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भारत संसद के विभाग संसद मंडल
(विधेयक अनुबंध आयोग)
अधिवेशन
वर्दी दिल्ली, 2 मई, 2016

विधेयक अनुदान आयोग (उच्चतर शैक्षिक संस्थानों में महिला कर्मचारियों एवं छात्रों के लॉकिक उत्पीड़न के निराकरण, निकेतन एवं इत्यादि सुविधाओं) विधेयक 2015

मि. सं. 91-1/2013 (टी. एफ. जी. एस.—विधेयक अनुदान आयोग अधिनियम 1956 (1956 का 3)
जिसे उल्लंघन करने वाले अधिनियम 20 के उपनाम (1) से संबंधित रूप से पढ़ा जाए उस अधिनियम 28 के अनुसार
(1) की धारा (की) द्वारा प्रदत्त अधिकारों के प्रयोगकाल अनुसार विधेयक अनुदान आयोग एवं प्रदाता निकेतन विधेयक
निम्त रखा है, नामांकन:—

1. तपास दीवर, अनुप्रयोग एवं सामाजिक— (1) ये विधेयक विधेयक अनुदान आयोग (उच्चतर शैक्षिक संस्थानों में महिला कर्मचारियों एवं छात्रों के लॉकिक उत्पीड़न के निराकरण, निकेतन एवं इत्यादि सुविधाओं) विधेयक, 2015 कहता उनके लायक होगा।
(2) ये विधेयक भारत वर्ष में सभी उच्चतर शैक्षिक संस्थानों पर लागू होगा।
(3) सरकारी राजपत्र में उनके प्रकाशन की तिथि से वे लागू माने जाएँगे।

2. परिभाषाएँ— इन विधेयकों में—वर्तमान विषयवस्तु के अन्तर्गत कुछ अन्य शब्द जरूरी है—

(अ) "प्रीडिंग महिला" से अर्थ है किसी भी आयु वर्ग की एक ऐसी महिला—वहाँ वह रोजमर्ज में है या नहीं, किसी कार्य स्थल में कार्य करते तौर पर तिथि प्रति दिवस यह लेखा होगा। प्रति दिन का शिकार करती है;
(b) "अधिनियम" से अर्थ है कार्य स्थल में महिलाओं का लॉकिक उत्पीड़न (निराकरण, निकेतन एवं सामाजिक) अधिनियम,  
2013 (2013 का 14),

(स) "परिसर" का अर्थ उस स्थान अथवा भूमि से है जहाँ पर उच्चतर शैक्षिक संस्थान तथा इसकी संबंधित संस्थानात
सुविधाएँ पूरकाल, प्रयोगकाल, लेखन हॉल, आवास, हॉटेल, श्रीरामलय, छात्र केन्द्र, छात्रावस्था, मोजन कक्षा,
स्टेडियम, वाहन पड़ाव स्थल, उपयोगी संस्थान तथा अन्य कुछ सुविधाओं से संबंध होगा। वे स्थायी केंद्र, कॉन्फ्रीमन, बैंक, पतल
इलाके शिखर हैं तथा जिसी छात्रों द्वारा उच्चशिक्षा से छात्र के रूप में दौरा किया जाता है—जिस में वह
परिप्रेक्षण शामिल है जो उसमें उस संस्थान से आने जाने के लिए, उस संस्थान के अलावा क्षेत्रीय भर्ती हेतु 2136 GI/2016
संस्थान पर, अध्यायों, अध्याय भ्रमण, चीन-संयुक्त लिखित कार्य, लघु-अधिक वानी नियोजनों के लिए, लघु अवस्था वाली नियुक्तियों के लिए, शिक्षकों के लिए, संस्थान पर, अध्याय की अधिनियम 1956 (1956 का 3) के अनुरूपे 4 के अन्तर्गत स्थापित हैं;

(४) "आयोग" का अर्थ है विश्वविद्यालय अनुदान आयोग जो विश्वविद्यालय अनुदान आयोग अधिनियम 1956 (1956 का 3) के अनुरूपे 4 के अन्तर्गत स्थापित है;

(५) "आयुक्त व्यविधियाँ" से अर्थ उन व्यविधियाँ से है जो एक सुरक्षित गतिविधि में कार्यरत है जैसे कि किसी लैंपिक उपलोधी को धारण करने-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 पूर्ववर्ती का एक कर्मचारी हो सकता है अथवा एक सही छात्र अथवा अभिभावक हो सकता है;

(६) "कर्मचारी" का अर्थ है उस व्यक्ति से है जिसे अधिनियम में परिभाषित किया गया है तथा इसमें इन विनियमों की तॊरित से अभिभावक से अधिक अधिकार अथवा अधिक संरक्षण के लिए, अधिकारी अथवा अधिक अधिकार है जैसे कि दफ्तरी अधिकारी, तथा ऐसे कोई कोई व्यक्ति जो इसी नियमों में वर्णित है;

(७) "कार्यकारी प्राधिकृत" से अर्थ है उद्देश्य शैक्षिक संस्थान के प्रमुख कार्यकारी प्राधिकृत, वहाँ जिस नाम से वे जाने जाते हैं तथा जिसे विश्वविद्यालय के संविधान में समर्थित है। सार्वजनिक रूप से निदेश प्राप्त संस्थानों के लिए, कार्यकारी प्राधिकृत अर्थ है अनुसंशानक दृष्टि से प्राधिकृत जैसा कि केंद्रीय नागरिक संविधानों (सत्यनारायण, नित्यानन्द एवं अन्य) नियम तथा यह उनसे समरूप नियमों में दर्शिया गया है;

(८) "उप्रस्तर शैक्षिक संस्थान" (उपर-आई) से अर्थ हैं-एक विश्वविद्यालय जो अनुरूप 2 की धारा (३) के अन्तर्गत अथवा अनुरूप 3 के अनुरूप अथवा 4 द्वारा स्थापित है ऐसा एक शैक्षिक संस्थान जो अनुरूप 1 की धारा (३) के अर्थ से अनुरूप है तथा ऐसा एक संस्थान जो अनुरूप 2 की धारा (३) के अन्तर्गत स्थापित है।

(९) "अन्तर्तंत्रिक रिकार्ड" (आई.ज.आई.) (उपर-स्टेट कमिटेज) से अर्थ है इन विनियमों के विनियम 4 के उपर-विनियम (१) के अर्थ के अनुसार उद्देश्य शैक्षिक संस्थान द्वारा अनुसरण की जाने वाली अन्तर्तंत्रिक रिकार्ड समिति से है। इसे परिभाषित की जाने वाला आयातक अथवा अन्तर्तंत्रिक रिकार्ड के रूप में पुनःरीतित किया जाना चाहिए;

वर्तमान में इन विनियमों के अन्तर्गत अन्तर्तंत्रिक रिकार्ड के रूप में पुनःरीतित किया जाना चाहिए।

(१०) "संस्थान के विनियम" में ऐसी एक विनियम, के प्रति तहत विभिन्न विषय में अनुमोदित है, जिसके बारे में ऐसा माना जाता है जैसे कि विकास संवार से अधिक और तर्कशीलता वाले लोगों की तरफ से लैंपिक उपजोड़ी के प्रायोजनों के लिए उन प्रणालियों के माध्यम से किया जा सकता है- जैसे कि लैंपिक उपजोड़ी को स्वयं संचालित करने की अनुमति देता है।

(११) "लैंपिक उपजोड़ी" का अर्थ है- ऐसा एक अधिकारिक आयोजन जिसमें दीवार रूप में लैंपिक भावनाएं जो प्रत्यक्ष भी हो जाती हैं अथवा जो भावनाएँ अवश्यक मान्यता होतीं, मीटरियाँ दीवार रूप में अवश्य होती हैं, अथवा ऐसा एक लैंपिक उपजोड़ी का विश्वास और अवधि भर वातावरण में अवश्य दीवार रूप से पाए जाने वाले चाहिए जैसे कि विकास संवार प्रणालियों के लिए अनुमति देता है।

(१२) लैंपिक भावना से युक्त कॉड किसी अधिकारिक शासित, लैंपिक अवधि गैर मौखिक अधिक होने के अतिरिक्त कोई आयातक

(१३) लैंपिक अनुरूप या अनुरूप कराना

(१४) लैंपिक शासित करना
(iii) निम्न परिस्थितियों में से किसी एक में (अथवा इससे अधिक एक या सभी में) यदि ऐसा पाया जाता है अथवा वह ऐसे किसी वर्तमान के बारे में है या उससे संबंधित है जिसमें यथापूर्व रूप से या यथापूर्व रूप में लेखक संकेत दिये हैं--

(अ) चिढ़े तीर से या प्रवक्ता रूप से अभिमुख व्यवहार देने का यथार्थता जो लेखक सम्पर्क के एक में हैं;

(ब) कार्य के निराकार में चिढ़े रूप से या संदिग्धता तीर से स्कायल झालने की धमकी;

(स) संबंध यथित के बर्तमान अथवा उसके भविष्य के प्रति चिढ़े तीर से या संदिग्धता तीर से धमकी देकर;

(ए) एक दशक भरा विश्वास या वेभरूप प्रवाहवर दैव करके;

(इ) ऐसा व्यवहार करना जो कि संबंध यथित के स्वाभाविक उसकी सुधा, प्रतिष्ठा अथवा उसकी शारीरिक दृष्टि को कुशलतापूर्वक करने वाला है。

(एल) "छाया" शब्द का अर्थ उस यथित के लिए है जिसे विश्वास प्राप्त गिता हुआ है, जो निर्भर रूप से या दूर स्थित निर्भर से एक उच्च शिक्षा संस्थान में, एक अध्याय पाठ्यपुस्तक का अनुवाद लिखा है जिसके लाभ अथवा पाठ्यक्रम भी शामिल है।

वर्तमान ऐसी क्षत्र के बारे में कोई ऐसी उपलब्ध की घटना होती है जो उच्च शिक्षा संस्थान परिसर में प्रेस नामक की प्रक्रिया में है—यथार्थता वह प्रेस प्राप्त नहीं हुआ है तब इन मिलियन्स के आधार पर उस क्षत्र को उच्च शिक्षा संस्थान का छात्र माना जाएगा।

वर्तमान ऐसा छात्र जो किसी उच्चतर शैक्षिक संस्थान में प्रेस प्राप्त है तथा उस संस्थान में भागीदार है और उस छात्र के प्रति कोई अर्थनीति उपलब्ध होता है तो उसे उस स्थान के छात्र माना जाएगा,

(एम) "किसी तीसरे यथित द्वारा उपलब्ध" उस स्थिति को दर्शाता है जब लेखक उपलब्ध की घटना किसी तीसरे यथित द्वारा या किसी तीसरे के आदेश के आधार इसकी गई हो जो या तो उस उच्च शैक्षिक संस्थान का कर्मचारी अथवा उसका छात्र है—बिना उस संस्थान में एक अभ्यासक है जो अपने अर्थ किसी काम या उद्देश्य से भाग नहीं हुआ है;

(एन) "उपलब्ध" का अर्थ है किसी यथित से नकारात्मक व्यवहार जिसमें चिढ़े तीर से या संदिग्ध तीर से लेखक दुर्दशिन्ह की नीति से बदली होती है;

(ओ) "कर्मक्रम" का अर्थ है उच्चतर शैक्षिक संस्थान के परिसर जिसमें शामिल हैं:

(अ) कोई विभाग, संस्थान, अधिकार, अध्ययन, उपलब्ध, संस्थान, कार्यस्थल, शासित अथवा एकांक जो उपलब्ध उच्चतर शैक्षिक संस्थान द्वारा पूरी तरह अथवा आवश्यक रूप से उपलब्ध निखिल द्वारा छात्र तीर से अथवा आवश्यक रूप से स्वामित्व वाले या उससे निर्भरित है;

(ब) ऐसा कोई विभाग, संस्थान, स्टेटस, विभाग परिसर या विभागित विभाग के संबंध में है जो अथवा या तो उच्च शैक्षिक संस्थान की प्रशिक्षण, शेषकृत अथवा अन्य गतिविधियों के लिए उपलब्ध नहीं किया जा रहा है;

(स) ऐसा कोई विभाग जिसमें कर्मचारी अथवा छात्र अपने रोजगार का दौरान या अध्ययन के दौरान अपने इस दौरान अपने इतिहास में अथवा इतिहास में विभिन्न प्रकार का प्रशिक्षण करता है जो उस उच्च शैक्षिक संस्थान में अभ्यास के लिए उपलब्ध कराया है।

3. उच्चतर शैक्षिक संस्थानों के लिए (1) प्रेक्षित उच्चतर शैक्षिक संस्थान

(अ) कर्मचारियों एवं छात्रों के लिए जीवनमय उपलब्ध के निर्देश एवं निर्देश संबंधी अपनी नीति एवं विनिमयों में उपरोक्त परिवारों की भावना को यथो आवश्यक उपयुक्त रूप से समावेशित करना तथा इन विनिमयों की आवश्यकता अनुसार अपने अभ्यास एवं निम्नांक को संबंधित करना;

(ब) लेखक उपलब्ध के विषय अभ्यासक का अधिकृत करना तथा उनके विस्तृत प्रयास-प्रसार को सुनिश्चित करना;
उस बात को पहले हुआ कि प्राथमिक रूप से महिलाओं की कामचारी तथा छात्राओं के कुछ छात्र तथा तीसरे लिंग वाले छात्र कई प्रकार के लेखिक उत्तरदेव मानव एवं शाळा के अन्तर्गत संवेदनशील हैं, तदनुसार सभी शिक्षा के कर्मचारियों एवं छात्रों के प्रति सुनिश्चित संवेदनात्मक रूप से सरकार बनाएः

लेखिक उत्तरदेव के प्रति श्रद्धा से स्वागत संबंधी गृहीत की हिम्मतन्व राजनीतिक प्रशासन रूपाचार पर विवेचन पढिया करते हैं- तथा इसके साथ ही हिस्से-पूर्ण विश्वास यथार्थतः अन्तर्राष्ट्रीय उत्तरदेव प्राचीन विश्व निश्चित विफलता पूर्णी पाठ राजनीतिक प्रशासन रूपाचार पर विवेचन पढिया करते हैं।

प्राथमिक शिक्षा में सन्मीतता करते हैं, शिक्षा के लेखिक उत्तरदेव के दृष्टि प्रवाहित कला को दृष्टि दर्शन न्तता न्तता संबंधित को अन्तर्गत संवेदनशीलता के समस्याओं के लिए बनाएः तथा इसके वर्तमान दृष्टि रूप से महिला शिक्षा की संवेदनशीलता के रूप से स्वागत संबंधी गृहीत की हिम्मतन्व राजनीतिक प्रशासन रूपाचार पर विवेचन पढिया करते हैं, तदनुसार विश्व निश्चित रूप से सरकार बनाएः

अन्तर्राष्ट्रीय शिक्षकांक ने सन्मीतता करते हैं, ज्ञान एवं योग्यता स्वागत संबंधी गृहीत की हिम्मतन्व राजनीतिक प्रशासन रूपाचार पर विवेचन पढिया करते हैं।

आप कृपया इस नियोगी के प्रशासन के लिए विवेचन करें। इस नियोगी के प्रशासन के लिए विवेचन करें।

विश्वास और शांति में संबंधित गृहीत की हिम्मतन्व राजनीतिक प्रशासन रूपाचार पर विवेचन पढिया करते हैं।

यह उन्होंने दुरालय की दुष्कर्मकारी वहाँ की कामचारी के साथ कराया है जो सेवा नियमों के अन्तर्गत लेखिक उत्तरदेव के काम करते हैं।

यह उन्होंने दुरालय के दृष्टि से और भिड़ गए अनुसूचित अन्तराष्ट्रीय चर्चा के काम करते हैं।

यह उन्होंने दुरालय के दृष्टि से और भिड़ गए अनुसूचित अन्तराष्ट्रीय चर्चा के काम करते हैं।

3.2 समर्थन करने वाली गतिविधियें—

(1) जिन नियमों, नियमों अथवा अन्य इसी प्रकार के मान्यता जिनके द्वारा आन्तरिक शिक्षाविद्या के (आई.टी.सी.) प्राचीन करें, उन्हें अदालत का लाभ प्राप्त हो और उन्हें सभी विश्व राजनीतिक प्रशासन रूपाचार पर विवेचन पढिया करते हैं।
भारत का सर्वेक्षण : असाधारण

(2) उच्चतर शीर्षक संज्ञानों का कार्यरति प्राथमिकता द्वारा अवविश्वसनीय रूप से पूरा समर्थन किया जाना गाड़ी तथा यह देखा जाना बाहर है कि आई.टी.सी. की सिद्धांतों का क्रियान्वयन समय-समय रूप से किया जा रहा है कि नहीं। आई.टी.सी. के प्रारंभ के लिए समस्त संबंधित संसाधन उपलब्ध कराए जाना गाड़ी— जिनमें कार्यलय और भवन अवस्थित हो सकती है। समर्थकारी सम्मानों का इस प्रकार की अनुसूचिता के प्रति अति संबंधित संस्थाएं और विषय अवस्थाओं के प्रति संबंधित होने की आवश्यकता है।

(4) वर्तमान शिक्षा और वीडियो विशेष रूप से प्रभावित होती है, अतः उच्चतर शीर्षक संज्ञानों

(5) समस्त उच्चतर शीर्षक संज्ञानों द्वारा उनकी सैलैंड उपलब्धि विशेष नीति की क्षमता का निर्माण रूप से संबंधित पूर्णांक विश्वास किया जाना चाहिए।

(6) सभी अधिकारी स्तर का व्यवस्थापन (जिनमें अब मानव संसाधन विश्वास के रूप में पाया जाता है) (एवंआईटीसी) और अन्य नियोजन के शीर्ष विभागों द्वारा लिख संबंधित संस्थाओं के अन्तर्गत अभिमुखी और पुनर्जीवन पाठ्यक्रमों में निर्माण करना चाहिए। इसके अतिरिक्त इसके प्रभाव पर जारी तथा इसे व्याख्याता के रूप में विशेष रूप से बनाया जाना तथा इसके लिए "पर्यावरण" सर्वेक्षण का उपयोग करने के निर्देश, इस बारे में, प्रतिवेदन उपलब्ध कराई जाती है।

(7) उच्चतर शीर्षक संज्ञानों में प्रशिक्षण के लिए संबंधित अभिमुखी पाठ्यक्रमों में आवश्यक रूप से लैंडिंग संबंधित पाठ्यक्रमों की समस्याओं पर एक मानदंड होना चाहिए। उच्चतर शीर्षक संज्ञानों के समस्त विभागों में भी ज्ञान सदृश्यों के लिए कार्यवाही का नयांत्रित रूप से संबंधित की जानी चाहिए।

(8) समस्त उच्चतर शीर्षक संज्ञानों में परम्परा सेवाओं को संरचनाओं के अनुसार रखा जाना चाहिए और इसके लिए पुनर्संगठित पूर्णांक परम्परागत तरीके अनुसार होना चाहिए।

(9) कई उच्चतर शीर्षक संस्थान जिनके विषय परिषदें हैं जिनमें प्रकाश संबंधी व्यवस्था बहुत अधूरी है

(10) भारत की कमी तथा उच्चतर सत्ता बहुत अधूरा है, जब केंद्रीय और 

(11) उच्चतर शीर्षक संस्थान आवश्यक रूप से विविध विद्यालय जन यातायात को सुनिश्चित करने- विशेष रूप से उच्चतर शीर्षक संस्थाओं के बिना परिसरों के अन्तर्गत विशेष रूप से से वर्तमान जन जिले पर जीत की शीर्षकों के स्थापना के लिए कठिनाई है। सुरक्षा की कमी तथा उच्चतर सत्ता बहुत बढ़ा जाता है जब केंद्रीय और छात्र सुरक्षित जन यातायात पर निर्भर नहीं होते हैं। केंद्रीय और / छात्रों द्वारा पुरस्कारों और प्रोत्साहनों में देर रोज कर रहा देश और शासन के समय अनुसार का निर्णय भी लेना के लिए उच्चतर शीर्षक संस्थानों द्वारा भरोसेमंद यातायात का प्रबंध किया जाना चाहिए।

(12) आवासीय उच्चतर शीर्षक संस्थानों द्वारा महत्वपूर्ण छात्रवृत्ति की संरचना का प्राथमिकता दी जाए। महिलाएं छात्रवृत्ति, जो सभी प्रावधान के उपलब्ध से शेषी बहुत सुरक्षा प्रदान करते है, उन उच्च शीर्षक के सभी 

(13) युगल छात्रों की ललना में छात्रावास में विषय छात्रों की सुस्पष्टता के मामले में मेनामाय पूर्ण नियमों का आवश्यक नहीं माना जाएगा। परिसर की सुस्पष्टता नीतियों को महत्त्व प्राप्त एवं छात्रों की सुरक्षाक्षेत्र के रूप में नहीं माना जाएगा, जैसे आवश्यकता में आधिक संरक्षण या पुरुषित्व नियमों के अनुसार आने जाने की स्वतंत्रता में कोई निरीक्षण भी नहीं होगा।

(14) सर्व उच्चतर शैक्षिक संस्थाओं के लिए प्रथम स्तर की सुविधायों को उपलब्ध कराना होगा। निरीक्षणों के नियम में इस प्रकार में हिंदी व अंग्रेजी दो भाषाओं में अन्तर्भाषित होनी चाहिए।

(15) महाविद्यालयों में महिला विकास प्रकोष्ठ पूर्ण बाजू शिक्षा जाने और उन्हें बन दिया जाना चाहिए। लेकिन उपर्युक्त उक्तियों के साथ ही अन्तरात्मक शिक्षक कमजोर के लिए विषयों से प्रश्न करके गहनी सीखना चाहिए। उसके साथ ही वे अन्तरराष्ट्रीय शिक्षक इंटरनों के रूप में अपनी गतिविधियों के बारे में विशेष रूप से उच्चतर शैक्षिक कार्यक्रमों के शिक्षकों के साथ भाग लेंगे। शैक्षिक प्रचारों एवं "अपना-प्रतिवेदन" तथा "आपातकालीन अपेक्षाकृत स्थिति" इन्हें पूर्वस्थापना करने तथा उन्हें झटपट रूप से निपटाए जाएगा।

(16) छात्रावासों के वार्तना, अध्ययन, प्रशिक्षण, समाधान, विशेष अधिकारियों एवं मानसिक शोककाल का निभाना करने में सहायता देने वाले कार्यकर्ताओं को मिलेगी।

4. शिक्षक नियुक्ति का समापन तथा—

(1) विशेष उपर्युक्त के अनुसार कार्यकर्ताओं के लिए अन्तर्नियुक्त शिक्षकों का नियुक्ति (आई.आई.शी.सी.) का नियोजन और उनका नियुक्ति होगा।

(2) एक विधा अवधि तक जो एक दिन में संबंधित सड़क्षेत्र का नियुक्ति करने, जो एक अन्तरुप नए पर एक विशेष दृष्टि में प्रभावक में नियोजन न हो तथा किसी महाविद्यालय के स्वीकार की स्थिति में रहने और रखने का नियुक्ति हो तथा कार्यकर्ताओं का अनुबंध (2000) में दर्शाया एवं आपूर्ति के अनुसार अन्तरात्मक के रूप में उन्हें नियुक्ति किया जाएगा।

"किसी विद्यालय के अनुसार कार्यकर्ताओं का अनुबंध अन्तरात्मक एकांकों के रूप में विद्यालय के अनुसार सड़क्षेत्र का नियुक्ति करने, जो एक अन्तरुप नए पर एक विशेष दृष्टि में प्रभावक में नियोजन न हो तथा किसी महाविद्यालय के स्वीकार की स्थिति में रहने और रखने का नियुक्ति हो तथा कार्यकर्ताओं का अनुबंध (2000) में दर्शाया एवं आपूर्ति के अनुसार अन्तरात्मक के रूप में उन्हें नियुक्ति किया जाएगा।

(3) यदि किसी मामले में छात्रावास संस्थान के रूप में स्थापित हो तो उसमें योग छात्र हो लिए नया स्थान पूर्ण, नया संस्थान और नया कार्यक्रम भी किया जाएगा।

(4) गैर-सरकारी संस्थाओं में से किसी एक में से अनुवाद किसी ऐसी समस्त बांटी जा जाएगी।

(5) अन्तर्नियुक्त शिक्षकों के लिए प्रतिबद्ध है तथा उन्हें समस्त सरकारी अन्तर्भाषित करने का नियम है, जो कार्य करने में अनुबंध नहीं संभव होगा।

(6) यदि किसी मामले में छात्रावास शामिल है तो उसमें योग छात्र हो लिए स्थान पूर्ण, नया संस्थान और नया अधिकारिक प्रशिक्षण भी किया जाएगा।

(7) गैर-सरकारी संस्थाओं में से किसी एक में से अनुवाद किसी ऐसी समस्त बांटी जा जाएगी।
5. आन्तरिक शिकायत समिति (आई.एस.सी.) — आन्तरिक शिकायत समिति करेगी :-

(अ) यदि कोई कर्मचारी अथवा छात्र या छात्रा उपलब्धि के पास कोई शिकायत दर्ज करता रहा तो उसे सहायता उपलब्ध करानी।

(ब) विवाद समाधान के हेतु बातचीत संबंधी तत्त्व उपलब्ध कराना ताकि विवादित बातों पर पूर्वानुमान को समीक्षण एवं उन्मुक्त मैत्रीपूर्ण किया द्वारा देखा जा सका जिससे उस शिकायतकार का अनुमान न हो तथा जिससे पूरी तरह से अपेक्षित उत्तर की स्थिति ज्ञात हो जिससे और अन्य जानकारी, विभिन्नता अथवा दिशा न बदले।

(ग) उस योजना की पालन कराने जिनके बिना उस शिकायतकार की सुरक्षा बनाए रखना तथा स्वीकृति अवसर अनुसार उपाधिकृत संबंधी अवसरों में घूम गए अत्यंत अवहेल्ना अथवा किसी विभाग में अवहेल्ना किसी विषयों के पास स्वायत्तता द्वारा, यथा अवसरप्रमुख रूप से उस शिकायत के लाभ होने की अवधि में अथवा उस अयोग्यताओं के स्वायत्तता का भी प्रभावित किया जाएगा;

(ड) लैंगिक उपीड़न संबंधी शिकायतों के निपटान करते समय सुनिश्चित करें कि पृथिवी योजना या यथाहारों का श्रेणी न किया गया अथवा उनके साथ अर्थव्यवस्था न इसका जारी, तथा

(इ) यदि कोई अपराध योजना के प्रवर्तन अथवा प्रतिकूल कार्यवाही पर प्रतिकूल करने सुनिश्चित करना वो योजना जिसमें यह कर्मचारी अथवा छात्र एवं संबंधी गतिविधियों में यथार्थ है,

6. शिकायत करने एवं जीव धार्मिक की प्रक्रिया— आन्तरिक शिकायत समिति किसी भी शिकायत को दाखिल करने और उस शिकायत की जीवन जीते करने के लिए इन नियमों और अधिनियम में निर्धारित प्रस्तुतियों का प्रयोग करतीं ताकि वह समय बचे रूप से पूरी हो सके। उच्चतर शैक्षिक संबंध, आन्तरिक शिकायत समिति को समी अवसरप्रमुख अवसरों के उल्लंघन करने ताकि जीव प्रदाता शासनों से संबंधित हो सके तथा आवश्यक गोपनीयता भी बनी रहे,

7. लैंगिक उपीड़न की प्रक्रिया दाखिल करने की प्रक्रियाः — किसी भी अपराधी का योजना के लिए आवश्यक है कि वह धार्मिक होने की शर्त से नीचे मात्र की भीतर भीतर और अन्य योजनाओं के संबंधी द्वारा देखा जा सके तथा आवश्यक गोपनीयता भी बनी रहे,

8. जीव धार्मिक की प्रक्रिया—
(1) शिकायत मिलने पर अनावरक शिकायत समिति इसकी एक प्रति को प्रतिवादी को इसके प्राप्त होने से सत्य दिनों के भीतर भेजेंगे।

(2) शिकायत की प्रति मिलने के बाद प्रतिवादी अपना उत्तर इस शिकायत के बारे में, समस्त दस्तावेजों की सूची। गवाहों के नामों एवं पतों के नामों एवं उनके पतों सहित दस दिन की अवधि में दाखिल करेंगे।

(3) शिकायत प्राप्त होने के 90 दिनों में भीतर ही जीव पल्लवा पूरी की जानी चाहिए। अनुशंसाओं सहित, यदि वे हों, तो जीव पल्लवा रिपोर्ट उस जीव के मृत्यु होने के 10 दिनों के भीतर उच्चतर शीक्षित संस्थान के कार्यकारी प्रधानिकार को प्रस्तुत की जानी चाहिए। इस शिकायत से जुड़े दोनों पक्षों के समक से इस जीव के शरीर या सिफारिशों की प्रति ही जानी चाहिए।

(4) जीव रिपोर्ट प्राप्त होने के 30 दिनों में भीतर इस समिति की सिफारिशों पर उच्चतर शीक्षित संस्थान के प्रति प्रतिवादी कार्यवाही करेंगे, यदि किसी भी पक्ष द्वारा उस अवधि में जीव के रिपोर्ट कई अपील दामोद न की गई हो।

(5) दोनों में से किसी भी पक्ष द्वारा अनावरक शिकायत समिति द्वारा दाखिल, समस्त अनुशंसाओं से विरोध उच्चतर शीक्षित संस्थान के कार्यकारी प्रधानिकार की गई अनुशंसाओं की लिस्ट से तीन दिन की अवधि में अपील दामोदर की जा सकती है।

(6) उच्चतर शीक्षित संस्थान के कार्यकारी प्रधानिकार यदि अनावरक शिकायत समिति की सिफारिशों के अनुसार कार्य नहीं करने का निर्णय लेता है तो वह इसके बारे में लिखित रूप से कारण रूप से करें अवधि में जीव के रिपोर्ट को भीतर गलत करें। यदि दूसरी ओर वह अनावरक शिकायत समिति द्वारा की गई सिफारिशों के अनुसार कार्य करने का निर्णय लेता है तो एक कारण दलों को निर्देशित करके 10 दिनों के भीतर उस जीव का संबंध जाना है। उसके उस पक्ष को प्रहार लगाए जाएं जिसके रिपोर्ट कार्यवाही की जानी है।

(7) शिकायत प्राप्त किया जाने के उद्देश्य से पैरिंट रह एक सुलझा का आग्रह कर सकता है। सुलझा का आग्रह कोई अपील दामोदर कर सकता है। जो आवश्यक उच्चतर शीक्षित संस्थान के प्रति प्रहार का उत्तर देना है। यदि दूसरी ओर वह अनावरक शिकायत समिति के माध्यम से सुलझा कर पाता है, तो उस पैरिंट का पूरी संस्थान के लिए उस पारस्परिक विरोध के दृष्टिकोण का अभिभावक दे जाती है।

(8) पैरिंट पक्ष अपराध पैरिंट यथायथ अथवा अपराध अथवा अपराधकार की पहचान सार्वजनिक नहीं की जाएगी या विशेष रूप से उस जीव प्रधान के दृष्टिकोण से सार्वजनिक क्षेत्र में दाखिल जाएगा।

9. अनावरिस मामला— उच्चतर शीक्षित संस्थान,

(9) यदि अनावरक शिकायत कोई सिफारिश करता है तो शिकायतकर्ता अथवा प्रतिवादी को अनुसार किसी अनुशंसा साधन अथवा परीक्षण अथवा परीक्षणों के संबंध में कोई वात प्रकट न करने के लिए प्रतिवाद न कर सकता है।

(10) सुनिशोधन करने के अपराध कर्ता को पैरिंट कार्यवाही से दूर बना कर रखना चाहिए तथा यथा आवश्यक, यदि कोई प्रस्ताव सम्यक है तो उसका प्रतिवाद सिफारिश करे।

(11) शिकायतकर्ता के लिए शिकायत के अधीन सरकार, शिकायतकर्ता को प्रतियोगी एवं उच्चस्तरीय प्रयोगों में दुसरा प्रस्ताव करने के लिए एक अनुस्मरण आयोजन करने के लिए समय उपयोग किया जाएगा।

10. दाखिल एवं हस्ताक्षर—

(1) अपराधकार कोई उच्चतर शीक्षित संस्थान का कर्मचारी तथा लैंडिक उच्चस्तरीय को दोपह प्राप्त जाता है तो उसे संस्थान के अधिकारी के अनुसार दाखिल किया जाएगा।

(2) अपराध की गमनश्चा दें पूरा— यदि प्रतिवादी कोई छात्र है, तो उच्चतर शीक्षित संस्थान—

(3) ऐसे छात्र के विशेषाधिकारियों को रोक सकता है। अन्य सरकार, आयुक्तीयी आयोजनों, यातायात, छात्रवृत्ति, भती एवं पहाड़ पत्र आदि पक्ष पहुँच बनाना।
11. शृंगी शिकायत के विनिर्देश कार्यवाही—

इस बात को सुनिश्चित करने के लिए कि लैंकिक उपविधेय मामलों में कर्मचारियों एवं छात्रों की सुधार के प्रश्नों का दुरुपयोग न हो, अतः दूसरे बालामन सूची पर शिकायत के विनिर्देश कार्य करने की आवश्यकता है तथा इसे दूसरे बालामन संस्थानों में प्रसारित प्राप्ति किया जाना चाहिए। अतः शिकायत संगठित यदि वह निर्धारित निकालती है कि लगात गए अधिनियम अवलोकन, थे, विषयपूर्व थे अथवा यह जानने हुए भी कि वह शिकायत अवलोकन अथवा जानकारी है अथवा श्रमिक सूची को उस पदवाल के दृष्टि के उल्लिप्त कराया गया है तो शिकायतकार विनिर्देश (10) के उपर विनिर्देश (1) के उपर दृष्टि किये जाते हैं के लिए वाह दिया जाता दृष्टि की एक कर्मचारी है, तथा वह सूची रूपान्तरण एक छात्र है तो वह वह विनिर्देश के उपर—विनिर्देश (2) के प्रश्नों के अनुसार बालामन के लिए वाह करणे में इसकी भी शिकायत को प्राप्ति करने अथवा उसके लिए प्रयोजन सूची उल्लिप्त कर देने का आवश्यकता के विनिर्देश करने का कारण नहीं माना जा सकता है। शिकायतकार दृष्टि हेतु पूर्वत उद्देश्य से दृष्टि की कार्यवाही जीव प्राप्त नहीं से दृष्टि के पूर्व विधि में निर्धारित प्राप्ति के अनुसार जीव के पूर्वत की जाना चाहिए।

12. गौरव अनुपालन के परिणाम—

(1) ऐसे संस्थान जो जानकारकर अथवा बांधव उन दासियों तथा कार्यकर्ताओं के अनुपालन में असमर्थ नहा होता है जिनमें हस्ताक्षर दासियों एवं छात्रों के प्रति लैंकिक उपविधेय के निर्देश, सिद्धांत एवं समान हैं तथा निर्धारित किया गया है, तो इस विधि में आयोग विविधता नोटिस देकर निमित्त प्रान्त में से किसी एक अधिक किसी पर कार्यवाही करेगा—

(अ) विश्वविद्यालय अनुपालन आयोग अनिवार्य 1956 की धारा 12(की) के अन्तर्गत की गई घोषणा जो पालन किये जाने के विधि में है, जाना हासिल किया जाना।

(ब) आयोग द्वारा अनिवार्य 1956 की धारा 2 (एफ) के अन्तर्गत अनुपालन नीति में उस विश्वविद्यालय अथवा महाविद्यालय का नाम हटाना।

(स) संस्थान को आयोग के अनुसार किहाज भी अनुपालन को रोक देना।

(द) आयोग को किहाज भी समाप्त करने वाली विशेष अथवा समाप्त वक्ता कार्यकर्ताओं के अन्तर्गत किसी भी सहायता का प्राप्त करने के लिए उस संस्थान का आयोग किया जाना।

(इ) जन साधारण का, एवं रोजगार अथवा प्रति प्रश्न के इस्तेमाल माही प्रबंधकों को एक ऐसे नोटिस द्वारा सुनिश्चित करने से वाला वह जन साधारण का भी अथवा उपयुक्त शीर्ष दर्शा गया है तथा आयोग के उपर दृष्टि किया गया है तथा घोषित नोटिस में घोषणा की गई है कि वह संस्थान लैंकिक उपविधेय के विनिर्देश है विधि सहनीयता नीति और जनसाधारण के विनिर्देश सहनीयता नीति जनसाधारण का समर्थन नहीं करता है।

(एफ) यदि वह एक महाविद्यालय है तो उसके समाधान विश्वविद्यालय द्वारा उसकी सहस्रसंख्या को आवश्यक करने के अनुसार के हिस्से में;
University Grants Commission (Prevention, prohibition and redressal of sexual harassment of women employees and students in higher educational institutions) Regulations, 2015

No. F. 91-I/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;
(I) “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;

(m) “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;

(n) “victimisation” means any unfavourable treatment meted out to a person with an implicit or explicit intention to obtain sexual favour;

(o) “workplace” means the campus of a HEI including—
   (a) Any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the appropriate HEIs;
   (b) Any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereof in HEIs;
   (c) Any place visited by the employee or student arising out of or during the course of employment or study including transportation provided by the Executive Authority for undertaking such journey for study in HEIs.”

3. Responsibilities of the Higher Educational Institution— (1) Every HEI shall,—

(a) 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;

(b) publicly notify the provisions against sexual harassment and ensure their wide dissemination;

(c) 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;

(d) 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;

(e) publicly commit itself to a zero tolerance policy towards sexual harassment;

(f) reinforce its commitment to creating its campus free from discrimination, harassment, retaliation or sexual assault at all levels;

(g) create awareness about what constitutes sexual harassment including hostile environment harassment and quid pro quo harassment;

(h) 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:

(a) contravenes the provisions of section 16 of the Act; or
(b) 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
(c) he has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or
(d) 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 in capacity 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 reformative 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 will fully contravene or repeatedly fail 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.

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

JASPAL S. SANDHU, Secy. UGC
MINISTRY OF LAW AND JUSTICE

(立法部门)

New Delhi, the 23rd April, 2013/Vaisakha 3, 1935 (Saka)

The following Act of Parliament received the assent of the President on the 22nd April, 2013, and is hereby published for general information:

THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE
(PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013
(No. 14 of 2013)

[22nd April, 2013.]

An Act to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

WHEREAS sexual harassment results in violation of the fundamental rights of a woman to equality under articles 14 and 15 of the Constitution of India and her right to life and to live with dignity under article 21 of the Constitution and right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment;

AND WHEREAS the protection against sexual harassment and the right to work with dignity are universally recognised human rights by international conventions and instruments such as Convention on the Elimination of all Forms of Discrimination against Women, which has been ratified on the 25th June, 1993 by the Government of India;

AND WHEREAS it is expedient to make provisions for giving effect to the said Convention for protection of women against sexual harassment at workplace.
Be it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires,—

(a) “aggrieved woman” means—

(i) in relation to a workplace, a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent;

(ii) in relation to a dwelling place or house, a woman of any age who is employed in such a dwelling place or house;

(b) “appropriate Government” means—

(i) in relation to a workplace which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the Central Government or the Union territory administration, the Central Government;

(ii) in relation to any workplace not covered under sub-clause (i) and falling within its territory, the State Government;

(c) “Chairperson” means the Chairperson of the Local Complaints Committee nominated under sub-section (1) of section 7;

(d) “District Officer” means an officer notified under section 5;

(e) “domestic worker” means a woman who is employed to do the household work in any household for remuneration whether in cash or kind, either directly or through any agency on a temporary, permanent, part time or full time basis, but does not include any member of the family of the employer;

(f) “employee” means a person employed at a workplace for any work on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with or, without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name;

(g) “employer” means—

(i) in relation to any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit of the appropriate Government or a local authority, the head of that department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit or such other officer as the appropriate Government or the local authority, as the case may be, may by an order specify in this behalf;

(ii) in any workplace not covered under sub-clause (i), any person responsible for the management, supervision and control of the workplace.
Explanation.—For the purposes of this sub-clause "management" includes the person or board or committee responsible for formulation and administration of policies for such organisation;

(iii) in relation to workplace covered under sub-clauses (i) and (ii), the person discharging contractual obligations with respect to his or her employees;

(iv) in relation to a dwelling place or house, a person or a household who employs or benefits from the employment of domestic worker, irrespective of the number, time period or type of such worker employed, or the nature of the employment or activities performed by the domestic worker;

(h) “Internal Committee” means an Internal Complaints Committee constituted under section 4;

(i) “Local Committee” means the Local Complaints Committee constituted under section 6;

(j) “Member” means a Member of the Internal Committee or the Local Committee, as the case may be;

(k) “prescribed” means prescribed by rules made under this Act;

(l) “Presiding Officer” means the Presiding Officer of the Internal Complaints Committee nominated under sub-section (2) of section 4;

(m) “respondent” means a person against whom the aggrieved woman has made a complaint under section 9;

(n) “sexual harassment” includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

(i) physical contact and advances; or

(ii) a demand or request for sexual favours; or

(iii) making sexually coloured remarks; or

(iv) showing pornography; or

(v) any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

(o) “workplace” includes —

(i) 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 Government or the local authority or a Government company or a corporation or a co-operative society;

(ii) any private sector organisation or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-governmental organisation, unit or service provider carrying on commercial, professional, vocational, educational, entertainment, industrial, health services or financial activities including production, supply, sale, distribution or service;

(iii) hospitals or nursing homes;

(iv) any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereto;

(v) any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey;
(vi) a dwelling place or a house;

(7) "unorganised sector" in relation to a workplace means an enterprise owned by individuals or self-employed workers and engaged in the production or sale of goods or providing service of any kind whatsoever, and where the enterprise employs workers, the number of such workers is less than ten.

Prevention of sexual harassment.

3. (1) No woman shall be subjected to sexual harassment at any workplace.

(2) The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:

(i) implied or explicit promise of preferential treatment in her employment; or
(ii) implied or explicit threat of detrimental treatment in her employment; or
(iii) implied or explicit threat about her present or future employment status; or
(iv) interference with her work or creating an intimidating or offensive or hostile work environment for her; or
(v) humiliating treatment likely to affect her health or safety.

CHAPTER II

CONSTITUTION OF INTERNAL COMPLAINTS COMMITTEE

4. (1) Every employer of a workplace shall, by an order in writing, constitute a Committee to be known as the "Internal Complaints Committee":

Provided that where the offices or administrative units of the workplace are located at different places or divisional or sub-divisional level, the Internal Committee shall be constituted at all administrative units or offices.

(2) The Internal Committee shall consist of the following members to be nominated by the employer, namely:

(a) a Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees:

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 (1):

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 organisation;

(b) not less than two Members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge;

(c) one member from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment:

Provided that at least one-half of the total Members so nominated shall be women.

(3) The Presiding Officer and every Member of the Internal Committee shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.

(4) The Member appointed from amongst the non-governmental organisations or associations shall be paid such fees or allowances for holding the proceedings of the Internal Committee, by the employer, as may be prescribed.
(5) Where the Presiding Officer or any Member of the Internal Committee,

(a) contravenes the provisions of section 16; or

(b) 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

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

(d) 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.

CHAPTER III

CONSTITUTION OF LOCAL COMPLAINTS COMMITTEE

5. The appropriate Government may notify a District Magistrate or Additional District
   Magistrate or the Collector or Deputy Collector as a District Officer for every District to
   exercise powers or discharge functions under this Act.

6. (1) Every District Officer shall constitute in the district concerned, a committee to be
    known as the "Local Complaints Committee" to receive complaints of sexual harassment
    from establishments where the Internal Complaints Committee has not been constituted due
    to having less than ten workers or if the complaint is against the employer himself.

    (2) The District Officer shall designate one nodal officer in every block, taluka and
    tehsil in rural or tribal area and ward or municipality in the urban area, to receive complaints
    and forward the same to the concerned Local Complaints Committee within a period of
    seven days.

    (3) The jurisdiction of the Local Complaints Committee shall extend to the areas of the
    district where it is constituted.

7. (1) The Local Complaints Committee shall consist of the following members to be
   nominated by the District Officer, namely:

   (a) a Chairperson to be nominated from amongst the eminent women in the field
       of social work and committed to the cause of women;

   (b) one Member to be nominated from amongst the women working in block,
       taluka or tehsil or ward or municipality in the district;

   (c) two Members, of whom at least one shall be a woman, to be nominated from
       amongst such non-governmental organisations or associations committed to the cause
       of women or a person familiar with the issues relating to sexual harassment, which may
       be prescribed:

       Provided that at least one of the nominees should, preferably, have a background
       in law or legal knowledge:

       Provided further that at least one of the nominees shall be a woman belonging to
       the Scheduled Castes or the Scheduled Tribes or the Other Backward Classes or
       minority community notified by the Central Government, from time to time;

       (d) the concerned officer dealing with the social welfare or women and child
           development in the district, shall be a member ex officio.

    (2) The Chairperson and every Member of the Local Committee shall hold office for
    such period, not exceeding three years, from the date of their appointment as may be specified
    by the District Officer.
(3) Where the Chairperson or any Member of the Local Complaints Committee—

(a) contravenes the provisions of section 16; or

(b) 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

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

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

such Chairperson 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.

(4) The Chairperson and Members of the Local Committee other than the Members nominated under clauses (b) and (d) of sub-section (1) shall be entitled to such fees or allowances for holding the proceedings of the Local Committee as may be prescribed.

8. (1) The Central Government may, after due appropriation made by Parliament by law in this behalf, make to the State Government grants of such sums of money as the Central Government may think fit, for being utilised for the payment of fees or allowances referred to in sub-section (4) of section 7.

(2) The State Government may set up an agency and transfer the grants made under sub-section (1) to that agency.

(3) The agency shall pay to the District Officer, such sums as may be required for the payment of fees or allowances referred to in sub-section (4) of section 7.

(4) The accounts of the agency referred to in sub-section (2) shall be maintained and audited in such manner as may, in consultation with the Accountant General of the State, be prescribed and the person holding the custody of the accounts of the agency shall furnish, to the State Government, before such date, as may be prescribed, its audited copy of accounts together with auditors' report thereon.

CHAPTER IV

COMPLAINT

9. (1) Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the Internal Committee if so constituted, or the Local Committee, in case it is not so constituted, within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident:

Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Committee or the Chairperson or any Member of the Local Committee, as the case may be, shall render all reasonable assistance to the woman for making the complaint in writing:

Provided further that the Internal Committee or, as the case may be, the Local Committee may, for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period.

(2) Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed may make a complaint under this section.

10. (1) The Internal Committee, or, as the case may be, the Local Committee, may, before initiating an inquiry under section 11 and at the request of the aggrieved woman take steps to settle the matter between her and the respondent through conciliation:
Provided that no monetary settlement shall be made as a basis of conciliation.

(2) Where a settlement has been arrived at under sub-section (1), the Internal Committee or the Local Committee, as the case may be, shall record the settlement so arrived and forward the same to the employer or the District Officer to take action as specified in the recommendation.

(3) The Internal Committee or the Local Committee, as the case may be, shall provide the copies of the settlement as recorded under sub-section (2) to the aggrieved woman and the respondent.

(4) Where a settlement is arrived at under sub-section (1), no further inquiry shall be conducted by the Internal Committee or the Local Committee, as the case may be.

11. (1) Subject to the provisions of section 10, the Internal Committee or the Local Committee, as the case may be, shall, where the respondent is an employee, proceed to make inquiry into the complaint in accordance with the provisions of the service rules applicable to the respondent and where no such rules exist, in such manner as may be prescribed or in case of a domestic worker, the Local Committee shall, if prima facie case exist, forward the complaint to the police, within a period of seven days for registering the case under section 509 of the Indian Penal Code, and any other relevant provisions of the said Code where applicable:

Provided that where the aggrieved woman informs the Internal Committee or the Local Committee, as the case may be, that any term or condition of the settlement arrived at under sub-section (2) of section 10 has not been complied with by the respondent, the Internal Committee or the Local Committee shall proceed to make an inquiry into the complaint or, as the case may be, forward the complaint to the police:

Provided further that where both the parties are employees, the parties shall, during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the Committee.

(2) Notwithstanding anything contained in section 509 of the Indian Penal Code, the court may, when the respondent is convicted of the offence, order payment of such sums as it may consider appropriate, to the aggrieved woman by the respondent, having regard to the provisions of section 15.

(3) For the purpose of making an inquiry under sub-section (1), the Internal Committee or the Local Committee, as the case may be, shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of documents; and

(c) any other matter which may be prescribed.

(4) The inquiry under sub-section (1) shall be completed within a period of ninety days.

CHAPTER V

INQUIRY INTO COMPLAINT

12. (1) During the pendency of an inquiry, on a written request made by the aggrieved woman, the Internal Committee or the Local Committee, as the case may be, may recommend to the employer to—

(a) transfer the aggrieved woman or the respondent to any other workplace; or
(b) grant leave to the aggrieved woman up to a period of three months; or

c) grant such other relief to the aggrieved woman as may be prescribed.

(2) The leave granted to the aggrieved woman under this section shall be in addition to the leave she would be otherwise entitled.

(1) On the recommendation of the Internal Committee or the Local Committee, as the case may be, under sub-section (1), the employer shall implement the recommendations made under sub-section (1) and send the report of such implementation to the Internal Committee or the Local Committee, as the case may be.

13. (1) On the completion of an inquiry under this Act, the Internal Committee or the Local Committee, as the case may be, shall provide a report of its findings to the employer, or as the case may be, the District Officer within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.

(2) Where the Internal Committee or the Local Committee, as the case may be, arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the employer and the District Officer that no action is required to be taken in the matter.

(3) Where the Internal Committee or the Local Committee, as the case may be, arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the employer or the District Officer, as the case may be—

(i) to take action for sexual harassment as a misconduct in accordance with the provisions of the service rules applicable to the respondent or where no such service rules have been made, in such manner as may be prescribed;

(ii) to deduct, notwithstanding anything in the service rules applicable to the respondent, from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the aggrieved woman or to her legal heirs, as it may determine, in accordance with the provisions of section 15:

Provided that in case the employer is unable to make such deduction from the salary of the respondent due to his being absent from duty or cessation of employment it may direct to the respondent to pay such sum to the aggrieved woman:

Provided further that in case the respondent fails to pay the sum referred to in clause (ii), the Internal Committee or, as the case may be, the Local Committee may forward the order for recovery of the sum as an arrear of land revenue to the concerned District Officer.

(4) The employer or the District Officer shall act upon the recommendation within sixty days of its receipt by him.

14. (1) Where the Internal Committee or the Local Committee, as the case may be, arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer or the District Officer, as the case may be, to take action against the woman or the person who has made the complaint under sub-section (1) or sub-section (2) of section 9, as the case may be, in accordance with the provisions of the service rules applicable to her or him or where no such service rules exist, in such manner as may be prescribed:

Provided that a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant under this section:

Provided further that the malicious intent on part of the complainant shall be established after an inquiry in accordance with the procedure prescribed, before any action is recommended:
(2) Where the Internal Committee or the Local Committee, as the case may be, arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the employer of the witness or the District Officer, as the case may be, to take action in accordance with the provisions of the service rules applicable to the said witness or where no such service rules exist, in such manner as may be prescribed.

15. For the purpose of determining the sums to be paid to the aggrieved woman under clause (ii) of sub-section (3) of section 13, the Internal Committee or the Local Committee, as the case may be, shall have regard to —

(a) the mental trauma, pain, suffering and emotional distress caused to the aggrieved woman;

(b) the loss in the career opportunity due to the incident of sexual harassment;

(c) medical expenses incurred by the victim for physical or psychiatric treatment;

(d) the income and financial status of the respondent;

(e) feasibility of such payment in lump sum or in instalments.

16. Notwithstanding anything contained in the Right to Information Act, 2005, the contents of the complaint made under section 9, the identity and addresses of the aggrieved woman, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee or the Local Committee, as the case may be, and the action taken by the employer or the District Officer under the provisions of this Act shall not be published, communicated or made known to the public, press and media in any manner:

Provided that information may be disseminated regarding the justice secured to any victim of sexual harassment under this Act without disclosing the name, address, identity or any other particulars calculated to lead to the identification of the aggrieved woman and witnesses.

17. Where any person entrusted with the duty to handle or deal with the complaint, inquiry or any recommendations or action to be taken under the provisions of this Act, contravenes the provisions of section 16, he shall be liable for penalty in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist, in such manner as may be prescribed.

18. (1) Any person aggrieved from the recommendations made under sub-section (2) of section 13 or under clause (i) or clause (ii) of sub-section (3) of section 13 or sub-section (7) or sub-section (2) of section 14 or section 17 or non-implementation of such recommendations may prefer an appeal to the court or tribunal in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist then, without prejudice to provisions contained in any other law for the time being in force, the person aggrieved may prefer an appeal in such manner as may be prescribed.

(2) The appeal under sub-section (1) shall be preferred within a period of ninety days of the recommendations.

CHAPTER VI

DUTIES OF EMPLOYER

19. Every employer shall —

(a) provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;

(b) display at any conspicuous place in the workplace, the penal consequences of sexual harassments, and the order constituting, the Internal Committee under sub-section (1) of section 4;
(c) organise workshops and awareness programmes at regular intervals for sensitising the employees with the provisions of the Act and orientation programmes for the members of the Internal Committee in the manner as may be prescribed;

(d) provide necessary facilities to the Internal Committee or the Local Committee, as the case may be, for dealing with the complaint and conducting an inquiry;

(e) assist in securing the attendance of respondent and witnesses before the Internal Committee or the Local Committee, as the case may be;

(f) make available such information to the Internal Committee or the Local Committee, as the case may be, as it may require having regard to the complaint made under sub-section (7) of section 9;

(g) provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force;

(h) cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place;

(i) treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;

(j) monitor the timely submission of reports by the Internal Committee.

CHAPTER VII

DUTIES AND POWERS OF DISTRICT OFFICER

20. The District Officer shall,

(a) monitor the timely submission of reports furnished by the Local Committee;

(b) take such measures as may be necessary for engaging non-governmental organisations for creation of awareness on sexual harassment and the rights of the women.

CHAPTER VIII

MISCELLANEOUS

21. (1) The Internal Committee or the Local Committee, as the case may be, shall in each calendar year prepare, in such form and at such time as may be prescribed, an annual report and submit the same to the employer and the District Officer.

(2) The District Officer shall forward a brief report on the annual reports received under sub-section (1) to the State Government.

22. The employer shall include in its report the number of cases filed, if any, and their disposal under this Act in the annual report of his organisation or where no such report is required to be prepared, intimate such number of cases, if any, to the District Officer.

23. The appropriate Government shall monitor the implementation of this Act and maintain data on the number of cases filed and disposed of in respect of all cases of sexual harassment at workplace.

24. The appropriate Government may, subject to the availability of financial and other resources,

(a) develop relevant information, education, communication and training materials, and organise awareness programmes, to advance the understanding of the public of the provisions of this Act providing for protection against sexual harassment of women at workplace.
(h) formulate orientation and training programmes for the members of the Local Complaints Committee.

25. (1) The appropriate Government, on being satisfied that it is necessary in the public interest or in the interest of women employees at a workplace to do so, by order in writing,—

(a) call upon any employer or District Officer to furnish in writing such information relating to sexual harassment as it may require;

(b) authorise any officer to make inspection of the records and workplace in relation to sexual harassment, who shall submit a report of such inspection to it within such period as may be specified in the order.

(2) Every employer and District Officer shall produce on demand before the officer making the inspection all information, records and other documents in his custody having a hearing on the subject matter of such inspection.

26. (1) Where the employer fails to—

(a) constitute an internal Committee under sub-section (1) of section 4;

(b) take action under sections 13, 14 and 22; and

(c) contravenes or attempts to contravene or abets contravention of other provisions of this Act or any rules made thereunder,

he shall be punishable with fine which may extend to fifty thousand rupees.

(2) If any employer, after having been previously convicted of an offence punishable under this Act subsequently commits and is convicted of the same offence, he shall be liable to

(i) twice the punishment, which might have been imposed on a first conviction, subject to the punishment being maximum provided for the same offence:

Provided that in case a higher punishment is prescribed under any other law for the time being in force, for the offence for which the accused is being prosecuted, the court shall take due cognizance of the same while awarding the punishment;

(ii) cancellation, of his licence or withdrawal, or non-renewal, or approval, or cancellation of the registration, as the case may be, by the Government or local authority required for carrying on his business or activity.

27. (1) No court shall take cognizance of any offence punishable under this Act or any rules made thereunder, save on a complaint made by the aggrieved woman or any person authorised by the Internal Committee or Local Committee in this behalf.

(2) No court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.

(3) Every offence under this Act shall be non-cognizable.

28. The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force.

29. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely—

(a) the fees or allowances to be paid to the Members under sub-section (4) of section 4;

(b) nomination of members under clause (c) of sub-section (1) of section 7;

(c) the fees or allowances to be paid to the Chairperson, and Members under sub-section (4) of section 7.
(d) the person who may make complaint under sub-section (2) of section 9;

(e) the manner of inquiry under sub-section (1) of section 11;

(f) the powers for making an inquiry under clause (c) of sub-section (2) of section 11;

(g) the relief to be recommended under clause (c) of sub-section (1) of section 12;

(h) the manner of action to be taken under clause (i) of sub-section (3) of section 13;

(i) the manner of action to be taken under sub-sections (1) and (2) of section 14;

(j) the manner of action to be taken under section 17;

(k) the manner of appeal under sub-section (1) of section 18;

(l) the manner of organising workshops, awareness programmes for sensitising the employees and orientation programmes for the members of the Internal Committee under clause (c) of section 19; and

(m) the form and time for preparation of annual report by Internal Committee and the Local Committee under sub-section (1) of section 21.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

(4) Any rule made under sub-section (4) of section 8 by the State Government shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such Legislature consists of one House, before that House.

30. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as may appear to it to be necessary for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of a period of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

P.K. MALHOTRA,
Secy. to the Govt. of India.

CORRIGENDA

THE PREVENTION OF MONEY-LAUNDERING (AMENDMENT) ACT, 2012

(2 of 2013)

At page 18, in line 2, for “Arts”, read “Art”.

At page 21, in line 14, for “Protection”, read “(Protection)”.
CORRIGENDUM

THE UNLAWFUL ACTIVITIES (PREVENTION) AMENDMENT ACT, 2012
(3 of 2013)

At page 6, in line 22, for “clause”, read “clause”.

CORRIGENDUM

THE BANKING LAWS (AMENDMENT) ACT, 2012
(4 of 2013)

At page 8, in line 29, for “sections 30”, read “section 30”.

CORRIGENDUM

THE APPROPRIATION ACT, 2013
(9 of 2013)

At page 1, in the marginal heading to section 2, for “4715,54,00,000”, read “49715,54,00,000”.

GMRIPMFND—354G(S4)—23-04-2013.