Notification No. SIU/28/ 821 dated 16th May, 2019

Subject: Symbiosis International (Deemed University) [Prevention, Prohibition and Redressal of Sexual Harassment of Employees and Students in the University and it's Constituent Institutes/ Departments / Sections/ Offices/ Workplaces] Rules, 2019.

It is hereby notified for information of all concerned that the Symbiosis International (Deemed University) [Prevention, Prohibition and Redressal of Sexual Harassment of Employees and Students in the University and it's Constituent Institutes/ Departments / Sections/ Offices/ Workplaces] Rules, 2019 shall be effective from the date of issuance of this notification.

The Rules are enclosed as Annexure 'A'.

Authority: BoM Resolution No. A9 dated 20th February, 2019.

16/05/2019

SIU/28/19/2182
Dated: 16th May, 2019

Dr. M. S. Shejul
Registrar

Copy for information to:
The Hon'ble Chancellor, Pro Chancellor, Vice Chancellor, Principal Director, Symbiosis, Dean-Academics and Administration, Symbiosis, Deans of Faculties of Symbiosis International (Deemed University), Director, Deputy Director, Administrative Officer/ Assistant Administrative Officer/ Office Superintendent of Constituent Institutes / Departments of SIU, Officers of Symbiosis Society and Symbiosis International (Deemed University).

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Annexure 'A'

Symbiosis International (Deemed University) [Prevention, Prohibition and Redressal of Sexual Harassment of Employees and Students in the University and it's Constituent Institutes/ Departments / Sections/ Offices/ Workplaces] Rules, 2019

[Under Rule 50 and Clause 39(1)(iv) of Memorandum of Association and Rules of Symbiosis International (Deemed University)]

[These rules are framed in consonance with the requirements of University Grants Commission (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2015.]

Chapter 1

1.1 Introduction:

The University respects the spirit of equality and upliftment of its' employees and students. It has zero tolerance towards gender bias and sexual harassment of employees and students on its campuses. It has a policy in place as per the guidelines/ regulations issued by UGC from time to time. The University is committed to creating its campuses free from discrimination, harassment, retaliation or sexual assault at all levels. To deal with the matters of sexual harassment the University has the mechanism of Internal Committees (IC).

The University Grants Commission (UGC) has notified the regulations for prevention, prohibition and redressal of sexual harassment of women employees and students in higher education institutions regulations, 2015. This regulation has exhaustive provisions for prevention, prohibition and redressal of sexual harassment.

The University in exercise of powers conferred under Rule 50 and Clause 39(1)(iv) has made these rules for conducting an effective inquiry in relation to cases concerning sexual harassment and to provide for matters not prescribed in the UGC regulations.

1.2 Short Title, Application and Commencement

These Rules may be called Symbiosis International (Deemed University) [Prevention, Prohibition and Redressal of Sexual Harassment of Employees and Students in the University and it's Constituent Institutes/ Departments / Sections/ Offices/ Workplaces] Rules, 2019.

(i) These Rules shall apply to the University and to all the Constituent Institutes/ Departments / Sections/ Offices/ Workplaces at its campus and off-campuses.

(ii) The Rules shall come into force from the date of Notification.

1.3 Definitions-
In these Rules, unless the context requires-

(a) **'Act'** means the sexual harassment of women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013);

(b) **'Commission'** means the University Grants Commission established under section 4 of the University Grants Commission Act, 1956 (3 of 1956);

(c) 'University' means Symbiosis International (Deemed University), declared by the Central Government under Section 3 of the UGC Act 1956;

(d) **'Campus'** means and includes the Main Campus and the Off Campuses of the University.

(e) **'Main Campus'** means Campus of the University at its headquarters, wherein its major facilities, faculty, staff, students and its' academic departments, i.e., Pune, Maharashtra, India and includes all the campuses situated in the same territorial jurisdiction.

(f) **'Off-Campus Centre'** means a Centre of the University, approved/ permitted by the Government and situated beyond its main Campus within India.

(g) **'Constituent'** means Institute/ School/ College/ Centre/ Department operating under the administrative, academic and financial control of the Sponsoring Body and declared as such under the Notification, issued from time to time and includes Institute/ School/ College/ Centre/ Department established and notified by University thereafter from time to time.

(h) **'Department'** means those units of the University which conduct academic programmes allied to the discipline/ faculty of the University or which undertakes activities to support research/ extension activities / entrepreneurship/ innovation/ administration of the University and are established with the approval of the Board of Management of the University.

(i) **'Student'** means a person duly admitted and on roll, pursuing a programme of study either through regular mode or distance mode, including short-term training programmes in University;

Provided that a student who is in the process of taking admission in University, although not yet admitted shall be treated, for the purposes of these rules, as a student of the University, where any incident of sexual harassment takes place against such student, in the University:

Provided that a person, who is not a student of the University, but is participating in any of the activities in the University shall be treated as aggrieved student or aggrieved individual, as the case may be, for the purposes of these rules, where any incident of sexual harassment takes place against such student within the University;

(j) **'Aggrieved Student'** means in relation to a campus, a student as defined in the Rules who has any complaints in the matters concerned with sexual harassment as defined.

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(k) **'Aggrieved Employee'** means in relation to a workplace, an employee as defined in the Rules who has any complaints in the matters concerned with sexual harassment as defined.

(l) **'Aggrieved Individual'** means in relation to the University, a third party or visitor or outsider, who is not an employee or a student of the University, but a visitor to the University in some other capacity or for some other purpose or reason;

(m) '**Aggrieved Woman**' means in relation to campus, a woman of any age whether employed or not and a student or not, who alleges to have been subjected to any act of sexual harassment by the respondent;

(n) **'Appointing Authority'** means the authority having power vested in it by the competent authority to appoint a person as an employee in various categories;

(o) **'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;

(p) **'Employee'** means a person as defined in the Act and also includes, trainee, apprentice (or called by any other name), interns, volunteers, teacher assistant, research assistant, whether employed or not, including those involved in field studies, projects, short visits and camps;

(q) **'Executive Authority'** means Vice Chancellor of the University in whom general administration of the University is vested.

(r) **'Internal Committee'** (IC) means Internal Committee to be constituted by the University. The IC shall be bound to function as per provisions of the said rule;

(s) **'Complaint'** means a written statement with facts and reasons (i.e. cause of the action) filed by the Complainant to the Internal Committee against the respondent.

(t) **'Complainant'** means the aggrieved individual making a complaint to the Internal Committee.

(u) **'Offender'** means a person who is accused in act(s) of sexual harassment as defined in the rules.

(v) **'Respondent'** means the person against whom the complaint has been made.

(w) **'Appellant'** means the person who is making the appeal against the recommendations of the Internal Committee

(x) **'Protected Activity'** includes reasonable opposition to a practice believe 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;

(y) **'Sexual Harassment'** means -

(i) An unwanted conduct with sexual undertones if it occurs or which is persistent and 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 nonverbal 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, safely dignity or physical integrity of the person concerned;

(z) **'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 University, but a visitor to the University in some other capacity or for some other purpose or reason;

(aa) **'Victimisation'** means any unfavourable treatment meted out to a person with an implicit or explicit to obtain sexual favour;

(bb) **'Workplace'** means the Campus of a University 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 University;

Any sports institute, stadium, sports complex or competition or games venue whether residential or not used for training, sports or other activities relating to thereof in the University;

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;

Chapter – 2

Commitment of the University for Prevention, Prohibition and Redressal of Sexual Harassment of it's Employees and Students

2.1 The University is committed to create a safe and secure environment for its' employees and students.

(i) The University has zero tolerance policy towards sexual harassment of it's employees and students;

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(ii) The University is committed for creating its campus free from discrimination, harassment, retaliation or sexual assault at all levels;

(iii) The University shall notify all legal provisions regarding the act(s) of prevention of sexual harassment from time to time;

(iv) The University shall arrange training programmes and workshops for students and employees to create awareness of the rights, entitlements and responsibilities of all, mentioned in the provisions/ Rules/ Regulations;

(v) The University shall display relevant posters regarding prevention of Sexual Harassment from time to time;

(vi) The University shall publish all the legal provisions regarding 'Anti-sexual harassment' in prospectus/ website;

(vii) The University shall monitor timely submission of reports by Internal Committees and prepare annual status report with details on the number of cases filed and their disposal and submit the same to the University Grants Commission;

(viii) The University shall conduct regular and half yearly review of the efficacy and implementations of anti-sexual harassment policy;

(ix) All Internal Committee(s) constituted for the purpose shall strictly comply with the provisions of the rules made in behalf of the prevention, prohibition and redressal of sexual harassment of women employees and students of the University.

Chapter – 3

Internal Committee: Composition, Responsibilities and Jurisdiction

3.1 Internal Committee (IC)

The University shall constitute Internal Committees (IC), to deal with the complaints/ cases of sexual harassment at each Campus/ Location of the University.

A. The Composition of the Internal Committee shall be as under:

(i) **Presiding Officer**, shall be a female faculty member who is not a Director of an Institute and not below the rank of Professor (If employee of the rank of Professor is not available, then Associate Professor) nominated by the Vice Chancellor;

(ii) **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 Vice Chancellor;

(iii) **Three students,** if the matter involves student(s), enrolled at the undergraduate/ postgraduate level/ research level, nominated by the Vice Chancellor;

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(iv) **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 Vice Chancellor.

(v) Head-Student Affairs/ University Representative nominated by the Vice Chancellor

Head-Student Affairs / One of the members of the Committee from amongst the non-teaching employee of the University shall act as Member Secretary of this committee.

Provided that all nominations shall be, as far as possible from the respective campus only and at least half of the total strength of the Committee shall be women.

Provided further that persons in senior administrative positions, such as Vice Chancellor, Pro Vice Chancellor, Rector, Registrar, Dean(s), Director(s), Heads of the Departments etc., shall not be members of the Internal Committee.

The term of office (tenure) of the members of IC shall be for a period of three (3) years. The tenure of the student members shall cease as and when they cease to be the student of the Institute/ Department/ University. The tenure of the faculty members and non-teaching employees shall cease as and when they resign from their services or is transferred to another Campus.

The members appointed from amongst non-government organisations or associations shall be paid such fees or allowances for holding the proceedings of the IC.

B. Removal of the Member from the Internal Committee

Any member, including the Presiding Officer of IC shall be removed from the IC by the Appointing Authority, if he/ she:

(i) contravenes the provisions of Section 16 of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013; or

(ii) 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

(iii) he has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or

(iv) has so abused his position as to render his continuance in office prejudicial to the public interest,

Any vacancy including casual vacancy created on account of any of the above reasons or any other reason including retirement, resignation, transfer or completion of studentship, shall be filled in, by a fresh nomination from the respective category for the remaining part of the tenure of IC, by the Vice Chancellor.

C. Responsibilities of the Internal Committee (IC)

The following shall be the responsibilities of the IC:

(i) provide assistance to an employee or a student choosing to file complaint with the police;

(ii) provide mechanisms, of dispute redressal and dialogue to anticipate and address issues through just and fair conciliation without undermining Complainant's rights, and minimise the need for purely punitive approaches that lead to further resentment, alienation or violence;

(iii) protect the safety of the complainant by not divulging the person's identity, and provide 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;

(iv) ensure that victims or witnesses are not victimised or discriminated against while dealing with complaints of sexual harassment; and

(v) ensure prohibition of retaliation or adverse action against a covered individual because the employee or the student is engaged in protected activity;

(vi) 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.

(vii) select gender champions especially one (1) male and one (1) female for the campus who will help in prevention of sexual harassment and gender sensitisation on the campus. The IC can design a process for fair selection of the gender champions.

D. Jurisdiction

(i) The Internal Committee of the campus shall deal with the complaints/ cases of sexual harassment at each Campus/ Location of the University wherein:

a. The complaints filed by the Employees/ students belonging to Constituent Institutes/ Departments/ Sections on the campus;

(ii) The complaint(s) filed by aggrieved individual (third party/ visitor) who does not belong to the University but has come on the campus in some other capacity or for some other purpose or reason against Employees/ students belonging to Constituent Institutes/ Departments/ Sections on the campus;

(iii) The complaint(s) filed by aggrieved employee(s)/ student(s) belonging to Constituent Institutes/ Departments/ Sections on the campus against third party/ visitor who does not belong to the University but has come on the campus in some other capacity or for some other purpose or reason;

(iv) Any other case as may be directed by the University

In case both the complainant and respondent are third party who have come on the campus in some other capacity or for some other purpose or reason and the complaint is received then the complaint shall be transferred to the IC of the Complainant.

Chapter – 4

Inquiry of the Complaint

4.1 Procedure for making Complaints to IC

(i) Any person (employee/ student), who is aggrieved by the act(s) of sexual harassment shall make a complaint in writing against the person(s) concerned, to the IC within three (3) months from the date of the incident, and in case of series of incidents within a period of three (3) months from the date of the last incident. However, the IC may extend the time limit for making a complaint not exceeding three (3) months, with reasons recorded in writing, if it is satisfied that the circumstances were such, which prevented the person from filing a complaint within the said period.

(ii) Provided that the IC can *suo-moto* take cognizance of a complaint of sexual harassment, if such complaint is published/ reported by the aggrieved person on electronic/ print medium.

(iii) Provided further that after taking *suo-moto* cognizance, the IC shall call upon the Complainant to verity the contents of the complaint in writing before proceeding with the Inquiry.

(iv) Provided also that University/ IC shall at its discretion may not take cognizance of anonymous complaint.

(v) The complaint shall be made under the signature of the Complainant to the presiding officer of the IC.

(vi) In case of a complainant who cannot write, the Presiding Officer or any member of IC shall render reasonable assistance to the person for making the complaint in writing.

(vii) In situations, when an aggrieved person is unable to make a complaint on account of physical or mental incapacity or death; friends, relatives, colleagues, co-students, psychologists or any other associate of the victim may file the complaint on behalf of the aggrieved person.

4.2 Procedure for Conducting Enquiry

(i) The IC shall, upon receipt of the complaint, issue notice to the respondent along with a copy of the complaint, with a covering letter under the signature of the Member Secretary within a period of seven (7) days, from receipt of the complaint.

(ii) Upon receipt of the copy of the notice along with complaint, the Respondent shall file his/ her reply to the complaint along with the list of documents, names and addresses of the witnesses, if any within a period of ten (10) days.

(iii) The Member Secretary on instructions of Presiding Officer shall convene a meeting of IC within a period of seven (7) days after the receipt of Respondent's written reply.

(iv) The IC shall consider the Complaint and the Respondent's written reply. If necessary may constitute a sub-committee consisting not more than three (3) members, of whom at least two (2) shall be women from amongst the members of the IC for finding the facts or any other matter.

(v) The sub-committee shall record statements, collect evidences and submit it to the Internal Committee, in a sealed envelope within ten (10) days.

(vi) The IC shall make a spot visit if necessary, shall arrange for meetings, and shall give opportunity of being heard to the complainant(s) and respondent(s) and the persons involved. The IC may examine the witness/es, if required.

(vii) The committee shall allow inspection of all the documents to the complainant(s) and the respondents for their knowledge;

(viii) The respondents shall have no right to cross examine complainant and witnesses.

(ix) Depending upon the nature of the Complaint, further also in the interest of justice, IC may decide to hold meeting on more than one occasion. The Member Secretary shall record summary of proceeding for the meeting on all such occasion.

(x) The committee shall take appropriate decision(s) after providing due opportunity of natural justice to all the concerned parties and consideration of all the statements, depositions, materials on record. The Presiding Officer may, if required opinion/ assistance of an expert for arriving at just and fair finding;

The identity of the complainants, respondents and witnesses shall be protected in accordance with rules/ regulations/ acts etc.

(xi) The IC shall complete the inquiry as expeditiously as possible and not later than ninety (90) days from the date of receipt of the complaint;

(xii) The inquiry report shall have details on evidences, depositions, statements, findings and recommendations and the IC shall submit the report to the Vice Chancellor within a period of ten (10) days from the date of conclusion of inquiry;

(xiii) The office of Vice Chancellor shall communicate the findings and recommendations of IC to both the parties to the complaint within a period of three days.

(xiv) Either of the parties can file appeal before the Executive Authority of the University within a period of thirty (30) days from the date of receipt of the recommendation(s);

(xv) The Vice Chancellor shall act on the recommendation(s) of the internal committee after completion of thirty (30) days, unless an appeal against the findings is filed within that time by either party;

Provided that in case of exigency, before expiry of 30 days or pending the final decision of Appeal filed, if any, the Vice Chancellor, in the interest of justice, can pass appropriate interim order, taking into consideration, safety and security of the students and conducive environment on campus.

(xvi) In case either of the party appeals to the Vice Chancellor against the findings and recommendations of the IC, the Vice Chancellor, by following prescribed due procedure shall take appropriate decision;

(xvii) If the Vice Chancellor decides not to act as per the recommendation(s) of the IC, he/ she shall record reasons in writing for the same and shall convey his/her decision to the IC and both the parties to the proceedings;

(xviii) If the Vice Chancellor decides to act as per the recommendations of the IC, then a show cause notice answerable within ten (10) days shall be served on the party against whom the action is decided to be taken. The Vice Chancellor shall proceed for action, only after considering the reply or hearing the aggrieved person.

(xix) The Campus/ Location wise ICs shall function as per the rules framed in this behalf, however, the dealing section shall maintain the complete records and Registrar shall conduct the official correspondence to UGC/ MHRD/ AICTE/ BCI/ INC/ any other statutory bodies and government agencies on behalf of the committees/ authorities of the University;

Chapter – 5

Conciliation and Interim Redressal

5.1 Conciliation

(i) Internal Committee may before initiating the inquiry at the request of the aggrieved person, the aggrieved person may give a written request to the IC for conciliation or alternative dispute resolution.

Provided that no monetary settlement shall be made as a basis of conciliation.

(ii) The University shall facilitate the conciliation process through Internal Committee, 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.

5.2 Interim Redressal

The University may:

(i) transfer the Complainant or the Respondent to another section/ department, on the recommendations of IC, to avoid the risks involved in contact or interaction;

(ii) grant of leave to the aggrieved person up to three (3) months with all benefits as per the service conditions;

(iii) ensure that offenders are warned to keep distance from aggrieved, and wherever necessary, if there is a definite threat, restrain the entry into the campus;

(iv) restrain the Respondent (faculty/member of the teaching staff) from evaluating/ assessing the work performance of all internal and external examination/ tests of the complainant (student), when the Complainant is a student and Respondent is faculty/ staff;

(v) take strict measures to provide conducive of safety and protection to the Complainant against retaliation and victimisation as a consequence of making a complaint of sexual harassment;

Chapter – 6

Punishment and Compensation

6.1 Punishment and Compensation

(i) anyone found guilty of sexual harassment shall be punished in accordance with the service rules of the University, if the offender is an employee;

(ii) where the respondent is a student, depending upon the severity of the offence, the University may:

a) withhold privileges of the student, such as access to library, hostel, auditorium, gymnasium, transportation, scholarship(s), allowances, identity card etc.;

b) suspend or restrict entry into the campus for a specific period;

c) expel and strike off name from the rolls of the Institute/ Department including denial of readmission, if the offence so warrants;

d) award reformative punishments like mandatory counselling and/ or performance of community services;

e) forfeiture of academic award, granted earlier;

(iii) the aggrieved person is entitled to the payment of compensation. The University shall issue direction for payment of the compensation recommended by the Internal Committee and accepted by the Vice Chancellor which shall be recovered from the offender. The compensation payable shall be determined on the basis of:

a) mental trauma, pain, suffering, 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.

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The aggrieved person (complainant) may put his/ her claim of compensation from the offender on any or all of the above grounds or any such other grounds, in the form of request to the IC. The IC shall study and examine the claim of compensation of the complainant and recommend just claim, agreed by both the parties, to be given to the complainant by the offender, to the Vice Chancellor for his/ her approval;

While recommending the claim, the IC shall take into consideration the income and status of the offender and the aggrieved person and the feasibility of such a payment either in lump sum or in instalment(s);

After the approval of the Vice Chancellor, the Presiding Officer of the IC shall inform the aggrieved person (complainant) and the offender, the decision of the Vice Chancellor and shall monitor the process of compensation;

6.2 Action against false and frivolous/ malicious complaints and misuse of provisions for prevention of Sexual harassment

(i) To ensure that the provisions for 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 constituents/ departments of the University. If the IC concludes that the allegations made were false, malicious or 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 service rules of the University, if the complainant happens to be an employee and if he/ she happens to be a student, punishment shall be as prescribed in the rules in this behalf.

(ii) Malicious intent on the part of complainant shall not be established without an inquiry, in accordance with the procedure prescribed conducted before any action is recommended.

(iii) The Vice Chancellor may accept/ partially accept/ reject the recommendations of the IC and convey his/ her decision to IC;

(iv) However, in a case of a woman who has been sexually harassed but is not in a position to provide adequate proofs/ evidences, in such case the IC shall give the report to the Executive Authority for approval and after the approval, the complainant woman shall not be punished in any way.

Chapter 7

Appeals

7.1 Procedure for Appeals

(i) In case either of the party prefers an appeal before the Vice Chancellor against the findings and recommendations of the Internal Committee, then the concerned party shall submit a written appeal under signature within a period of thirty (30) days from the date of receipt of the IC report.

(ii) Acting on the appeal, the Vice Chancellor shall decide the date of the hearing of the appeal.

(iii) The Registrar shall send a notice of hearing to the appellant(s) within a period of seven (7) days.

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(iv) The University shall arrange for inspection of documents, material, statements etc., if so desired by the Appellant, on the university campus.

(v) The Appellant may submit a written statement on or before the hearing of the appeal, if he/she desires.

(vi) The Appellant(s) does not have right to legal representation during the appeal.

(vii) The Vice Chancellor shall follow the principles of natural justice while dealing with the appeal. The Vice Chancellor may in appropriate cases seek assistance of an expert to arrive at a just and fair decision.

(viii) After hearing all the concerned parties and considering all the available materials on record, the Vice Chancellor shall take just and fair decision on the appeal.

(ix) The decision of the Vice Chancellor shall be final and binding on the Appellant.

(x) The Registrar, SIU shall communicate decision of the appeal(s) to the Appellant within a period of seven (07) days.

Note: For comprehension the Standard Operating Procedure has been appended as an Appendix – I

Appendix – I

STANDARD OPERATING PROCEDURES

1. Duties and Functions of the University

(i) To notify all Legal Provisions regarding the act(s) of prevention of sexual harassment from time to time;

(ii) Arrange training programmes and workshops for students and employees to create awareness about provisions/ Rules/ Regulations;

(iii) Display relevant posters regarding prevention of Sexual Harassment from time to time;

(iv) Publish all the legal provisions regarding 'Anti-sexual harassment' in prospectus/ website;

(v) Monitor timely submission of reports by Internal Committees and prepare annual status report and submit the same to the University Grants Commission;

(vi) Conduct regular and half yearly review of the efficacy and implementations of anti-sexual harassment policy;

(vii) Constitute Campus wise Internal Committees

2. Internal Committees

Each campus shall have Internal Committee. The composition of the Internal Committee is as prescribed in the Rules.

3. Responsibilities of Internal Committee

(i) To provide assistance to complainants to make the complaint.

(ii) provide for address of issues through just and fair conciliation without undermining Complainant's rights;

(iii) protect the safety of the complainant by not divulging the person's identity,

(iv) ensure that victims or witnesses are not victimised or discriminated against while dealing with complaints of sexual harassment; and

(v) ensure prohibition of retaliation or adverse action against a covered individual because the employee or the student is engaged in protected activity;

(vi) act decisively against all gender based violence perpetrated against employees and students of all sexes.

(vii) select gender champions especially one (1) male and one (1) female for the campus;

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(viii) Conduct inquiries into complaints.

4. Procedure for making Complaints to IC

(i) The person aggrieved by the act(s) of sexual harassment shall make a complaint in writing against the person(s) concerned, to the IC within three (3) months from the date of the incident;

(ii) IC can take *suo-moto* cognizance of a complaint of sexual harassment, if such complaint is published/ reported by the aggrieved person on electronic/ print medium. In such a case IC shall verify the contents of the complaint in writing from the aggrieved person

(iii) Cognizance of anonymous complaint need not be taken.

5. Procedure for conducting an Inquiry

Upon receipt of the complaint **issue a notice to** the **Respondent** along with a copy of the complaint, **within a period of seven (7) days**.

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Respondent shall file his/ her reply with the list of documents, names and addresses of the witnesses, if any **within a period of ten (10) days**.

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The Member Secretary to **convene a meeting of IC within a period of seven (7) days** after the receipt of Respondent's written reply.

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The IC, after scrutiny, **if necessary, may constitute a sub-committee** consisting of not more than three (3) members, of whom at least two (2) shall be women from amongst the members of the IC **for finding the facts** or any other matter.

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The **sub-committee** shall record statements, collect evidences and **submit it to the Internal Committee**, in a sealed envelope **within ten (10) days.**

↓

The IC may make a spot visit, arrange for meetings with complainant(s) and respondent(s) and the persons involved. The IC may examine the witness/es, if required.

↓

The committee shall allow inspection of all the documents to the complainant(s) and the respondents for their knowledge;

↓

IC may conduct more than one meeting(s). The Member Secretary shall record summary of proceeding for the meeting on all such meeting(s).

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IC may seek, if required opinion/ assistance of an expert for arriving at just and fair finding;

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The IC shall complete the inquiry as expeditiously as possible as and **not later than ninety (90) days** from the date of receipt of the complaint;

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The IC shall submit the report to the Vice Chancellor **within a period of ten (10) days** from the date of conclusion of inquiry;

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The office of Vice Chancellor shall communicate the findings and recommendations of IC to both the parties to the complaint **within a period of three (3) days**.

* ***Either of the parties can file appeal before the Executive Authority of the University within a period of thirty (30) days from the date of receipt of the recommendation(s);***

6. Action to be Taken by the Vice Chancellor on receipt of the Report

i. The Vice Chancellor shall act on the recommendation(s) of the internal committee after completion of thirty (30) days, unless an appeal against the findings is filed within that time by either party;

ii. Provided that in case of exigency, before expiry of 30 days or pending the final decision of Appeal filed, if any, the Vice Chancellor, in the interest of justice, can pass appropriate interim order, taking into consideration, safety and security of the students and conducive environment on campus.

iii. In case either of the party appeals to the Vice Chancellor against the findings and recommendations of the IC, the Vice Chancellor, by following prescribed due procedure shall take appropriate decision;

iv. If the Vice Chancellor decides not to act as per the recommendation(s) of the IC, he/ she shall record reasons in writing for the same and shall convey his/her decision to the IC and both the parties to the proceedings;

v. If the Vice Chancellor decides to act as per the recommendations of the IC, then a show cause notice answerable within ten (10) days shall be served on the party against whom the action is decided to be taken. The Vice Chancellor shall proceed for action, only after considering the reply or hearing the aggrieved person.

The Campus/ Location wise ICs shall function as per the rules framed in this behalf, however, the dealing section shall maintain the complete records and Registrar shall conduct the official correspondence to UGC/ MHRD/ AICTE/ BCI/ INC/ any other statutory bodies and government agencies on behalf of the committees/ authorities of the University;

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