



AMITY UNIVERSITY

HARYANA

**REGULATIONS FOR
PREVENTION OF SEXUAL
HARASSMENT**

CONTENTS

S No.	Description	Page No.
1	Definition	3
2	Who can make a complaint	4
3	The Complaint Committee	4
4	Eligibility for Membership	4
5	Jurisdiction	5
6	Conduct of Enquiry by the Complaint Committee	5
7	Disciplinary Action	6
8	Third Party Harassment	6
9	Annual Report	6
10	Saving	6

REGULATIONS FOR PREVENTION OF SEXUAL HARASSMENT

The Amity University Haryana campus is committed to make the campus free of sexual harassment, intimidation based on gender of the targeted individuals, or sexual exploitation of any kind. AUH expects that all concerned - students, faculty, staff, and officials will treat one another as well as all visitors to the University with utmost respect and dignity. All members of the University community, including the temporary, part-time or short-term/guest employees must follow this policy. Anyone violating the University Regulation for Sexual Harassment Policy is likely to face disciplinary action. Complaints or Reports of sexual harassment will be taken seriously and must be dealt with promptly. The details of these Regulations are as follows:

1. DEFINITION

“Sexual Harassment” shall include such unwelcome sexually determined behavior (whether directly or by implication) as

- (a) Physical contact or advances;
- (b) A demand or request for sexual favors.
- (c) Sexually colored remarks;
- (d) Showing Pornography; and
- (e) Any other unwelcome physical, verbal or non- verbal conduct of sexual nature that tends to create a hostile work or study environment.

When any of these acts is committed by or against any member of the AUH Community, and where the victim of such conduct has a reasonable apprehension that such conduct will have an effect in relation to the victim’s study, employment or work – whatever the nature of the work may be - whether she is drawing salary, or honorarium or doing voluntary service in the University or in any of its offices or classrooms or premises, such conduct can be humiliating and may create a security, safety and health problem. Such act or behavior is discriminatory when the victim has reasonable ground to believe that the objection, resistance or complaint would disadvantage the victim in connection with the person’s employment or work including recruitment or promotion or when it creates a hostile work environment. There could be a scope for complaint if the victim perceives that an adverse consequence may follow if the victim does not consent to the unwelcome conduct in question or raises any objection thereto. All such cases will be examined by the Complaints Committee of the AUH to recommend appropriate action to the University authorities.

2. WHO CAN MAKE A COMPLAINT?

(a) A person who is –

- I. A student of the University
- II. An employee of the University / Institution / Department or holding a consultative position in the University.
- III. An applicant for admission into any course offered by the University / Institution / Department.
- IV. Visitor to the University with an official business

Subject to the condition that:

(a) Where a complaint instituted before the Complaints Committee is found to be frivolous or vexatious, the Committee shall, for reasons to be recorded in writing, dismiss the complaint and make an order that the complainant shall pay to the opposite party a fine of minimum Rs.5000/- (Rupees five thousand).

(b) Where a complaint is made by an outsider or visitor, against a member of the University Community (student, faculty, staff, or officials), the Complaints Committee, with appropriate permission, may refer the case to the law-enforcing authorities.

3. THE COMPLAINTS COMMITTEE

There shall be a 'University Complaint Committee' which shall be constituted by the Vice-Chancellor; comprising of 5 ordinary members. At least half of the members of the Committee shall be women. The Chairperson of the Complaint Committee will be nominated by the Vice-Chancellor and shall be a woman. Committee may co-opt additional members in addition to above. Three members shall form the quorum. In the absence of the nominated Chair-person, the next senior most female member of the Committee shall preside.

4. ELIGIBILITY FOR MEMBERSHIP OF THE COMMITTEE

(i) A person employed as Professor or as Reader or in an equivalent grade in the University shall be appointed as a Member of the Committee.

(ii) In appointing such members, the Vice-Chancellor may take into account the seniority, ability and background of the members.

(iii) The Committee may co-opt as many members as are necessary to make an informed, reasonable and expeditious decision. Students, Staff, members of the Organizations or NGOs in collaboration with the University, or other relevant persons can be co-opted as members.

5. JURISDICTION

All members of the AUH staff; teaching or non-teaching (including officials) and all students, whether studying in the Amity University Haryana in any other Institution/Department with a relationship with the AUH, will be subjected to the jurisdiction of this ordinance.

The territorial jurisdiction of the University Complaints Committee shall extend to acts of sexual harassment committed in the Amity University Campus. The campus shall also include hostels, guesthouses, car parks and other properties owned, maintained or under the control of the University, or the places temporarily rented or engaged by the University for conduct of an academic event or meeting.

In the case of sexual harassment of a third person by a student or staff of the University or of any Institution/Department, the Complaint Committee may in its discretion provide information regarding the student or staff to facilitate a proper determination of the complaint.

6. CONDUCT OF ENQUIRY BY THE COMPLAINTS COMMITTEE

(i) Any person aggrieved shall prefer a complaint before the Complaints Committee at the earliest point of time and in any case within 15 days from the date of occurrence of the alleged incident.

(ii) The complaint shall contain all the material and relevant details concerning the alleged sexual harassment including the names of the contravener and the complaint shall be addressed to the Chair-person, Complaints Committee.

(iii) If the complainant feels that she cannot disclose her identity for any particular reason the complainant shall address the complaint to the Vice- Chancellor and could be handed over in person or in a sealed cover. Upon receipt of such complaint the Vice Chancellor shall retain the original complaint with himself and send to the Complaint Committee a gist of the complaint containing all material and relevant details, other than the name of the complainant and other details, which might disclose the identity of the complainant.

(iv) The Complaint Committee shall take immediate necessary action to cause an enquiry to be made discreetly or hold an enquiry, if necessary.

(v) The Complaint Committee shall after examination of the complaint submit its recommendations to the Vice Chancellor recommending the penalty to be imposed.

(vi) Vice Chancellor upon receipt of the report from the Complaint Committee shall after giving an opportunity of being heard to the person(s) complained against, confirm with or without modification the penalty recommended after duly following the prescribed procedure

7. DISCIPLINARY ACTION

Where the conduct of an employee amounts to misconduct in employment as defined in the conduct rules, appropriate disciplinary action in accordance with the relevant rules shall be initiated.

Where the conduct of a student amounts to misconduct, appropriate disciplinary action in accordance with the relevant Regulations for Maintenance of Discipline of Students shall be initiated by the competent authority.

8. THIRD PARTY HARASSMENT

Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the employer and the persons in charge shall take all steps necessary and reasonable to assist the affected persons in terms of support and preventive action.

9. ANNUAL REPORT

The Complaints Committee shall prepare an Annual Report giving full account of its activities during the previous year and forward a copy thereof to the Vice Chancellor, who shall forward the report to the Chancellor with his/her observations.

10. SAVING

Nothing contained in these Regulations shall prejudice any rights available to the employee or prevent any person from seeking any legal remedy under the National Commission for Women Act 1990, Protection of Human Rights Commission Act 1993 or under any other law of the land that may be in force.

Where such conduct amounts to a specific offence under the Indian Penal Code or under any other law, the University shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.

In particular, it should ensure that victims or witnesses are not terrorized or victimized or discriminated against while dealing with complaints of sexual harassment. The victims of sexual harassment should have the option to seek transfer of the perpetrator or their own transfer.