j) "NAAC" means the National Academic and Accreditation Council established by the Commission under section 12(ccc) of the Act;

k) "State Level Monitoring Cell" means the body constituted by the State Government for the control and elimination of ragging in institutions within the jurisdiction of the State, established under a State Law or on the advice of the Central Government, as the case may be.

(2) Words and expressions used and not defined herein but defined in the Act or in the General Clauses Act, 1897, shall have the meanings respectively assigned to them in the Act or in the General Clauses Act, 1897, as the case may be.

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

- a) No institution or any part of it thereof, including its elements, including, but not limited to, the departments, constituent units, colleges, centres of studies and all its premises, whether academic, residential, playgrounds, or canteen, whether located within the campus or outside, and in all means of transportation of students, whether public or private, accessed by students for the pursuit of studies in such institutions, shall permit or condone any reported incident of ragging in any form; and all institutions shall take all necessary and required measures, including but not limited to the provisions of these Regulations, to achieve the objective of eliminating ragging, within the institution or outside,
- b) All institutions shall take action in accordance with these Regulations against those found guilty of ragging and/or abetting ragging, actively or passively, or being part of a conspiracy to promote ragging.

**6 Measures for prevention of ragging at the institution level.-**

6.1 An institution shall take the following steps in regard to admission or registration of students; namely,

- a) Every public declaration of intent by any institution, in any electronic, audio-visual or print or any other media, for admission of students to any course of study shall expressly provide that ragging is totally prohibited in the institution,

and anyone found guilty of ragging and/or abetting ragging, whether actively or passively, or being a part of a conspiracy to promote ragging, is liable to be punished in accordance with these Regulations as well as under the provisions of any penal law for the time being in force.

- b) The brochure of admission/instruction booklet or the prospectus, whether in print or electronic format, shall prominently print these Regulations in full.

Provided that the institution shall also draw attention to any law concerning ragging and its consequences, as may be applicable to the institution publishing such brochure of admission/instruction booklet or the prospectus.

Provided further that the telephone numbers of the Anti-Ragging Helpline and all the important functionaries in the institution, including but not limited to the Head of the institution, faculty members, members of the Anti-Ragging Committees and Anti-Ragging Squads, District and Sub-Divisional authorities, Wardens of hostels, and other functionaries or authorities where relevant, shall be published in the brochure of admission/instruction booklet or the prospectus.

- c) Where an institution is affiliated to a University and publishes a brochure of admission/instruction booklet or a prospectus, the affiliating university shall ensure that the affiliated institution shall comply with the provisions of clause (a) and clause (b) of Regulation 6.1 of these Regulations.
- d) The application form for admission, enrolment or registration shall contain an affidavit, mandatorily in English and in Hindi and/or in one of the regional languages known to the applicant, as provided in the English language in Annexure I to these Regulations, to be filled up and signed by the applicant to the effect that he/she has read and understood the provisions of these Regulations as well as the provisions of any other law for the time being in force, and is aware of the prohibition of ragging and the punishments prescribed, both under penal laws as well as under these Regulations and also affirm to the effect that he/she has not been expelled and/or debarred by any institution and further aver that he/she would not indulge, actively or passively, in the act or abet the act of ragging and if found guilty of ragging and/or abetting ragging, is liable to be proceeded against under these Regulations or under any penal law or any



- other law for the time being in force and such action would include but is not limited to debarment or expulsion of such student.
- e) The application form for admission, enrolment or registration shall contain an affidavit, mandatorily in English and in Hindi and/or in one of the regional languages known to the parents/guardians of the applicant, as provided in the English language in Annexure I to these Regulations, to be filled up and signed by the parents/guardians of the applicant to the effect that he/she has read and understood the provisions of these Regulations as well as the provisions of any other law for the time being in force, and is aware of the prohibition of ragging and the punishments prescribed, both under penal laws as well as under these Regulations and also affirm to the effect that his/her ward has not been expelled and/or debarred by any institution and further aver that his/her ward would not indulge, actively or passively, in the act or abet the act of ragging and if found guilty of ragging and/or abetting ragging, his/her ward is liable to be proceeded against under these Regulations or under any penal law or any other law for the time being in force and such action would include but is not limited to debarment or expulsion of his/her ward.
- f) The application for admission shall be accompanied by a document in the form of, or annexed to, the School Leaving Certificate/Transfer Certificate/Migration Certificate/Character Certificate reporting on the inter-personal/social behavioural pattern of the applicant, to be issued by the school or institution last attended by the applicant, so that the institution can thereafter keep watch on the applicant, if admitted, whose behaviour has been commented in such document.
- g) A student seeking admission to a hostel forming part of the institution, or seeking to reside in any temporary premises not forming part of the institution, including a private commercially managed lodge or hostel, shall have to submit additional affidavits countersigned by his/her parents/guardians in the form prescribed in Annexure I and Annexure II to these Regulations respectively along with his/her application.
- h) Before the commencement of the academic session in any institution, the Head of the institution shall convene and address a meeting of various functionaries/agencies, such as Hostel Wardens, representatives of students.

parents/ guardians, faculty, district administration including the police, to discuss the measures to be taken to prevent ragging in the institution and steps to be taken to identify those indulging in or abetting ragging and punish them.

- i) The institution shall, 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, prominently display posters depicting the provisions of penal law applicable to incidents of ragging, and the provisions of these Regulations and also any other law for the time being in force, and the punishments thereof, shall be prominently displayed on Notice Boards of all departments, hostels and other buildings as well as at places, where students normally gather and at places, known to be vulnerable to occurrences of ragging incidents.
- j) 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.
- k) The institution shall identify, properly illuminate and keep a close watch on all locations known to be vulnerable to occurrences of ragging incidents.
- l) The institution shall tighten security in its premises, especially at vulnerable places and intense policing by Anti-Ragging Squad, referred to in these Regulations and volunteers, if any, shall be resorted to at such points at odd hours during the first few months of the academic session.
- m) The institution shall utilize the vacation period before the start of the new academic year to launch a publicity campaign against ragging through posters, leaflets and such other means, as may be desirable or required, to promote the objectives of these Regulations.
- n) 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 an aim to promote the objectives of this Regulation.
- o) Every institution shall engage or seek the assistance of professional counsellors before the commencement of the academic session, to be available

when required by the institution, for the purposes of offering counselling to freshers and to other students after the commencement of the academic year.

- p) The head of the institution shall provide information to the local police and local authorities, the details of every privately commercially managed hostels or lodges used for residential purposes by students enrolled in the institution and the head of the institution shall also ensure that the Anti-Ragging Squad shall ensure vigil in such locations to prevent the occurrence of ragging therein.

6.2 An institution shall, on admission or enrolment or registration of students, take the following steps, namely;

- a) Every fresh student admitted to the institution shall be given a printed leaflet detailing to whom he/she has to turn to for help and guidance for various purposes including addresses and telephone numbers, so as to enable the student to contact the concerned person at any time, if and when required, of the Anti-Ragging Helpline referred to in these Regulations, Wardens, Head of the Institution, all members of the anti-ragging squads and committees, relevant district and police authorities.
- b) The institution, through the leaflet specified in clause (a) of Regulation 6.2 of these Regulations shall explain to the freshers, the arrangements made for their induction and orientation which promote efficient and effective means of integrating them fully as students with those already admitted to the institution in earlier years.
- c) The leaflet specified in clause (a) of Regulation 6.2 of these Regulations shall inform the freshers about their rights as bona fide students of the institution and clearly instructing them that they should desist from doing anything, with or against their will, even if ordered to by the seniors students, and that any attempt of ragging shall be promptly reported to the Anti-ragging Squad or to the Warden or to the Head of the institution, as the case may be.
- d) The leaflet specified in clause (a) of Regulation 6.2 of these Regulations 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.

- e) The institution shall, on the arrival of senior students after the first week or after the second week, as the case may be, schedule orientation programmes as follows, namely; (i) joint sensitization programme and counselling of both freshers and senior students by a professional counsellor, referred to in clause (o) of Regulation 6.1 of these Regulations; (ii) joint orientation programme of freshers and seniors to be addressed by the Head of the Institution and the anti-ragging committee; (iii) organization on a large scale of cultural, sports and other activities to provide a platform for the freshers and seniors to interact in the presence of faculty members; (iv) in the hostel, the warden should address all students; and may request two junior colleagues from the college faculty to assist the warden by becoming resident tutors for a temporary duration. (v) as far as possible faculty members should dine with the hostel residents in their respective hostels to instil a feeling of confidence among the freshers.
- f) The Institution shall set up appropriate committees, including the course-in-charge, student advisor, Wardens and some senior students as its members, to actively monitor, promote and regulate healthy interaction between the freshers, junior students and senior students.
- g) Freshers or any other student(s), whether being victims, or witnesses, in any incident of ragging, shall be encouraged to report such occurrence, and the identity of such informants shall be protected and shall not be subject to any adverse consequence only for the reason for having reported such incidents.
- h) Each batch of freshers, on arrival at the institution, shall be divided into small groups and each such group shall be assigned to a member of the faculty, who shall interact individually with each member of the group every day for ascertaining the problems or difficulties, if any, faced by the fresher in the institution and shall extend necessary help to the fresher in overcoming the same.
- i) It shall be the responsibility of the member of the faculty assigned to the group of freshers, to coordinate with the Wardens of the hostels and to make surprise visits to the rooms in such hostels, where a member or members of the group are lodged; and such member of faculty shall maintain a diary of his/her interaction with the freshers under his/her charge.

- j) Freshers shall be lodged, as far as may be, in a separate hostel block, and where such facilities are not available, the institution shall ensure that access of seniors to accommodation allotted to freshers is strictly monitored by wardens, security guards and other staff of the institution.
- k) A round the clock vigil against ragging in the hostel premises, in order to prevent ragging in the hostels after the classes are over, shall be ensured by the institution.
- l) It shall be the responsibility of the parents/guardians of freshers to promptly bring any instance of ragging to the notice of the Head of the Institution.
- m) Every student studying in the institution and his/her parents/guardians shall provide the specific affidavits required under clauses (d), (e) and (g) of Regulation 6.1 of these Regulations at the time of admission or registration, as the case may be, during each academic year.
- n) Every Institution shall obtain the affidavit from every student as referred to above in clause (m) of Regulation 6.2 and maintain a proper record of the same and to ensure its safe upkeep thereof, including maintaining the copies of the affidavit in an electronic form, to be accessed easily when required either by the Commission or any of the Councils or by the institution or by the affiliating University or by any other person or organisation authorised to do so.
- o) Every student at the time of his/her registration shall inform the institution about his/her place of residence while pursuing the course of study, and in case the student has not decided his/her place of residence or intends to change the same, the details of his place of residence shall be provided immediately on deciding the same; and specifically in regard to a private commercially managed lodge or hostel where he/she has taken up residence.
- p) The Head of the Institution shall, on the basis of the information provided by the student under clause (o) of Regulation 6.2, apportion sectors to be assigned to members of the faculty, so that such member of faculty can maintain vigil and report any incident of ragging outside the campus or en route while commuting to the institution using any means of transportation of students, whether public or private.

- q) The Head of the Institution shall, at the end of each academic year, send a letter to the parents/guardians of the students who are completing their first year in the institution, informing them about these Regulations and any law for the time being in force prohibiting ragging and the punishments thereof as well as punishments prescribed under the penal laws, and appealing to them to impress upon their wards to desist from indulging in ragging on their return to the institution at the beginning of the academic session next.

6.3 Every institution shall constitute the following bodies; namely,

- a) Every institution shall constitute a Committee to be known as the Anti-Ragging Committee to be nominated and headed by the Head of the Institution, and consisting of representatives of civil and police administration, local media, Non Government Organizations involved in youth activities, representatives of faculty members, representatives of parents, representatives of students belonging to the freshers' category as well as senior students, non-teaching staff; and shall have a diverse mix of membership in terms of levels as well as gender.
- b) It shall be the duty of the Anti-Ragging Committee to ensure compliance with the provisions of these Regulations as well as the provisions of any law for the time being in force concerning ragging; and also to monitor and oversee the performance of the Anti-Ragging Squad in prevention of ragging in the institution.
- c) Every institution shall also constitute a smaller body to be known as the Anti-Ragging Squad to be nominated by the Head of the Institution with such representation as may be considered necessary for maintaining vigil, oversight and patrolling functions and shall remain mobile, alert and active at all times.

Provided that the Anti-Ragging Squad shall have representation of various members of the campus community and shall have no outside representation.

- d) It shall be the duty of the Anti-Ragging Squad to be called upon to make surprise raids on hostels, and other places vulnerable to incidents of, and having the potential of, ragging and shall be empowered to inspect such places.
- e) It shall also be the duty of the Anti-Ragging Squad to conduct an on-the-spot enquiry into any incident of ragging referred to it by the Head of the Institution

or any member of the faculty or any member of the staff or any student or any parent or guardian or any employee of a service provider or by any other person, as the case may be; and the enquiry report along with recommendations shall be submitted to the Anti-Ragging Committee for action under clause (a) of Regulation 9.1.

Provided that the Anti-Ragging Squad shall conduct such enquiry observing a fair and transparent procedure and the principles of natural justice and after giving adequate opportunity to the student or students accused of ragging and other witnesses to place before it the facts, documents and views concerning the incident of ragging, and considering such other relevant information as may be required.

- f) Every institution shall, at the end of each academic year, in order to promote the objectives of these Regulations, constitute a Mentoring Cell consisting of students volunteering to be Mentors for freshers, in the succeeding academic year; and there shall be as many levels or tiers of Mentors as the number of batches in the institution, at the rate of one Mentor for six freshers and one Mentor of a higher level for six Mentors of the lower level.
- g) Every University shall constitute a body to be known as Monitoring Cell on Ragging, which shall coordinate with the affiliated colleges and institutions under the domain of the University to achieve the objectives of these Regulations; and the Monitoring Cell shall call for reports from the Heads of institutions in regard to the activities of the Anti-Ragging Committees, Anti - Ragging Squads, and the Mentoring Cells at the institutions, and it shall also keep itself abreast of the decisions of the District level Anti-Ragging Committee headed by the District Magistrate.
- h) The Monitoring Cell shall also review the efforts made by institutions to publicize anti-ragging measures, soliciting of affidavits from parents/guardians and from students, each academic year, to abstain from ragging activities or willingness to be penalized for violations; and shall function as the prime mover for initiating action on the part of the appropriate authorities of the university for amending the Statutes or Ordinances or Bye-laws to facilitate the implementation of anti-ragging measures at the level of the institution.

- 6.4 Every Institution shall take the following other measures, namely;
- a) Each hostel or a place where groups of students reside, forming part of the institution, shall have a full-time Warden, to be appointed by the institution as per the eligibility criteria laid down for the post reflecting both the command and control aspects of maintaining discipline and preventing incidents of ragging within the hostel, as well as the softer skills of counselling and communicating with the youth outside the class-room situation; and who shall reside within the hostel, or at the very least, in the close vicinity thereof.
  - b) The Warden shall be accessible at all hours and be available on telephone and other modes of communication, and for the purpose the Warden shall be provided with a mobile phone by the institution, the number of which shall be publicised among all students residing in the hostel.
  - c) The Institution shall review and suitably enhance the powers of Wardens; and the security personnel posted in hostels shall be under the direct control of the Warden and their performance shall be assessed by them.
  - d) The professional counsellors referred to under clause (o) of Regulation 6.1 of these Regulations shall, at the time of admission, counsel freshers and/or any other student(s) desiring counselling, in order to prepare them for the life ahead, particularly in regard to the life in hostels and to the extent possible, also involve parents and teachers in the counselling sessions.
  - e) The Institution shall undertake measures for extensive publicity against ragging by means of audio-visual aids, counselling sessions, workshops, painting and design competitions among students and such other measures, as it may deem fit.
  - f) In order to enable a student or any person to communicate with the Anti-Ragging Helpline, every institution shall permit unrestricted access to mobile phones and public phones in hostels and campuses, other than in class-rooms, seminar halls, library, and in such other places that the institution may deem it necessary to restrict the use of phones.
  - g) The faculty of the institution and its non-teaching staff, which includes but is not limited to the administrative staff, contract employees, security guards



and employees of service providers providing services within the Institution, shall be sensitized towards the ills of ragging, its prevention and the consequences thereof.

h) The institution shall obtain an undertaking from every employee of the institution including all teaching and non-teaching members of staff, contract labour employed in the premises either for running canteen or as watch and ward staff or for cleaning or maintenance of the buildings/lawns and employees of service providers providing services within the institution, that he/she would report promptly any case of ragging which comes to his/her notice.

i) The institution shall make a provision in the service rules of its employees for issuing certificates of appreciation to such members of the staff who report incidents of ragging, which will form part of their service record.

j) The institution shall give necessary instructions to the employees of the canteens and messing, whether that of the institution or that of a service provider providing this service, or their employers, as the case may be, to keep a strict vigil in the area of their work and to report the incidents of ragging to the Head of the institution or members of the Anti-Ragging Squad or members of the Anti-Ragging Committee or the Wardens, as may be required.

k) All Universities awarding a degree in education at any level, shall be required to ensure that institutions imparting instruction in such courses or conducting training programme for teachers include inputs relating to anti-ragging and the appreciation of the relevant human rights, as well as inputs on topics regarding sensitization against corporal punishments and checking of bullying amongst students, so that every teacher is equipped to handle at least the rudiments of the counselling approach.

l) Discreet random surveys shall be conducted amongst the freshers every fortnight during the first three months of the academic year to verify and cross-check whether the institution is indeed free of ragging or not and for the purpose the institution may design its own methodology of conducting such surveys.

m) The institution shall cause to have an entry, apart from those relating to general conduct and behaviour, made in the Migration/Transfer Certificate issued to the student while leaving the institution, as to whether the student has been

punished for committing or abetting an act of ragging, as also whether the student has displayed persistent violent or aggressive behaviour or any inclination to harm others, during his course of study in the institution.

n) Notwithstanding anything contained in these Regulations with regard to obligations and responsibilities pertaining to the authorities or members of bodies prescribed above, it shall be the general collective responsibility of all levels and sections of authorities or functionaries including members of the faculty and employees of the institution, whether regular or temporary, and employees of service providers providing service within the institution, to prevent or to act promptly against the occurrence of ragging or any incident of ragging which comes to their notice.

o) The Heads of Institutions affiliated to a University or a constituent of the University, as the case may be, shall, during the first three months of an academic year, submit a weekly report on the status of compliance with Anti-Ragging measures under these Regulations, and a monthly report on such status thereafter, to the Vice-Chancellor of the University to which the Institution is affiliated to or recognized by.

p) 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 State Level Monitoring Cell.

**7. Action to be taken by the Head of the institution.-** On receipt of the recommendation of the Anti Ragging Squad or on receipt of any information concerning any reported incident of ragging, the Head of Institution shall immediately determine if a case under the penal laws is made out and if so, either on his own or through a member of the Anti-Ragging Committee authorised by him in this behalf, proceed to file a First Information Report (FIR), within twenty four hours of receipt of such information or recommendation, with the police and local authorities, under the appropriate penal provisions relating to one or more of the following, namely;

- i. Abetment to ragging;
- ii. Criminal conspiracy to rag;
- iii. Unlawful assembly and rioting while ragging;

- iv. Public nuisance created during ragging;
- v. Violation of decency and morals through ragging;
- vi. Injury to body, causing hurt or grievous hurt;
- vii. Wrongful restraint;
- viii. Wrongful confinement;
- ix. Use of criminal force;
- x. Assault as well as sexual offences or unnatural offences;
- xi. Extortion;
- xii. Criminal trespass;
- xiii. Offences against property;
- xiv. Criminal intimidation;
- xv. Attempts to commit any or all of the above mentioned offences against the victim(s);
- xvi. Threat to commit any or all of the above mentioned offences against the victim(s);
- xvii. Physical or psychological humiliation;
- xviii. All other offences following from the definition of "Ragging".

Provided that the Head of the institution shall forthwith report the occurrence of the incident of ragging to the District Level Anti-Ragging Committee and the Nodal officer of the affiliating University, if the institution is an affiliated institution.

Provided further that the institution shall also continue with its own enquiry initiated under clause 9 of these Regulations and other measures without waiting for action on the part of the police/local authorities and such remedial action shall be initiated and completed immediately and in no case later than a period of seven days of the reported occurrence of the incident of ragging.

## **8. Duties and Responsibilities of the Commission and the Councils.-**

8.1 The Commission shall, with regard to providing facilitating communication of information regarding incidents of ragging in any institution, take the following steps, namely;

- a) The Commission shall establish, fund and operate, a toll-free Anti-Ragging Helpline, operational round the clock, which could be accessed by students in distress owing to ragging related incidents.
- b) Any distress message received at the Anti-Ragging Helpline shall be simultaneously relayed to the Head of the Institution, the Warden of the Hostels, the Nodal Officer of the affiliating University, if the incident reported has taken place in an institution affiliated to a University, the concerned District authorities and if so required, the District Magistrate, and the Superintendent of Police, and shall also be web enabled so as to be in the public domain simultaneously for the media and citizens to access it.
- c) The Head of the institution shall be obliged to act immediately in response to the information received from the Anti-Ragging Helpline as at sub-clause (b) of this clause.
- d) The telephone numbers of the Anti-Ragging Helpline and all the important functionaries in every institution, Heads of institutions, faculty members, members of the anti-ragging committees and anti ragging squads, district and sub-divisional authorities and state authorities, Wardens of hostels, and other functionaries or authorities where relevant, shall be widely disseminated for access or to seek help in emergencies.
- e) The Commission shall maintain an appropriate data base to be created out of affidavits, affirmed by each student and his/her parents/guardians and stored electronically by the institution, either on its or through an agency to be designated by it; and such database shall also function as a record of ragging complaints received, and the status of the action taken thereon.
- f) The Commission shall make available the database to a non-governmental agency to be nominated by the Central Government, to build confidence in the public and also to provide information of non compliance with these Regulations to the Councils and to such bodies as may be authorised by the Commission or by the Central Government.

8.2 The Commission shall take the following regulatory steps, namely;

- a) The Commission shall make it mandatory for the institutions to incorporate in their prospectus, the directions of the Central Government or the State Level Monitoring Committee with regard to prohibition and consequences of ragging, and that non-compliance with these Regulations and directions so provided, shall be considered as lowering of academic standards by the institution, therefore making it liable for appropriate action.
- b) The Commission shall verify that the institutions strictly comply with the requirement of getting the affidavits from the students and their parents/guardians as envisaged under these Regulations.
- c) The Commission shall include a specific condition in the Utilization Certificate, in respect of any financial assistance or grants-in-aid to any institution under any of the general or special schemes of the Commission, that the institution has complied with the anti-ragging measures.
- d) Any incident of ragging in an institution shall adversely affect its accreditation, ranking or grading by NAAC or by any other authorised accreditation agencies while assessing the institution for accreditation, ranking or grading purposes.
- e) The Commission may accord priority in financial grants-in-aid to those institutions, otherwise eligible to receive grants under section 12B of the Act, which report a blemishless record in terms of there being no reported incident of ragging.
- f) The Commission shall constitute an Inter-Council Committee, consisting of representatives of the various Councils, the Non-Governmental agency responsible for monitoring the database maintained by the Commission under clause (g) of Regulation 8.1 and such other bodies in higher education, to coordinate and monitor the anti-ragging measures in institutions across the country and to make recommendations from time to time; and shall meet at least once in six months each year.
- g) The Commission shall institute 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 Monitoring Cell and University level Committees for effective implementation of anti-ragging measures, and the Cell shall also coordinate with the Non-Governmental agency

responsible for monitoring the database maintained by the Commission appointed under clause (g) of Regulation 8.1.

**9. Administrative action in the event of ragging.-**

9.1 The institution shall punish a student found guilty of ragging after following the procedure and in the manner prescribed hereinunder:

- a) The Anti-Ragging Committee of the institution shall take an appropriate decision, in regard to punishment or otherwise, depending on the facts of each incident of ragging and nature and gravity of the incident of ragging established in the recommendations of the Anti-Ragging Squad.
- b) The Anti-Ragging Committee may, depending on the nature and gravity of the guilt established by the Anti-Ragging Squad, award, to those found guilty, one or more of the following punishments, namely;
  - i. Suspension from attending classes and academic privileges.
  - ii. Withholding/ withdrawing scholarship/ fellowship and other benefits.
  - iii. Debarring from appearing in any test/ examination or other evaluation process.
  - iv. Withholding results.
  - v. Debarring from representing the institution in any regional, national or international meet, tournament, youth festival, etc.
  - vi. Suspension/ expulsion from the hostel.
  - vii. Cancellation of admission.
  - viii. Rustication from the institution for period ranging from one to four semesters.
  - ix. Expulsion from the institution and consequent debarring from admission to any other institution for a specified period.

Provided that where the persons committing or abetting the act of ragging are not identified, the institution shall resort to collective punishment.

- c) An appeal against the order of punishment by the Anti-Ragging Committee shall lie,
  - i. In case of an order of an institution, affiliated to or constituent part, of University, to the Vice-Chancellor of the University;

- ii. In case of an order of a University, to its Chancellor.
- iii. In case of an Institution of national importance created by an Act of Parliament, to the Chairman or Chancellor of the institution, as the case may be.

9.2 Where an institution, being constituent of, affiliated to or recognized by a University, fails to comply with any of the provisions of these Regulations or fails to curb ragging effectively, such University may take any one or more of the following actions, namely;

- i. Withdrawal of affiliation/recognition or other privileges conferred.
- ii. Prohibiting such institution from presenting any student or students then undergoing any programme of study therein for the award of any degree/diploma of the University.

Provided that where an institution is prohibited from presenting its student or students, the Commission shall make suitable arrangements for the other students so as to ensure that such students are able to pursue their academic studies.

- iii. Withholding grants allocated to it by the university, if any
- iv. Withholding any grants channelised through the university to the institution.
- v. Any other appropriate penalty within the powers of the university.

9.3 Where in the opinion of the appointing authority, a lapse is attributable to any member of the faculty or staff of the institution, in the matter of reporting or taking prompt action to prevent an incident of ragging or who display an apathetic or insensitive attitude towards complaints of ragging, or who fail to take timely steps, whether required under these Regulations or otherwise, to prevent an incident or incidents of ragging, then such authority shall initiate departmental disciplinary action, in accordance with the prescribed procedure of the institution, against such member of the faculty or staff.

Provided that where such lapse is attributable to the Head of the institution, the authority designated to appoint such Head shall take such departmental disciplinary

action; and such action shall be without prejudice to any action that may be taken under the penal laws for abetment of ragging for failure to take timely steps in the prevention of ragging or punishing any student found guilty of ragging.

9.4 The Commission shall, in respect of any institution that fails to take adequate steps to prevent ragging or fails to act in accordance with these Regulations or fails to punish perpetrators or incidents of ragging suitably, take one or more of the following measures, namely;

- i. Withdrawal of declaration of fitness to receive grants under section 12B of the Act.
- ii. Withholding any grant allocated.
- iii. Declaring the institution ineligible for consideration for any assistance under any of the general or special assistance programmes of the Commission.
- iv. Informing the general public, including potential candidates for 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 possess the minimum academic standards.
- v. Taking such other action within its powers as it may deem fit and impose such other penalties as may be provided in the Act for such duration of time as the institution complies with the provisions of these Regulations.

Provided that the action taken under this clause by the Commission against any institution shall be shared with all Councils.

  
(Dr. R.K. Chauhan)  
Secretary



**ANNEXURE I**  
**AFFIDAVIT BY THE STUDENT**

I, \_\_\_\_\_ (*full name of student with admission/registration/enrolment number*)  
s/o d/o Mr./Mrs./Ms. \_\_\_\_\_, having  
been admitted to \_\_\_\_\_ (*name of the institution*), have  
received a copy of the UGC Regulations on Curbing the Menace of Ragging in Higher  
Educational Institutions, 2009, (hereinafter called the "Regulations") carefully read and  
fully understood the provisions contained in the said Regulations.

2) I have, in particular, perused clause 3 of the Regulations and am aware as to  
what constitutes ragging.

3) I have also, in particular, perused clause 7 and clause 9.1 of the Regulations and  
am fully aware of the penal and administrative action that is liable to be taken against  
me in case I am found guilty of or abetting ragging, actively or passively, or being part  
of a conspiracy to promote ragging.

4) I hereby solemnly aver and undertake that

a) I will not indulge in any behaviour or act that may be constituted as  
ragging under clause 3 of the Regulations.

b) I will not participate in or abet or propagate through any act of  
commission or omission that may be constituted as ragging under clause  
3 of the Regulations.

5) I hereby affirm that, if found guilty of ragging, I am liable for punishment  
according to clause 9.1 of the Regulations, without prejudice to any other criminal action  
that may be taken against me under any penal law or any law for the time being in  
force.

6) I hereby declare that I have not been expelled or debarred from admission in  
any institution in the country on account of being found guilty of, abetting or being part  
of a conspiracy to promote, ragging; and further affirm that, in case the declaration is  
found to be untrue, I am aware that my admission is liable to be cancelled.

Declared this \_\_\_ day of \_\_\_\_\_ month of \_\_\_\_\_ year.

\_\_\_\_\_  
Signature of deponent

Name:

**VERIFICATION**

Verified that the contents of this affidavit are true to the best of my knowledge and no  
part of the affidavit is false and nothing has been concealed or misstated therein.

Verified at (place) on this the (day) of (month), (year).

\_\_\_\_\_  
Signature of deponent

Solemnly affirmed and signed in my presence on this the (day) of (month),  
(year) after reading the contents of this affidavit.

OATH COMMISSIONER

**ANNEXURE II**  
**AFFIDAVIT BY PARENT/GUARDIAN**

I, Mr./Mrs./Ms. \_\_\_\_\_ (full name of parent/guardian) father/mother/guardian of \_\_\_\_\_ (full name of student with admission/registration/enrolment number) \_\_\_\_\_, having been admitted to \_\_\_\_\_ (name of the institution) \_\_\_\_\_, have received a copy of the UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009, (hereinafter called the "Regulations"), carefully read and fully understood the provisions contained in the said Regulations.

2) I have, in particular, perused clause 3 of the Regulations and am aware as to what constitutes ragging.

3) I have also, in particular, perused clause 7 and clause 9.1 of the Regulations and am fully aware of the penal and administrative action that is liable to be taken against my ward in case he/she is found guilty of or abetting ragging, actively or passively, or being part of a conspiracy to promote ragging.

4) I hereby solemnly aver and undertake that

a) My ward will not indulge in any behaviour or act that may be constituted as ragging under clause 3 of the Regulations.

b) My ward will not participate in or abet or propagate through any act of commission or omission that may be constituted as ragging under clause 3 of the Regulations.

5) I hereby affirm that, if found guilty of ragging, my ward is liable for punishment according to clause 9.1 of the Regulations, without prejudice to any other criminal action that may be taken against my ward under any penal law or any law for the time being in force.

6) I hereby declare that my ward has not been expelled or debarred from admission in any institution in the country on account of being found guilty of, abetting or being part of a conspiracy to promote, ragging; and further affirm that, in case the declaration is found to be untrue, the admission of my ward is liable to be cancelled.

Declared this \_\_\_ day of \_\_\_\_\_ month of \_\_\_\_\_ year.

\_\_\_\_\_  
Signature of deponent  
Name:  
Address:  
Telephone/ Mobile No.:

**VERIFICATION**

Verified that the contents of this affidavit are true to the best of my knowledge and no part of the affidavit is false and nothing has been concealed or misstated therein.

Verified at (place) on this the (day) of (month), (year).

\_\_\_\_\_  
Signature of deponent

Solemnly affirmed and signed in my presence on this the (day) of (month), (year) after reading the contents of this affidavit.

OATH COMMISSIONER

## Tamil Nadu Prohibition of Ragging Act, 1997

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 14th February 1997 and is hereby published for general information.

### *Excerpts form Act No.7 of 1997*

An Act to prohibit ragging in educational institutions in the State of Tamil Nadu.

Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty eighth year of Republic India as follows:

### **Short title, extend commencement**

This Act may be called the Tamil Nadu Prohibition of Ragging Act, 1997.

It extends to the whole of the state of Tamil Nadu.

It shall be deemed to have come into force on the 19th day of December 1996.

### **2) Definition**

In this Act unless the context otherwise requires, "ragging" means display of noisy, disorderly conduct doing any act which causes or is likely to cause physical or psychological harm or raise apprehension or fear or shame or embarrassment to a student in any educational institution and includes.

- a) teasing, abusing of playing practical jokes on, or causing hurt to such student or
- b) asking the students to do any act or perform something which such student will not in the ordinary course willingly do.

### **3) Prohibition of ragging**

Ragging within or without any educational institution is prohibited.

### **4) Penalty of ragging**

Whoever directly or indirectly commits, participates in, abets or propagates "ragging" within or without any educational institution, shall be punished with imprisonment for a term which may extend to two years and shall also be liable to a fine which may extend to ten thousand rupees.

### **5) Dismissal of Student**

**Any student convicted of an offence under section 4 shall be dismissed from the educational institution and such student shall not be admitted in any other educational institution.**

### **6) Suspension of student**

**(1) Without prejudice to the foregoing provisions, whenever any student complains of ragging to the Head of an Educational Institution, or to any other person responsible for the management of the educational institution he / she shall inquire into the same immediately and if found true shall suspend the student, who has committed the offence, from the educational institution.**

**(2) The decision of the Head of the Educational institution or the person responsible for the management of the Educational Institution that any student has indulged in ragging under sub-section (1) shall be final.**

### **7) Deemed abetment**

**If the head of the educational institution or the person responsible for the management of the educational institution fails or neglects to take action in the manner specified in sub-section (1) of section 6 when a complaint or ragging is made, such person shall be deemed to have abetted the offence of ragging and shall be punished as provided for in Section 4.**

**\*\*\*\*\***



# भारत का राजपत्र

## The Gazette of India

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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) जिसमें 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 जाएंगे।

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 अध्ययनाध्ययन भ्रमण, सैर-सफाई के लिए, लघु-अवधि वाली नियुक्तियों के लिए, शिविरों के लिए इत्यादि के लिए जा रहे स्थानों, सांस्कृतिक समारोहों, खेलकूद आयोजनों एवं ऐसी ही अन्य गतिविधियाँ जिनमें कोई व्यक्ति एक कर्मचारी अथवा उच्चतर शैक्षिक संस्थान के एक छात्र के रूप में भाग ले रहा है—यह समस्त उक्त परिष्कार 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) "सुरक्षित 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, उक्त व्यक्ति से है जिसे अधिनियम में परिभाषित किया गया है तथा इसमें इन विनियमों की दृष्टि से शिक्षार्थी, शिक्षार्थी अथवा वे अन्य जिस नाम से भी जाने जाते हैं। अन्तरिक अध्ययन में लगाने वाले शैक्षणिक, शैक्षणिक-सहायक शोध-सहायक चाहे वे रोजगार में हैं अथवा नहीं, तथा क्षेत्रीय अध्ययन में, परिषदों/संस्थानों 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 हैं— 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 केंद्रीय नागरिक संपादन (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 (जं) 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 (आई.सी.सी.) 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 दायर होगा।
- (जे) "सुरक्षित गतिविधि" में ऐसी एक परम्परा, कं 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 एजेंसी द्वारा की जा रही जांच पड़ताल में अथवा किसी मुकदमे में बतौर गवाह मौजूद रहना।

(क) "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 अत्यंत 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 को और प्रेरित करने वाली होती हैं तथा ऐसी भावनाओं में निम्नलिखित अवांछित काम या व्यवहारों में कोई भी एक या उससे अधिक या वे 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

- (ड) 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 वर्ताव 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 है;
- (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 ह:
- 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 है;
- (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;

- (सि) जैसे 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 उनके सभी का सुचारु यत्न तथा इस अधिनियम एवं इन विनियमों में स्थापित अधिकारों, पात्रताओं एवं दायित्वों की जानकारी उन्हें सुनिश्चित करना तथा उनके प्रति उन्हें जागरूक बनाना;
- (ख) इस बात को महत्वपूर्ण रूप से महिला कर्मचारी तथा छात्राओं एवं कुछ छात्र तथा तीसरे लिंग वाले छात्र एवं प्रकार के लैंगिक उत्पीड़न, अपमान एवं शोषण के अन्तर्गत संवेदनशील है, तदनुसार सभी लिंगों के कर्मचारियों एवं छात्रों के प्रति सुनिश्चित समस्त लिंग आधारित हिंसा के विरुद्ध निर्णयात्मक रूप से सक्रिय बनना;
- (ग) लैंगिक उत्पीड़न के प्रति शून्य स्तर सहन संबंधी नीति की सार्वजनिक प्रतिबद्धता रखना;
- (घ) सभी त्वरित पर अपने परिसरों, भेदभाव, उत्पीड़न, प्रतिशोध अथवा लैंगिक आक्रमणों से मुक्त बनाने की प्रतिबद्धता को पुनः पुष्टि करना;
- (ङ) 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;
- (च) 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 सेक्सुअल हारसमेंट—जी.एस.सी. एस.एन.एन. निकाय को आन्तरिक शिकायत समिति) (इण्टरनल कम्प्लेन्ट्स 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 चाहें 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 यथास्थिति 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 केंद्र (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 ढोंचे 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 आवंटन भी हो.
- (3) असुरक्षित/दुबल 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 सामर्थ 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, प्रविधियों 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 का 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 नर्स 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 नवान्मयी, आकर्षक बने एवं मशीनी न हों,
- (16) छात्रावासों के वार्डन, अध्यक्ष, प्राचार्य, 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 होगीः—
- (अ) एक पीढासीन 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:
- यद्यत् यदि किसी स्थिति में कोई वरिष्ठ स्तर की महिला कर्मचारी उपलब्ध नहीं है तो पीढासीन अधिकारी को उप-अनुभाग 2(अ) में दर्शाये कार्यस्थल के अन्य कार्यालय अथवा प्रशासनिक एकांश से उन्हें नामित किया जाएगा:
- "यद्यत् यदि उस कार्यस्थल के अन्य कार्यालयों अथवा प्रशासनिक एकांशों में कोई वरिष्ठ स्तर की महिला कर्मचारी नहीं है तो अध्यक्ष अधिकारी को उसी नियोक्ता 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 रिश्ते 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 सेवामें 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 वातचीत संबंधी तन्त्र उपलब्ध कराना ताकि विवादित बातों पर पूर्वानुमान को समीचीन एवं उचित मंत्रीपूर्ण 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 अरान्तुष्ट 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 हों तो सबसे बाद की घटना से तीन माह के भीतर उसे प्रस्तुत करें;
- यशर्तें 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;
- यशर्तें, 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 भेजगी.
- (2) शिकायत की प्रति मिलने के बाद प्रतिवादी अपना उत्तर इस शिकायत के बारे में, समस्त दस्तावेजों की सूची, गवाहों के नामों एवं पता के नामों एवं उनके पता 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 पक्षों 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 पश्चात् 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 सुलना 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 अनुनाग 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 संवध 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 दें.
- (इ) लैंगिक उत्पीड़न की किसी शिकायत के परिणाम स्वरूप, शिकायतकर्ता का 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;

- (व) एक विशेष समय तक परिसर में उसका प्रवेश रथगित अथवा वाधित करना,
- (ख) 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;
- (ग) अधिदेशात्मक परामर्श अथवा सामुदायिक सेवाओं जैसे सुधारवादी दण्ड प्रदान करना,
- (3) पीडित 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 बसूली अपराधकर्ता से की जाएगी। देय मुआवजे का निर्धारण निम्न आधार पर होगा:-
- (अ) पीडित 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) पीडित व्यक्ति द्वारा अपने शारीरिक एवं मनोरोग संबंधी आधार के लिए खर्च किए गए चिकित्सा व्यय;
- (द) कथित अपराधकर्ता एवं उस पीडित 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 कार्यवाही:-

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 उन्हें 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 जाली हैं 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 कार्यवाही 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 कार्यवाही 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 विन्दुओं पर कार्यवाही 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 आवंटित 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 जवसमतदवम 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,

- (बी) यदि वह एक मानित विश्वविद्यालय संस्थान है तो केन्द्र सरकार को उस मानित विश्वविद्यालय के आहरण की अनुमति करना;
- (एच) यदि वह किसी राज्य अधिनियम के अन्तर्गत स्थापित अथवा नियमित विश्वविद्यालय है तो उसके इस स्तर को आह्वित 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 कार्यवाई 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;

- (ii) "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;
- (iii) "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;
- (iv) "victimisation" means any unfavourable treatment meted out to a person with an implicit or explicit intention to obtain sexual favour;
- (v) "workplace" means the campus of a HEI including-
- 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;
  - 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;
  - 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,-

- 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;
- publicly notify the provisions against sexual harassment and ensure their wide dissemination;
- 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;
- 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;
- publicly commit itself to a zero tolerance policy towards sexual harassment;
- reinforce its commitment to creating its campus free from discrimination, harassment, retaliation or sexual assault at all levels;
- create awareness about what constitutes sexual harassment including hostile environment harassment and quid pro quo harassment;
- 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:
- contravenes the provisions of section 16 of the Act; or
  - 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
  - he has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or
  - 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 willfully 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.

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

JASPAL S. SANDHU, Secy. UGC

**Notification from Government of Maharashtra Gazette  
Issued on 25<sup>th</sup> Feb. 2019**

RNI No. MAH/BI. /2009/37831



**महाराष्ट्र शासन राजपत्र  
असाधारण भाग चार-ब**

वर्ष ५, अंक ३०]

बुधवार, फेब्रुवारी २७, २०१९/फाल्गुन ८, शके १९४०

[पृष्ठे १५, किंमत : रुपये ९.००

असाधारण क्रमांक ६७

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाने महाराष्ट्र अधिनियमांन्वये तयार केलेले  
(भाग एक, एक-अ आणि एक-त यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांब्यतिरिक्त) नियम व आदेश.

उच्च व तंत्र शिक्षण विभाग

मादाम कागद मार्ग, हुताश्रम राजगुरु चौक, पंजालय  
मुंबई ४०० ०३२, दिनांक २५ फेब्रुवारी २०१९

अधिनियम

महाराष्ट्र सार्वजनिक विद्यापीठ अधिनियम, २०१६.

क्रमांक परिनि. २०१८/प्र.क्र.१२५/बिशि-२.— महाराष्ट्र सार्वजनिक विद्यापीठ अधिनियम, २०१६ (२०१७ चा मसुदा ६) याच्या कलम ५६ च्या पोट-कलम (२) चा खंड (ख) आणि कलम ७१ चे पोट-कलम (११) तसेच कलम ७२ चे पोट-कलम (१०) यांद्वारे प्रदान करण्यात आलेल्या अधिकारांचा वापर करून, महाराष्ट्र शासन, याद्वारे, विद्यापीठ तक्रार निवारण कक्षाच्या कामकाजाच्या कार्यकारी यंत्रणेसो संबंधित एकरूप परिनिियम विहित करात आहे :-

सन २०१९ चा एकरूप परिनिियम क्रमांक ५

१. संक्षिप्त नाव.— या परिनिियमास, महाराष्ट्र सार्वजनिक विद्यापीठ (विद्यापीठ तक्रार निवारण कक्षाच्या कामकाजाची कार्यकारी यंत्रणा) एकरूप परिनिियम, २०१९, असे म्हणावे.

२. व्याख्या.— या परिनिियमांत संदर्भानुसार दुसरा अर्थ अपेक्षित नसेल तर,—

(एक) "व्यथित विद्यापीठ" याचा अर्थ, या परिनिियमांन्वये व्याख्या केलेल्या तक्रारीसो संबंधित बाबीमध्ये, ज्या विद्यापीठांची कोणताही फायदा असेल तो विद्यार्थी, मसा आहे आणि त्यामध्ये उच्च शिक्षण देणाऱ्या कोणत्याही विद्यापीठात किंवा महाविद्यालय किंवा मान्यताप्राप्त परिसंस्थेत प्रवेश घेणाऱ्या व्यक्तीचा समावेश होतो ;

(दोन) "प्रवेशाचे घोषित धोरण" याचा अर्थ, विद्यापीठ किंवा महाविद्यालय किंवा मान्यताप्राप्त परिसंस्था यांच्याकडून प्रस्तुत करण्यात आले असेल अशा माहितीपुस्तिकेत प्रसिद्ध करण्यात आले असेल त्याप्रमाणे पाठ्यक्रमाच्या किंवा अभ्ययनक्रमाच्या प्रवेशाबाबतचे धोरण, असा आहे .

(तीन) "तक्रारी" कमध्ये, व्यथित झालेल्या विद्यार्थ्यांच्या पुढील फायदांचा समावेश होतो :

(क) ताऱ्याच्या व विद्यापीठाच्या प्रवेशाच्या घोषित धोरणानुसार निर्धारित केलेल्या गुणवत्तेच्या निकषाविरुद्ध जाऊन प्रवेश देणे .

(१)

पत्रांक ३३३३३३३३ अस्तथा/३३ ३३३३३ ३३३, २०२३/३३३३३ ३. ३३३ ३३३३३

(ग) विद्यापीठ किंवा महाविद्यालय किंवा मान्यताप्राप्त परिस्थिती यांच्याकडून प्रवेश प्रक्रियेत अनिर्धारितता होणे

(घ) माहितीपुस्तकेत प्रसिद्ध केलेल्याप्रमाणे प्रवेशाच्या घाेषित धोरणानुसार प्रवेश देण्याचे नकारणे ;

(ङ) या परिनिषमाच्या खंड ३ मध्ये विनिर्दिष्ट केलेल्याप्रमाणे, एकतर छापील प्रतीच्या स्वरूपात किंवा ऑनलाइन स्वरूपात माहितीपुस्तिका प्रसिद्ध न करणे ;

(ड) जो माहिती छोटो व दिशाभूल करणारी आहे आणि वस्तुस्थितीवर आधारित नाही अशा कोणताही माहिती माहितीपुस्तिकेमध्ये प्रसिद्ध करणे ;

(च) एखादी व्यक्ती, जिचे शिक्षण पुढे सुरू ठेवण्यास इच्छुक नसेल अशा व्यक्तीला कोणत्याही पाठ्यक्रमाच्या किंवा अभ्यनक्रमाच्या बाबतीतील कोणतेही शुल्क परण्याकरिता प्रेरित करण्याच्या किंवा तिच्यावर सल्लो करण्याच्या हेतूने, अशा एखाद्या विद्यापीठात किंवा महाविद्यालयात किंवा मान्यताप्राप्त परिस्थितीत त्या व्यक्तीने प्रवेश घेताना ते विद्यापीठ किंवा महाविद्यालय किंवा मान्यताप्राप्त परिस्थिती यांच्याकडे तिने जमा केलेल्या पदवी, पदविका प्रमाणपत्राच्या किंवा कोणत्याही अन्य पारितोषिकांच्या किंवा इतर कागदपत्रांच्या स्वरूपातील कोणताही दातऐवज रोडून ठेवणे किंवा तो परत करण्यास नकार देणे ;

(छ) अशा विद्यापीठाकडून किंवा महाविद्यालयाकडून किंवा मान्यताप्राप्त परिस्थितीकडून आकारण्यात येणाऱ्या, प्रवेशाच्या घाेषित धोरणामध्ये विनिर्दिष्ट केलेल्या किंवा सलग प्राधिकरणातून मान्यता दिलेल्या रकमेपेक्षा अधिक रकमेचा मागणे करणे ;

(ज) प्रवेशातील आरक्षणाबाबत लागू असलेल्या धोरणाचा भंग करणे ;

(झ) प्रवेशाच्या वेळी गुणपत्रिके, राखी सोडल्याचा दाखला, यासारखी मूळ शैक्षणिक व वैयक्तिक प्रमाणपत्रे आणि प्रशस्तिपत्रे, तसेच अशा इतर कागदपत्रे, ती मूळ स्वरूपात सादर करणे अनिवार्य नसतानाही सादर करण्याचा विद्यार्थ्यांना आग्रह करणे ;

(ञ) लिंग, वंश, जात, वर्ग, पंथ, जन्मस्थान, धर्म व दिव्यांगता या कारणांवरून विद्यार्थ्यांच्या क्राेषित भेदभावाच्या तक्रारी ;

(ट) संबंधित प्राधिकरणाकडून शिष्यवृत्तीची रक्कम प्राप्त झाल्यानंतर ती, विद्यापीठाकडून किंवा महाविद्यालयाकडून किंवा मान्यताप्राप्त परिस्थितीकडून एखाद्या विद्यार्थ्यांस प्रदान केली न जाणे, किंवा प्रदान करण्यात विलंब करणे ;

(ड) प्रवेश रर झाल्यास शुल्काच्या परताळाबाबतच्या निघमांचे पालन न करणे ;

(ड) शैक्षणिक वेळापत्रकामध्ये विनिर्दिष्ट केलेल्या कालावधीची मर्यादा पार करून परीक्षा घेण्यात किंवा त्यांचे निकाल जाहीर करण्यात अवाजवी विलंब करणे ;

(ड) विद्यापीठ किंवा महाविद्यालय किंवा मान्यताप्राप्त परिस्थिती यांच्याकडून माहितीपुस्तिकेत आश्वासन देण्यात आले असले किंवा पुरविणे आवश्यक असले त्याप्रमाणे विद्यार्थ्यांना सुविधा न पुरविणे ;

(ण) मूल्यमापन पद्धती पारदर्शक नसणे किंवा अनुचित असणे ;

(चार) "विभाग तक्रार निवारण कक्ष" याचा अर्थ, खंड ५ च्या उपखंड (१) मध्ये विहित केलेल्याप्रमाणे, विद्यापीठ विभाग किंवा विद्यापीठ परिस्थितीस्तरावर, या परिनिषमान्वये घटित केलेली समिती, असा आहे ;

(पाच) "संस्थात्मक तक्रार निवारण कक्ष" याचा अर्थ, खंड ५ च्या उपखंड (२) मध्ये विहित केलेल्याप्रमाणे विद्यापीठस्तरावर या परिनिषमान्वये घटित केलेली समिती, असा आहे ;

(सहा) "महाविद्यालय तक्रार निवारण कक्ष" याचा अर्थ, खंड ५ च्या उपखंड (३) मध्ये विहित केलेल्याप्रमाणे महाविद्यालय किंवा ययस्थिति मान्यताप्राप्त परिस्थितीस्तरावर या परिनिषमान्वये घटित केलेली समिती, असा आहे.

(सात) "विद्यापीठ तक्रार निवारण कक्ष" याचा अर्थ, खंड ५ च्या उपखंड (४) मध्ये विहित केलेल्याप्रमाणे विद्यापीठस्तरावर या परिनिषमान्वये घटित केलेली समिती, असा आहे.

(आठ) "लाभान्वये पद" याचा अर्थ, लाभ किंवा आर्थिक लाभ मिळविण्याची क्षमता असलेले आणि ज्यास काही एगार, वेतन, विभक्त्ये, पारिश्रमिक किंवा पुरक भत्ता पाव्यतिरिक्त इतर भत्ता संलान आहे असे पद, असा आहे ;



महाराष्ट्र शासन राजग्व असाधारण भाग चार-ब, फेब्रुवारी २७, २०१९/काल्पन ८, शक १९४०

(नऊ) "लोकपाल" याच अर्थ, या परिनिषयाच्ये निपुक्त केल्लेला लोकपाल, असा आहे.

(२) या परिनिषयात वापरण्यात आलेले, परंतु व्याख्या न केलेले शब्द व शब्दप्रयोग यांना, महाराष्ट्र राज्यजनिक विद्यापीठ अधिनियम, २०१६ (२०१६) चा गहा. ६) यात अनुक्रमे नें अर्थ नेमून देण्यात आलेले असतील, तेंच अर्थ असतील

३. माहितीपुस्तिका, अनुक्रमणिकेसह व किमतीसह प्रसिद्ध करणे अनिवार्य असणे :-

(१) प्रत्येक विद्यापीठ किंवा महाविद्यालय किंवा मान्यताप्राप्त परिसंस्था, तिच्या कोणत्याही पाठ्यक्रमांसाठीची किंवा अध्ययनक्रमांसाठीची प्रवेश प्रक्रिया, सुरू होण्याच्या दिनांकापूर्वी किमान साठ दिवस संपण्या आगोदर, अशा विद्यापीठात किंवा महाविद्यालयात किंवा मान्यताप्राप्त परिसंस्थेत प्रवेश घेऊ इच्छिणाऱ्या व्यक्तीच्या व सर्वसाधारण जनतेच्या माहितीसाठी पुढील माहिती अंतर्भूत असणारी माहितीपुस्तिका प्रसिद्ध करील आणि/किंवा तिच्या संकेतस्थळावर टाकील :-

(एक) अध्यापनाचे तास प्रात्यक्षिक सत्रे व इतर नेमून दिलेली कामे यांच्या सहित प्रत्येक पाठ्यक्रम किंवा अध्ययनक्रम यासाठी संपुर्णत प्राधिकरणाने किंवा यथास्थित, विद्यापीठाने विनिर्दिष्ट केल्ल्या अध्यासक्रमाच्या ढोबळमानाने प्रस्तावित केलेल्या अध्ययनक्रमांची व पाठ्यक्रमांची सूची ; तसेच अध्ययन तासिका, प्रात्यक्षिक सत्रे आणि इतर प्रकल्प यांबाबतची माहिती ;

(दोन) अशा विद्यापीठात, किंवा महाविद्यालयात किंवा मान्यताप्राप्त परिसंस्थेत पाठ्यक्रमाचे किंवा अध्ययनक्रमाचे शिक्षण घेण्याकरिता प्रवेश दिलेल्या विद्यार्थ्यांकडून देय असलेले शुल्क, ठेवी व इतर आकार असे प्रत्येक घटक आणि अशा प्रदानाच्या अटी व शर्ती ;

(तीन) ज्या शैक्षणिक वर्षाच्या पाठ्यक्रमासाठी किंवा अध्ययनक्रमासाठी प्रवेश देण्याचे प्रस्तावित केले आहे त्याबाबतची, संपुर्णत सांख्यिक प्राधिकरणाने मान्यता दिलेल्या जागांची संख्या ;

(चार) विद्यापीठाने किंवा महाविद्यालयाने किंवा मान्यताप्राप्त परिसंस्थेने विनिर्दिष्ट केल्ल्या, विशिष्ट पाठ्यक्रमासाठी किंवा अध्ययनक्रमासाठी विद्यार्थी म्हणून प्रवेश घेणाऱ्या व्यक्तीची किमान व कमाल वयोमर्यादा यांसहोत, शैक्षणिक अर्हतेच्या व पात्रतेच्या शर्ती ;

(पाच) प्रत्येक पाठ्यक्रमासाठी किंवा अध्ययनक्रमासाठीच्या प्रवेशकरिता अशा उमेदवारांची निवड करण्यासाठीच्या चाचणी किंवा परीक्षा, यांच्या तपशिलाच्या बाबतीतील सर्व संबंधित माहितीसह अशा प्रवेशासाठी अर्ज करणाऱ्या व उमेदवारांची निवड प्रक्रिया आणि प्रवेश चाचणीकरिता विहित केल्ल्या शुल्काची रक्कम ;

(सहा) कोणताही द्रव्यदंड, विनिर्दिष्ट केलेली शोष किंवा प्रवाग, लादता येतील असे किमान व कमाल द्रव्यदंड लादण्यासाठीचे व तें वसूल करण्यासाठीचे नियम/विनियम ;

(सात) अशा विद्यापीठात किंवा महाविद्यालयात किंवा मान्यताप्राप्त परिसंस्थेत प्रवेश दिलेला विद्यार्थी पाठ्यक्रम किंवा अध्ययनक्रम पूर्ण करण्यापूर्वी किंवा पूर्ण केल्यावर, अशा विद्यापीठातून किंवा महाविद्यालयातून किंवा मान्यताप्राप्त परिसंस्थेतून बाहेर पडला असलेल्याबाबत, विद्यापीठ किंवा महाविद्यालय किंवा मान्यताप्राप्त परिसंस्था, यांच्याकडून परतवापरांगे असलेल्या शिस्तशुल्काचे व इतर आकाराचे प्रमाण, आणि न्यावेळेत व न्यारातीने त्या विद्यार्थ्यांना असा परतवा देण्यात येईल तो वेळ व ती रीत ;

(आठ) प्रवेशाच्या वेळी सादर करावयाची कागदपत्रे ;

(नऊ) प्रत्येक विद्याशाखेच्या अध्यापकाची शैक्षणिक अर्हता व अध्यापन अनुभव संपादित असलेला तसेच असे अध्यापक नियमित तत्वावर किंवा अध्यागत म्हणून कार्यरत आहे हे दर्शविणारा, अध्यापकवर्गाचा तपशाल ;

(दहा) वसतिगृह निवासव्यवस्था, ग्रंथालय व रुग्णालय यांसह भौतिक व शैक्षणिक पायाभूत सुविधा व इतर सुविधा किंवा विद्यार्थ्यांना ज्या ठळोगामध्ये प्रत्यक्ष प्रशिक्षण घ्यावयाचे आहे तो उद्योग आणि विशेषतः त्या विद्यापीठात किंवा महाविद्यालयात किंवा मान्यताप्राप्त परिसंस्थेत प्रवेश देण्यात आल्यावर विद्यार्थ्यांना उपलब्ध असलेल्या सुविधा यांबाबतची माहिती ;

(अकरा) विद्यापीठाच्या किंवा महाविद्यालयाच्या किंवा मान्यताप्राप्त परिसंस्थेच्या परिसरात किंवा त्या बाहेर विद्यार्थ्यांनी शिस्त राखण्याची संबंधित सर्व अनुदेश ;

(बारा) अनुदानित व विनाअनुदानित पाठ्यक्रमांचे स्पष्ट सीमांकन ;

(१) विद्यापीठ किंवा महाविद्यालय किंवा मान्यताप्राप्त परिसंस्था वरील खंड (१) मध्ये निर्दिष्ट कसलेही माहिती उपलब्ध नसल्यास

(२) विद्यापीठ किंवा महाविद्यालय किंवा मान्यताप्राप्त परिसंस्था वरील खंड (१) मध्ये निर्दिष्ट कसलेही माहिती उपलब्ध नसल्यास अशा संस्थेतल्यावर टाकून आणि वृत्तपत्रांमध्ये व इतर माध्यमांमध्ये व्यापक प्रसिद्धी देऊन तांबव्य विद्यार्थ्यांना आणि साधारण जनतेला कळवतात

(३) प्रत्येक विद्यापीठ किंवा महाविद्यालय किंवा मान्यताप्राप्त परिसंस्था, प्रवेश अर्जांच्या नमुन्यासह अशा माहितीमुक्तीकेंद्रास प्रत्येक नूदित प्रतीची, प्रकाशनाच्या व वितरणाच्या यालची खर्चापेक्षा अधिक नसेल एवढी, किंमत निश्चित करील आणि तिच्या प्रकाशनापासून, वितरणापासून किंवा विक्रीपासून कोणताही नफा मिळवणार नाही.

४. तक्रार स्वीकारण्याबाबत अपवाद.—राज्य शासनाच्या अंतर्गत असलेल्या कोणत्याही सांविधिक यंत्रणेद्वारे नियमन होणाऱ्या, ज्या विषयवस्तुशी निच्यासाठी राज्याच्या संबंधित अधिनियमाअन्वये तक्रार निवारण यंत्रणेची विशेषरित्या तरतूद करण्यात आली आहे त्या विषय वस्तुशी संबंधित तक्रारी, तक्रार निवारण कक्ष किंवा लोकपाल यांच्याकडून स्वीकारल्या जाणार नाहीत.

५. तक्रार निवारण कक्ष :

(१) विभाग तक्रार निवारण कक्ष (वि.त.नि. कक्ष) :—

(एक) विद्यापीठाच्या बाबतीत, विद्यापीठ विभाग किंवा विद्यापीठ परिसंस्था यांच्याशी संबंधित सर्व तक्रारी, सर्वप्रथम, विद्यापीठ विभाग किंवा विद्यापीठ परिसंस्था रतारवर घटित करण्यात आलेल्या विभाग तक्रार निवारण कक्षाला उद्देशून करण्यात येतील. या समित्याची रचना पुढीलप्रमाणे असेल :—

(क) विद्यापीठ विभागाचा किंवा विद्यापीठ परिसंस्थेचा प्रमुख—अध्यक्ष :

(ख) कुलगुरूने नामनिर्देशित करावयाचा, विद्यापीठ विभागाच्या किंवा विद्यापीठ परिसंस्थेच्या बाहेरील प्राध्यापक—सदस्य :

(ग) विद्यापीठ विभागाच्या किंवा विद्यापीठ परिसंस्थेच्या प्रमुखाने नामनिर्देशित करावयाचा, तक्रार निवारण यंत्रणेमध्ये तरबेज असणारा अध्यापक—सदस्य-सचिव

(दोन) कक्षाचा अध्यक्ष व सदस्य यांचा पदावधी दोन वर्षे इतका असेल.

(तीन) बैठकीसाठीची गणपूर्ती, अध्यक्षसह दोन इतकी असेल.

(चार) विभाग तक्रार निवारण कक्ष, विद्यार्थ्यांच्या तक्रारींवर निर्णय देताना, नैसर्गिक न्यायाच्या तत्वांचे पालन करील.

(पाच) विभाग तक्रार निवारण कक्ष, तक्रार मिळाल्यापासून पंधरा दिवसांच्या कालावधीच्या आत, तक्रारींचे निवारण करील. वि.त.नि.कक्ष अशा तक्रारींचे प्रमाण कमी करण्याच्या व त्यांना आढावा घालण्याच्या उद्देशाने विद्यापीठाला नियतकालांतराने विविध उपाययोजना सुचवतील.

(सहा) वि.त.नि.कक्ष, व्यथित व्यक्तीला (व्यक्तींना) जादोराघो प्रत पुरवेल.

(२) संस्थात्मक तक्रार निवारण कक्ष (सं.त.नि. कक्ष) :—

(एक) विद्यापीठ विभाग किंवा विद्यापीठ परिसंस्था यांच्याशी संबंधित नसतील अशा तक्रारी आणि विभाग तक्रार निवारण कक्षामध्ये निवारण न झालेली गान्हाणी ही, विद्यापीठाच्या कुलगुरूने घटित करावयाच्या संस्थात्मक तक्रार निवारण कक्षाकडे निर्देशित करण्यात येतील. या कक्षाची रचना पुढीलप्रमाणे असेल :—

(क) प्र-कुलगुरू/अधिष्ठाता/वरिष्ठ प्राध्यापक—अध्यक्ष :

(ख) अध्यक्षखेरील दोन वरिष्ठ प्राध्यापक—सदस्य

(ग) नोंदणीकृत पदाधीन भतदारसंघातून एक अधिष्ठाता सदस्य—सदस्य

(घ) संपूर्णक, विद्यार्थी विकास—सदस्य सचिव

महाराष्ट्र शासन शासक सचिवालय, भा.स. व. ३, च. ३, २०१३, पत्तण ४, भा. २३२००

(दोस्रो) संस्थात्मक तक्रार निवारण कक्षांना आणि विद्यापीठ तक्रार निवारण कक्षांना अख्यत एकच असावे व ती संस्थात्मक तक्रार निवारण कक्षांना देण्याची वेळ येई इतका असेल

(तीन) बेंठकीची गणपती, अध्यक्षसह तीन जण इतकी असेल

(चार) संस्थात्मक तक्रार निवारण कक्ष, निर्णय घेताना, विद्यापीठ तक्रार निवारण कक्षांचा शिफारस विद्यार्थी संघात घेईल. सं.त.नि. कक्षांना, वि.त.नि. कक्षांच्या तक्रारींचे परीक्षण करण्याचा अधिकार असेल

(पाच) सं.त.नि.कक्ष, तक्रारींचा निर्णय देताना, नैसर्गिक न्यायाच्या तत्वांचे पालन करील

(सहा) सं.त.नि. कक्ष, तक्रार प्राप्त झाल्यापासून पंधरा दिवसांच्या कालावधीच्या आत, तक्रारींचे निवारण करील. सं.त.नि. कक्ष, अशा तक्रारींचे प्रमाण कमी होण्याच्या व त्यांना आज्ञा घालण्याच्या उद्देशाने, विद्यापीठांना, नियत कालांतराने विविध उपाय सुचवेल.

(सात) संस्थात्मक तक्रार निवारण कक्ष व्यथित व्यक्तीला (व्यक्तींना) आदेशाचा एक प्रत पुरवेल.

(३) महाविद्यालय तक्रार निवारण कक्ष (स.त.नि.कक्ष) :-

(एक) महाविद्यालयांच्या/मान्यताप्राप्त परिसंस्थांच्या बाबतीत सर्व तक्रारी या, सर्वप्रथम महाविद्यालय तक्रार निवारण कक्षांना उद्देशून करण्यात येतील. या समितीची रचना पुढीलप्रमाणे असेल :-

(क) महाविद्यालयाचा प्राचार्य किंवा मान्यताप्राप्त परिसंस्थेचा प्रमुख ----- अध्यक्ष ;

(ख) महाविद्यालयाच्या प्राचार्याने किंवा मान्यता प्राप्त परिसंस्थेच्या प्रमुखाने नामनिर्देशित करावयाचे दोन वरिष्ठ अध्यापक ----- सदस्य.

(दोन) सदस्यांचा पदावधी दोन वर्षे इतका असेल ;

(तीन) बेंठकीसाठीची गणपती ही, अध्यक्षसह दोन जण इतकी असेल ;

(चार) महाविद्यालय तक्रार निवारण कक्ष, विद्यार्थ्यांच्या गान-सण्यांवर विचार करताना, नैसर्गिक न्यायाच्या तत्वांचे पालन करील ;

(पाच) महाविद्यालय तक्रार निवारण कक्ष, तक्रार मिळाल्यापासून पंधरा दिवसांच्या आत तक्रारींचे निवारण करील. महाविद्यालय तक्रार निवारण कक्ष, अशा तक्रारींचे प्रमाण कमी करण्याच्या व त्यांना आज्ञा घालण्याच्या उद्देशाने व्यवस्थापनाला आणि यथास्थिति विद्यापीठांना नियतकालांतराने विविध उपाययोजना सुचवेल ;

(सहा) महाविद्यालय तक्रार निवारण कक्ष, व्यथित व्यक्तीला (व्यक्तींना) आदेशाचा एक प्रत पुरवेल.

(४) विद्यापीठ तक्रार निवारण कक्ष (वि.त.नि.कक्ष) :-

(एक) विद्यापीठाविरुद्धच्या तक्रारींच्या आणि महाविद्यालय तक्रार निवारण कक्षांकडून निर्णय न देण्यात आलेल्या तक्रारींच्या बाबतीत, त्या तक्रारी, विद्यापीठ तक्रार निवारण कक्षांकडे निर्देशित करण्यात येतील. या प्रयोजनाकरिता संलग्न विद्यापीठाचा कुलगुरू, एका महाविद्यालयासाठी/मान्यताप्राप्त परिसंस्थेसाठी, किंवा महाविद्यालयाचे (महाविद्यालयांचे)/मान्यताप्राप्त परिसंस्थेचे (परिसंस्थांचे) ठिकाण लक्षात घेऊन, महाविद्यालयांच्या/ मान्यताप्राप्त परिसंस्थांच्या गटासाठी, सहा सदस्यांनी मिळून बनलेली, विद्यापीठ तक्रार निवारण कक्ष घटित करील. संलग्न विद्यापीठाचा कुलगुरू, विद्यापीठ तक्रार निवारण कक्ष घटित करील व ती पुढील सदस्यांची मिळून बनलेली असेल :-

(क) प्र.कुलगुरू/अधिष्ठाता/वरिष्ठ प्राध्यापक ----- अध्यक्ष ;

(ख) अधिसभेच्या सदस्यांपैकी तीन प्राचार्य, त्यांपैकी एक महिला असेल आणि एक अनुसूचित जाती/अनुसूचित जमाती/निर्धिसूचित जमाती/पटव्या जमाती/इतर मान्य वर्ग या प्रयोगातील असेल ;

(ग) नोंदवून घेतलेल्या सदस्यांपैकी, अधिसभेचा एक सदस्य ; सदस्य