

**Proof for Implementation of guidelines of
Statutory/ regulatory bodies**



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY
भाग II — खण्ड I
PART II — Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 18] नई दिल्ली, मंगलवार, अप्रैल 23, 2013/ वैशाख 3, 1935 (शक)
No. 18] NEW DELHI, TUESDAY, APRIL 23, 2013/ VAISAKHA 3, 1935 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

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;

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Be it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows:---

CHAPTER I

PRELIMINARY

Short title,
extent and
commencement

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.

Definitions.

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---

(A) by the Central Government or the Union territory administration, the Central Government;

(B) by the State Government, the State 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 polices 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;

(p) "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

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 specified by the employer.


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(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.

Notification of District Officer.

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.

Constitution and jurisdiction of Local Complaints Committee

(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:--

Composition, tenure and other terms and conditions of Local Complaints Committee

(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.

Grants and
audit.

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

Complaint of
sexual
harassment

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.

Conciliation

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.

45 of 1860. 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: Inquiry into complaint

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.

45 of 1860. (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.

5 of 1908. (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- Action during pendency of inquiry

(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.

(3) 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.

Inquiry report.

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.

Punishment
for false or
malicious
complaint and
false evidence

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 --

Determination of compensation.

(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.

22 of 2005

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:

Prohibition of publication or making known contents of complaint and inquiry proceedings.

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.

Penalty for publication or making known contents of complaint and inquiry proceedings

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 (1) 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.

Appeal

(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 --

Duties of employer.

(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 (1) 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; 45 of 1860.

(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; 45 of 1860.

(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

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

Committee to submit annual report

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.

Employer to include information in annual report

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.

Appropriate Government to monitor implementation and maintain data

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.

Appropriate Government to take measures to publicise the Act

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 woman at workplace.

(b) 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,--

Power to call for information and inspection of records

(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 bearing 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,

Penalty for non-compliance with provisions of Act.

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.

Cognizance of offence by courts

(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.

Act not in derogation of any other law.

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

Power of appropriate Government to make rules.

(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 (1) 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 (1) 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.

Power to
remove
difficulties.

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".

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भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 593]

नई दिल्ली, सोमवार, दिसम्बर 9, 2013/अग्रहायण 18, 1935

No. 593]

NEW DELHI, MONDAY, DECEMBER 9, 2013/AGRAHAYANA 18, 1935

महिला एवं बाल विकास मंत्रालय

अधिसूचना

नई दिल्ली, 9 दिसम्बर, 2013

सा.का.नि. 769(अ)—केंद्रीय सरकार, महिलाओं का कार्यस्थल पर लैंगिक उत्पीड़न (निवारण, प्रतिषेध एवं प्रतितोष) अधिनियम, 2013 (2013 का 14) की धारा 29 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाती है, अर्थात्:—

- संक्षिप्त नाम और प्रारंभ.—(1) इन नियमों का संक्षिप्त महिलाओं का कार्यस्थल पर लैंगिक उत्पीड़न (निवारण, प्रतिषेध एवं प्रतितोष) नियम, 2013 है।
(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।
- परिभाषाएं.—इन नियमों में, जब तक संदर्भ में अन्यथा अपेक्षित न हो, —
(क) "अधिनियम" से कार्यस्थल पर महिलाओं का कार्यस्थल पर लैंगिक उत्पीड़न (निवारण, प्रतिषेध एवं प्रतितोष) अधिनियम, 2013 (2013 का 14) अभिप्रेत है;
(ख) "शिकायत" से धारा 9 के अधीन की गई शिकायत अभिप्रेत है;
(ग) "शिकायत समिति" से आंतरिक समिति अथवा स्थानीय समिति अभिप्रेत है;
(घ) "घटना" से धारा 2 के खंड (द) में यथा-परिभाषित लैंगिक उत्पीड़न की घटना अभिप्रेत है;
(ङ) "धारा" से अधिनियम की कोई धारा अभिप्रेत है;
(च) "विशेष शिक्षक" से कोई ऐसा व्यक्ति अभिप्रेत है जो विशेष जरूरतों वाले लोगों के साथ ऐसे ढंग से संचार करने के लिए प्रशिक्षित है, जिससे उनके व्यक्तिगत मतभेदों एवं आवश्यकताओं का समाधान होता है;
(छ) यहां शब्द और पद जो यहां प्रयुक्त हैं और परिभाषित नहीं किए गए हैं, किंतु अधिनियम में परिभाषित किए गए हैं, उनके अर्थ वही होंगे, जो अधिनियम में दिए गए हैं।
- आंतरिक समिति के सदस्यों के लिए फीस या भत्ते :
(1) गैर-सरकारी संगठनों में नियुक्त सदस्य, आंतरिक समिति की कार्यवाहियों के आयोजन के लिए प्रतिदिन 200 रुपये के भत्ते के हकदार होंगे, और उक्त सदस्य रेलगाड़ी से थ्री टायर वातानुकूलन या वातानुकूलित बस से तथा आटोरिक्शा या टैक्सी से अथवा यात्रा पर उसके द्वारा खर्च की गई वास्तविक राशि, जो भी, कम हो प्रतिपूर्ति के भी हकदार होंगे।
(2) नियोक्ता उप-नियम (1) में निर्दिष्ट भत्तों के संदाय के लिए उत्तरदायी होगा।

5155 GI/2013

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4. लैंगिक उत्पीड़न से संबंधित मुद्दों से परिचित व्यक्ति : धारा 7 की उप-धारा (1) के खण्ड (ग) के प्रयोजन के लिए लैंगिक उत्पीड़न से संबंधित मुद्दों से परिचित व्यक्ति ऐसा व्यक्ति होगा जिसे लैंगिक उत्पीड़न से संबंधित मुद्दों पर विशेषज्ञता प्राप्त हो तथा इसमें निम्नलिखित में से कोई सम्मिलित हो सकेगा -

- (क) समाज कार्य के क्षेत्र में कम से कम 5 साल के अनुभव वाला कोई सामाजिक कार्यकर्ता जो महिलाओं के सशक्तीकरण तथा विशिष्टतया कार्यस्थल पर लैंगिक उत्पीड़न की समस्या को दूर करने के लिए अनुकूल सामाजिक स्थितियों का सृजन करने का मार्ग प्रशस्त करता है;
- (ख) ऐसा व्यक्ति जिसे श्रम, रोजगार, सिविल या दांडिक विधि में अर्हता प्राप्त है।

5. स्थानीय समिति के अध्यक्ष तथा सदस्यों के लिए फीस या भत्ता :

- (1) स्थानीय समिति के अध्यक्ष उक्त समिति की कार्यवाहियों के आयोजन के लिए प्रतिदिन 250 रुपये (दो सौ पचास रुपये) के भत्ते के लिए हकदार होंगे।
- (2) धारा 7 की उप-धारा (1) के खंड (ख) और खंड (घ) के अधीन नामनिर्दिष्ट सदस्यों से निम्न स्थानीय समिति के सदस्य, उक्त समिति की कार्यवाहियों के आयोजन के लिए प्रतिदिन दो सौ रुपये के भत्ते के हकदार होंगे और रेलगाड़ी से श्री टायर वातानुकूलन, वातानुकूलित बस से तथा आटोरिक्शा या टैक्सी से अथवा यात्रा पर उसके द्वारा खर्च की गई वास्तविक लागत जो भी कम हो, की प्रतिपूर्ति के भी हकदार होंगे।
- (3) जिला अधिकारी, उपनियम (1) और उपनियम (2) में निर्दिष्ट भत्तों के संदाय के लिए उत्तरदायी होगा।

6. लैंगिक उत्पीड़न की शिकायत : धारा 9 की उप-धारा (2) के प्रयोजन के लिए,

- (i) जहां व्यथित महिला, अपनी शारीरिक असमर्थता के कारण शिकायत करने में असमर्थ है, वहां निम्नलिखित द्वारा शिकायत फाइल की जा सकती है -
 - (क) उसका नातेदार या मित्र ; अथवा ;
 - (ख) उसका सहकर्मी; या
 - (ग) राष्ट्रीय महिला आयोग या राज्य महिला आयोग का कोई अधिकारी; या
 - (घ) व्यथित महिला की लिखित सम्मति से कोई ऐसा व्यक्ति जिसे घटना की जानकारी है।
- (ii) जहां व्यथित महिला, अपनी मानसिक अक्षमता के कारण शिकायत करने में असमर्थ है, वहां निम्नलिखित द्वारा शिकायत फाइल की जा सकती है -
 - (क) उसका नातेदार या मित्र; अथवा
 - (ख) कोई विशेष शिक्षक; या
 - (ग) कोई अर्हित मनोविकार विज्ञानी या मनोवैज्ञानिक; अथवा
 - (घ) संरक्षक या प्राधिकारी जिसके अधीन वह उपचार या देखरेख प्राप्त कर रही है; अथवा
 - (ङ) उसके नातेदार या दोस्त या विशेष शिक्षक या अर्हता-प्राप्त मनोविकार विज्ञानी या मनोवैज्ञानिक या संरक्षक अथवा प्राधिकारी जिसके अधीन वह उपचार या देखरेख प्राप्त कर रही है, के साथ संयुक्त रूप से कोई ऐसा व्यक्ति जिसे लैंगिक उत्पीड़न की जानकारी है।
- (iii) जहां व्यथित महिला, किसी कारण से शिकायत करने में असमर्थ है, वहां उसकी लिखित सम्मति से ऐसे व्यक्ति द्वारा शिकायत फाइल की जा सकती है, जिसे घटना की जानकारी है।
- (iv) जहां व्यथित महिला की मृत्यु हो जाती है वहां एक शिकायत, घटना के जानकार द्वारा उसके विधिक वारिस की सम्मति से लिखित रूप में फाइल की जा सकेगी।

7. शिकायत की जांच का ढंग -

- (1) शिकायत फाइल करते समय, धारा 11 के उपबंधों के अधीन शिकायतकर्ता समर्थक दस्तावेजों तथा साक्षियों के नाम एवं पता के साथ शिकायत की छह प्रतियां शिकायत समिति को प्रस्तुत करेगा।
- (2) शिकायत प्राप्त होने पर, शिकायत समिति उपनियम (1) के अधीन व्यथित महिला से प्राप्त प्रतियों में से एक प्रति सात कार्य दिवस की अवधि के भीतर प्रत्यर्थी को भेजेगी।
- (3) प्रत्यर्थी उपनियम (1) के अधीन विनिर्दिष्ट दस्तावेजों की प्राप्ति की तारीख से दस दिन से अधिक अवधि के भीतर दस्तावेजों की सूची तथा साक्षियों के नाम एवं पता के साथ शिकायत पर अपना उत्तर फाइल करेगा।
- (4) शिकायत समिति नैसर्गिक न्याय के सिद्धांतों के अनुसार, शिकायत की जांच करेगी।
- (5) शिकायत समिति को जांच की कार्यवाही समाप्त करने या शिकायत पर एक पक्षीय निर्णय देने का अधिकार होगा, यदि शिकायतकर्ता या प्रत्यर्थी पर्याप्त कारण के बिना यथास्थिति अध्यक्ष या पीठासीन अधिकारी द्वारा आयोजित लगातार तीन सुनवाईयों में अनुपस्थित रहता है या रहती है :

परंतु संबंधित पक्षकार को अग्रिम में लिखित रूप में पन्द्रह दिन का नोटिस दिए बिना ऐसी समाप्ति या एक पक्षीय आदेश पारित नहीं किया जा सकेगा।

- (6) पक्षकारों को शिकायत समिति के समक्ष कार्यवाही के किसी चरण में अपने मामले का प्रतिनिधित्व करने के लिए किसी विधिक व्यावसायी को लाने की अनुमति नहीं होगी।
- (7) जांच का संचालन करते समय, शिकायत समिति के कम से कम तीन सदस्य जिसमें यथास्थिति पीठारीनी अधिकारी अथवा अध्यक्ष, हो, उपस्थित होंगे।

8. जांच लंबित रहने के दौरान शिकायतकर्ता को अन्य अनुतोष : व्यथित महिला के लिखित रूप में अनुरोध पर, शिकायत समिति नियोक्ता से निम्नलिखित की सिफारिश कर सकती है :

- (क) व्यथित महिला के कार्य निष्पादन या उसकी गोपनीय रिपोर्ट लिखने तथा इसे किसी अन्य अधिकारी को आबंटित करने से प्रत्यर्थी को अवरुध करना।
- (ख) शैक्षिक संस्था के मामले में व्यथित महिला की किसी शैक्षिक गतिविधि का पर्यवेक्षण करने से प्रत्यर्थी को अवरुध करना।

9. लैंगिक उत्पीड़न के लिए कार्रवाई करने की रीति : ऐसे मामलों को छोड़कर, जहां सेवा नियम विद्यमान हैं जहां शिकायत समिति इस निष्कर्ष पर पहुंचती है कि प्रत्यर्थी के विरुद्ध अभिकथन साबित हो गए हैं, यह यथास्थिति नियोक्ता या जिलाधिकारी से कार्रवाई करने की सिफारिश कर सकती है जिसमें लिखित रूप में क्षमा याचना करना, चेतावनी जारी करना, डांटना या निंदा करना, प्रोन्नति रोकना, वेतनबढ़ोत्तरी या वेतनवृद्धि रोकना, प्रत्यर्थी को सेवा समाप्ति करना या परामर्श सत्र में भाग लेने या सामुदायिक सेवा करने का आदेश देना शामिल है।

10. मिथ्या अथवा दुर्भावपूर्ण शिकायत अथवा मिथ्या साक्ष्य पर कार्रवाई : उन मामलों के सिवाय जहां सेवा नियम विद्यमान हैं, जहां शिकायत समिति इस निष्कर्ष पर पहुंचती है कि प्रत्यर्थी के विरुद्ध अभिकथन दुर्भावपूर्ण है अथवा व्यथित महिला अथवा शिकायत करने वाली अन्य किसी व्यक्ति ने यह जानते हुए कि यह मिथ्या है शिकायत की है अथवा व्यथित महिला या शिकायत करने वाले किसी व्यक्ति ने कूटरहित अथवा भ्रामक दस्तावेज प्रस्तुत किए हैं तो यह यथास्थिति नियोक्ता अथवा जिला अधिकारी को नियम 9 के उपबंधों के अनुसार कार्रवाई करने की सिफारिश कर सकेगी।

11. अपील : धारा 18 के उपबंधों के अधीन, धारा 13 की उप-धारा (2) के अधीन या धारा 13 की उप-धारा (3) के खण्ड (i) या खण्ड (ii) के अधीन अथवा धारा 14 की उपधारा (1) या उप-धारा (2) या धारा 17 के अधीन की गयी सिफारिशों या ऐसी सिफारिशों को कार्यान्वित न किए जाने से व्यथित कोई व्यक्ति औद्योगिक नियोजन (स्थायी आदेश) अधिनियम, 1946 (1946 का 20) की धारा 2 के खण्ड (क) के अधीन अधिसूचित अपीली प्राधिकारी को अपील कर सकेगा।

12. धारा 16 के उपबंधों के उल्लंघन के लिए दंड - धारा 17 के उपबंधों के अधीन, यदि कोई व्यक्ति धारा 16 के उपबंधों का उल्लंघन करता है, तो नियोक्ता ऐसे व्यक्ति से शारित के रूप में पांच हजार रुपये की राशि की वसूली करेगा।

13. कार्यशालाएं आदि आयोजित करने की रीति : धारा 19 के उपबंधों के अधीन, प्रत्येक नियोक्ता—

- (क) कार्यस्थल पर लैंगिक उत्पीड़न के प्रतिशोध, निवारण एवं प्रतितोष के लिए एक आंतरिक नीति या चार्टर या संकल्प या घोषणा तैयार करेगा तथा उसका व्यापक प्रसार करेगा, जिसका आशय लिंग संवेदी सुरक्षित स्थानों को बढ़ावा देना तथा ऐसे अंतर्निहित कारकों का निवारण करना है, जो महिलाओं के विरुद्ध प्रतिकूल कार्य परिवेश में योगदान करते हैं;
- (ख) आंतरिक समिति के सदस्यों के लिए, प्रबोधन कार्यक्रमों एवं सेमिनारों का क्रियान्वयन करेगा;
- (ग) कर्मचारी जागरूकता कार्यक्रमों का क्रियान्वयन करेगा तथा संवादों के लिए मंच का सृजन करेगा जिसमें पंचायती राज संस्थाएं, ग्राम सभा, महिला समूह, मातृ समितियां, किशोर समूह, शहरी स्थानीय निकाय तथा कोई अन्य निकाय, जिसे आवश्यक समझा जाए, अंतर्बलित हो सकते हैं;
- (घ) आंतरिक समिति के सदस्यों के लिए क्षमता निर्माण एवं कौशल निर्माण कार्यक्रमों का संचालन करेगा;
- (ङ) आंतरिक समिति के सभी सदस्यों के नामों एवं संपर्क के ब्यौरे की घोषणा करेगा;
- (च) अधिनियम के उपबंधों के बारे में कर्मचारियों को संवेदनशील बनाने के लिए, कार्यशालाओं एवं जागरूकता कार्यक्रमों के आयोजन के लिए, राज्य सरकारों द्वारा विकसित मापदंडों का उपयोग करेगा।

14. वार्षिक रिपोर्टें तैयार करना : वार्षिक रिपोर्टें जिसे धारा 21 के अंतर्गत शिकायत समिति द्वारा तैयार किया जाएगा, में निम्नलिखित ब्यौरे होंगे :

- (क) वर्ष में प्राप्त लैंगिक उत्पीड़न की शिकायतों की संख्या;
- (ख) ऐसी शिकायतों की संख्या जिनका वर्ष के दौरान निस्तारण किया गया;
- (ग) ऐसे मामलों की संख्या जो नब्बे दिन से अधिक अवधि तक लंबित हैं;

- (घ) लैंगिक उत्पीड़न के विरुद्ध क्रियान्वित कार्यशालाओं या जागरूकता कार्यक्रमों की संख्या;
 (ङ) नियोक्ता या जिला अधिकारी द्वारा की गई कार्रवाई का स्वरूप।

[फा. सं. 19-5/2013-डब्ल्यूडब्ल्यू]

डॉ. श्रीरंजन, संयुक्त सचिव

MINISTRY OF WOMEN AND CHILD DEVELOPMENT

NOTIFICATION

New Delhi, the 9th December, 2013

G.S.R. 769(E).—In exercise of the powers conferred by section 29 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013), the Central Government hereby makes the following rules, namely:—

1. **Short title and commencement.**— (1) These rules may be called the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013.
 (2) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.**— In these rules, unless the context otherwise requires,—

- (a) "Act" means the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013);
 (b) "complaint" means the complaint made under section 9;
 (c) "Complaints Committee" means the Internal Committee or the Local Committee, as the case may be;
 (d) "incident" means an incident of sexual harassment as defined in clause (n) of section 2;
 (e) "section" means a section of the Act;
 (f) "special educator" means a person trained in communication with people with special needs in a way that addresses their individual differences and needs;
 (g) words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. **Fees or allowances for Member of Internal Committee.**— (1) The Member appointed from amongst non-government organisations shall be entitled to an allowance of two hundred rupees per day for holding the proceedings of the Internal Committee and also the reimbursement of travel cost incurred in travelling by train in three tier air condition or air conditioned bus and auto rickshaw or taxi, or the actual amount spent by him on travel, whichever is less.

The employer shall be responsible for the payment of allowances referred to in sub-rule (1).

4. **Person familiar with issues relating to sexual harassment.**— Person familiar with the issues relating to sexual harassment for the purpose of clause (c) of sub-section (1) of section 7 shall be a person who has expertise on issues relating to sexual harassment and may include any of the following:—
 (a) a social worker with at least five years' experience in the field of social work which leads to creation of societal conditions favourable towards empowerment of women and in particular in addressing workplace sexual harassment;
 (b) a person who is familiar with labour, service, civil or criminal law.

1. **Fees or allowances for Chairperson and Members of Local Committee.**— (1) The Chairperson of the Local Committee shall be entitled to an allowance of two hundred and fifty rupees per day for holding the proceedings of the said Committee.

(2) The Members of the Local Committee other than the Members nominated under clauses (b) and (d) of sub-section (1) of section 7 shall be entitled to an allowance of two hundred rupees per day for holding the proceedings of the said Committee and also the reimbursement of travel cost incurred in travelling by train in three tier air condition or air conditioned bus and auto rickshaw or taxi, or the actual amount spent by him on travel, whichever is less.

The District Officer shall be responsible for the payment of allowances referred to in sub-rules (1) and (2).

6. **Complaint of sexual harassment.**— For the purpose of sub-section (2) of Section 9,—
 (i) where the aggrieved woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by —


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- (a) her relative or friend; or
 - (b) her co-worker; or
 - (c) an officer of the National Commission for Women or State Women's Commission; or
 - (d) any person who has knowledge of the incident, with the written consent of the aggrieved woman;
- (ii) where the aggrieved woman is unable to make a complaint on account of her mental incapacity, a complaint may be filed by-
- (a) her relative or friend; or
 - (b) a special educator; or
 - (c) a qualified psychiatrist or psychologist; or
 - (d) the guardian or authority under whose care she is receiving treatment or care; or
 - (e) any person who has knowledge of the incident jointly with her relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care;
- (iii) where the aggrieved woman for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with her written consent;
- (iv) where the aggrieved woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.

7. **Manner of inquiry into complaint.**- (1) Subject to the provisions of section 11, at the time of filing the complaint, the complainant shall submit to the Complaints Committee, six copies of the complaint along with supporting documents and the names and addresses of the witnesses.

(2) On receipt of the complaint, the Complaints Committee shall send one of the copies received from the aggrieved woman under sub-rule (1) to the respondent within a period of seven working days.

(3) The respondent shall file his reply to the complaint along with his list of documents, and names and addresses of witnesses, within a period not exceeding ten working days from the date of receipt of the documents specified under sub-rule (1).

(4) The Complaints Committee shall make inquiry into the complaint in accordance with the principles of natural justice.

(5) The Complaints Committee shall have the right to terminate the inquiry proceedings or to give an *ex-parte* decision on the complaint, if the complainant or respondent fails, without sufficient cause, to present herself or himself for three consecutive hearings convened by the Chairperson or Presiding Officer, as the case may be:

Provided that such termination or *ex-parte* order may not be passed without giving a notice in writing, fifteen days in advance, to the party concerned.

(6) The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the Complaints Committee.

(7) In conducting the inquiry, a minimum of three Members of the Complaints Committee including the Presiding Officer or the Chairperson, as the case may be, shall be present.

8. **Other relief to complainant during pendency of inquiry.**-The Complaints Committee at the written request of the aggrieved woman may recommend to the employer to-

- (a) restrain the respondent from reporting on the work performance of the aggrieved woman or writing her confidential report, and assign the same to another officer;
- (b) restrain the respondent in case of an educational institution from supervising any academic activity of the aggrieved woman.

9. **Manner of taking action for sexual harassment.**- Except in cases where service rules exist, where the Complaints Committee 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, to take any action including a written apology, warning, reprimand or censure, withholding of promotion, withholding of pay rise or increments, terminating the respondent from service or undergoing a counselling session or carrying out community service.

5155 27/13-2

10. Action for false or malicious complaint or false evidence.- Except in cases where service rules exist, where the Complaints Committee arrives at the 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 District Officer, as the case may be, to take action in accordance with the provisions of rule 9.

11. Appeal.- Subject to the provisions of section 18, any person aggrieved from the recommendations made under sub-section (2) of section 13 or under clauses (i) or clause (ii) of sub-section (3) of section 13 or sub-section (1) or sub-section (2) of section 14 or section 17 or non-implementation of such recommendations may prefer an appeal to the appellate authority notified under clause (a) of section 2 of the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946).

12. Penalty for contravention of provisions of section 16.- Subject to the provisions of section 17, if any person contravenes the provisions of section 16, the employer shall recover a sum of five thousand rupees as penalty from such person.

13. Manner to organise workshops, etc.- Subject to the provisions of section 19, every employer shall-

- formulate and widely disseminate an internal policy or charter or resolution or declaration for prohibition, prevention and redressal of sexual harassment at the workplace intended to promote gender sensitive safe spaces and remove underlying factors that contribute towards a hostile work environment against women;
- carry out orientation programmes and seminars for the Members of the Internal Committee;
- carry out employees awareness programmes and create forum for dialogues which may involve Panchayati Raj Institutions, Gram Sabha, women's groups, mothers' committee, adolescent groups, urban local bodies and any other body as may be considered necessary;
- conduct capacity building and skill building programmes for the Members of the Internal Committee;
- declare the names and contact details of all the Members of the Internal Committee;
- use modules developed by the State Governments to conduct workshops and awareness programmes for sensitising the employees with the provisions of the Act.

14. Preparation of annual report.- The annual report which the Complaints Committee shall prepare under Section 21, shall have the following details:-

- number of complaints of sexual harassment received in the year;
- number of complaints disposed off during the year;
- number of cases pending for more than ninety days;
- number of workshops or awareness programme against sexual harassment carried out;
- nature of action taken by the employer or District Officer.

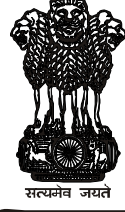
[F. No. 19-5/2013-WW]

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असाधारण

EXTRAORDINARY

भाग III—खण्ड 4

PART III—Section 4

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 146]

नई दिल्ली, सोमवार, मई 6, 2019/वैशाख 16, 1941

No. 146]

NEW DELHI, MONDAY, MAY 6, 2019/VAISAKHA 16, 1941

विश्वविद्यालय अनुदान आयोग

अधिसूचना

नई दिल्ली, 6 मई, 2019

फा. सं. 14-4/2012 (सीपीपी-II).—विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 (1956 का 3) की धारा 26 की उप-धारा (1) के खंड (छ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और विश्वविद्यालय अनुदान आयोग (शिकायत निवारण) विनियम, 2012 का अधिक्रमण करते हुए विश्वविद्यालय अनुदान आयोग एतद्वारा निम्नलिखित विनियम बनाता है, नामतः—

1. संक्षिप्त नाम, विनियोग और प्रारंभ :

- (क) इन विनियमों को विश्वविद्यालय अनुदान आयोग (छात्रों की शिकायतों का निवारण) विनियम, 2019 कहा जाएगा।
- (ख) वे ऐसे सभी उच्चतर शिक्षा संस्थानों पर लागू होंगे, जिन्हें किसी केन्द्रीय अधिनियम अथवा राज्य अधिनियम के तहत स्थापित अथवा निगमित किया गया हो, और विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 की धारा 2 के खंड (च) के तहत मान्यता प्राप्त सभी संस्थानों तथा ऐसे सभी सम विश्वविद्यालय संस्थानों पर लागू होंगे जिन्हें तत्संबंध की धारा 3 के तहत विश्वविद्यालय घोषित किया गया हो।
- (ग) यह विनियम, भासकीय राजपत्र में प्रकाशित होने की तिथि से प्रभावी होंगे।

2. उद्देश्य:

किसी संस्थान में पहले से नामांकित छात्रों और साथ ही ऐसे संस्थानों में प्रवेश चाहने वाले छात्रों की कतिपय शिकायतों के निवारण के लिए अवसर प्रदान करना और इस संबंध में एक तंत्र स्थापित करना।

3. परिभाषा: जब तक कि इन विनियमों के संदर्भ में अन्यथा अपेक्षित न हो:

- (क) "अधिनियम" का अभिप्राय विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 (1956 का 3) से है;
- (ख) "पीड़ित छात्र" से अभिप्राय किसी ऐसे छात्र से है जिसे इन विनियमों के तहत परिभाषित शिकायतों के संबंध में किसी मामले अथवा तत्संबंध किसी मामले में कोई शिकायत हो।

- (ग) "महाविद्यालय" से अभिप्राय अधिनियम की धारा 12क की उपधारा (1) के खंड (ख) में इस प्रकार से परिभाषित किसी संस्थान से है।
- (घ) "महाविद्यालयी छात्र शिकायत निवारण समिति" (सीएसजीआरसी) से अभिप्राय इन विनियमों के तहत किसी संस्थान के स्तर पर, जोकि महाविद्यालय हो, गठित किसी समिति से है।
- (ङ) "आयोग" से अभिप्राय विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 की धारा 4 के तहत स्थापित आयोग से है।
- (च) "घोषित प्रवेश नीति" का अभिप्राय संस्थान द्वारा पेशकश किए जा रहे किसी पाठ्यक्रम या अध्ययन कार्यक्रम में प्रवेश के लिए संस्थान की विवरणिका में प्रकाशित की गई किसी ऐसी नीति से है, जिसमें उसके अंतर्गत आने वाली प्रक्रियाएं भी शामिल हैं।
- (छ) "विभागीय छात्र शिकायत निवारण समिति" (डीएसजीआरसी) से अभिप्राय इन विनियमों के तहत किसी विश्वविद्यालय के किसी विभाग, विद्यालय या केंद्र के स्तर पर गठित किसी समिति से है।
- (ज) "शिकायत" का अभिप्राय, और इसमें निम्नवत् के संबंध में किसी पीड़ित छात्र द्वारा की गई शिकायत(तें) शामिल हैं, नामतः
- i. संस्थान की घोषित प्रवेश नीति के अनुरूप निर्धारित की गई योग्यता के विपरीत प्रवेश दिया जाना;
 - ii. संस्थान की घोषित प्रवेश नीति के तहत प्रक्रिया में अनियमितताएं;
 - iii. संस्थान की घोषित प्रवेश नीति के अनुरूप प्रवेश देने से इंकार किया जाना;
 - iv. इन विनियमों के उपबंधों के अनुरूप, संस्था द्वारा विवरणिका का प्रकाशन न किया जाना;
 - v. संस्थान द्वारा विवरणिका में ऐसी कोई जानकारी देना जोकि झूठी या भ्रामक हो, और तथ्यों पर आधारित नहीं हो;
 - vi. किसी छात्र द्वारा ऐसे संस्थान में प्रवेश लेने के प्रयोजन से जमा किए गए किसी दस्तावेज जोकि उपाधि, डिप्लोमा या किसी अन्य पुरस्कार के रूप में हो, को अपने पास रख लेना या वापस करने से इंकार करना ताकि ऐसे किसी पाठ्यक्रम या अध्ययन कार्यक्रम के संबंध में छात्र को किसी शुल्क अथवा शुल्कों, का भुगतान करने हेतु तैयार किया जा सके अथवा मजबूर किया जा सके जिसमें छात्र अध्ययन नहीं करना चाहता हो;
 - vii. संस्था की घोषित प्रवेश नीति में निर्धारित राशि से अधिक धनराशि की मांग करना;
 - viii. छात्रों की विभिन्न श्रेणियों के लिए प्रवेश में सीटों के आरक्षण के संबंध में वर्तमान में लागू किसी कानून का संस्थान द्वारा उल्लंघन किया जाए;
 - ix. ऐसे किसी संस्थान की घोषित प्रवेश नीति के तहत, अथवा आयोग द्वारा विहित किन्हीं शर्तों, यदि कोई हों तो, के तहत किसी भी छात्र हेतु ग्राह्य छात्रवृत्ति या वित्तीय सहायता का भुगतान नहीं किया जाना अथवा विलम्ब से भुगतान किया जाना;
 - x. संस्थान के शैक्षणिक कैलेंडर में, अथवा आयोग द्वारा विहित ऐसे किसी कैलेंडर में विनिर्दिष्ट अनुसूची से इतर परीक्षाओं के आयोजन में, अथवा परीक्षा के परिणामों की घोषणा में विलम्ब करना;
 - xi. विवरणिका में यथा उल्लिखित, अथवा संस्थान द्वारा लागू किसी कानून के किसी उपबंध के तहत यथा अपेक्षित छात्रों की सुविधा प्रदान करने में संस्थान द्वारा विफल रहना;
 - xii. छात्रों के मूल्यांकन के लिए संस्थान द्वारा अपनाई गई गैर- पारदर्शी अथवा अनुचित पद्धतियां;
 - xiii. ऐसे किसी छात्र को शुल्क के प्रतिदाय में विलंब करना, अथवा इंकार करना जोकि विवरणिका में उल्लिखित समय के भीतर, अथवा जैसा की आयोग द्वारा अधिसूचित किया जाए, के भीतर प्रवेश त्याग देता है;
 - xiv. अनुसूचित जाति, अनुसूचित जनजाति, अन्य पिछड़ा वर्ग, महिला, अल्पसंख्यक अथवा निशक्त श्रेणियों के छात्रों के कथित भेदभाव की शिकायत;
 - xv. प्रवेश दिए जाने के समय जैसा भरोसा दिलाया गया था अथवा प्रदान किए जाना अपेक्षित था के अनुरूप गुणवत्तापूर्ण शिक्षा प्रदान नहीं किया जाना; तथा

- xvi. छात्र के उत्पीड़न के अन्य मामले के अलावा जिन पर वर्तमान में लागू किसी कानून के दंडात्मक उपबंधों के तहत कार्रवाई की जानी हो, छात्र का उत्पीड़न किया जाना अथवा उसे निशाना बनाया जाना।
- (झ) “संस्थान” से अभिप्राय है, जैसा कि संदर्भ हो, अधिनियम के तहत किसी विश्वविद्यालय अथवा महाविद्यालय अथवा किसी सम विश्वविद्यालय संस्थान से है, अथवा किसी विशिष्ट विधा अथवा क्रियाकलाप हेतु किसी विश्वविद्यालय के तहत स्थापित किए गए किसी संस्थान से है।
- (ञ) “संस्थागत छात्र शिकायत निवारण समिति” (आईएसजीआरसी) का अभिप्राय इन विनियमों के तहत किसी विश्वविद्यालय के स्तर पर, ऐसी शिकायतों पर कार्यवाही करने के लिए गठित की गई समिति से है जो विश्वविद्यालय के किसी भी विभाग से संबंधित नहीं हो, उदाहरण के लिए छात्रावास और सामान्य सुविधाएं।
- (ट) “लोकपाल” का अभिप्राय इन विनियमों के तहत नियुक्त लोकपाल से है;
- (ठ) “विवरणिका” का अभिप्राय और इसमें ऐसा कोई भी प्रकाशन शामिल है, चाहे वह मुद्रित स्वरूप में अथवा अन्यथा हो, जिसे जनसाधारण (जिसमें ऐसे संस्थान में प्रवेश पाने के इच्छुकों सहित) को एक संस्था से संबंधित निष्पक्ष और पारदर्शी जानकारी प्रदान करने के लिए ऐसे संस्थान अथवा किसी प्राधिकरण अथवा ऐसे संस्थान द्वारा ऐसा करने के लिए प्राधिकृत किए गए किसी व्यक्ति द्वारा जारी किया गया हो;
- (ड) “क्षेत्र” का अभिप्राय एक भौगोलिक क्षेत्र, जिसमें राज्य शामिल हैं, जिन्हें इन विनियमों को लागू करने हेतु सुकर बनाने के प्रयोजनार्थ ऐसा निर्धारित किया गया हो: नामत, दक्षिण-पूर्वी क्षेत्र जिसमें आंध्र प्रदेश, तेलंगाना, पुडुचेरी, अंडमान और निकोबार और तमिलनाडु शामिल हैं; दक्षिण-पश्चिम क्षेत्र में केरल, कर्नाटक और लक्षद्वीप शामिल हैं; पश्चिमी क्षेत्र में महाराष्ट्र, गुजरात, गोवा, दादर और नगर हवेली, दमन और दीव शामिल हैं; मध्य क्षेत्र में छत्तीसगढ़, मध्य प्रदेश और राजस्थान शामिल हैं; उत्तरी क्षेत्र में जम्मू और कश्मीर, दिल्ली, हिमाचल प्रदेश, पंजाब, हरियाणा, दिल्ली, उत्तराखंड, उत्तर प्रदेश, उत्तराखंड और चंडीगढ़ शामिल हैं; पूर्वोत्तर क्षेत्र में असम, मेघालय, मिजोरम, मणिपुर, त्रिपुरा, अरुणाचल प्रदेश, सिक्किम और नागालैंड शामिल हैं, और पूर्वी क्षेत्र में पश्चिम बंगाल, बिहार, झारखंड और ओडिशा शामिल हैं।
- (ढ) “राज्य” का अभिप्राय संविधान की प्रथम अनुसूची में विनिर्दिष्ट किसी राज्य से है जिसमें संघ राज्य क्षेत्र भी शामिल है;
- (ण) “छात्र” से अभिप्राय किसी ऐसे संस्थान, जिसमें यह विनियम लागू होते हैं, में नामांकित किसी व्यक्ति, अथवा नामांकित होने के लिए प्रवेश प्राप्त के इच्छुक व्यक्ति से है;
- (त) “विश्वविद्यालय” से अभिप्राय अधिनियम की धारा 2 की खंड (च) में यथा परिभाषित किसी विश्वविद्यालय से है, अथवा जहां संदर्भ के अनुसार, तत्संबंध की धारा 3 के तहत इस प्रकार घोषित किए जाने वाला कोई सम विश्वविद्यालय संस्थान हो।
- (थ) “विश्वविद्यालय छात्र शिकायत निवारण समिति” (यूएसजीआरसी) से अभिप्राय विश्वविद्यालय के स्तर पर डीएसजीआरसी, आईएसजीआरसी अथवा सीएसजीआरसी के निर्णय के परिणामस्वरूप उपजी शिकायतों पर कार्रवाई करने के लिए इन विनियमों के तहत गठित किसी समिति से है।

4. विवरणिका का अनिवार्य प्रकाशन, इसकी विषयवस्तु तथा मूल्य निर्धारण:

1. प्रत्येक संस्थान, अपने पाठ्यक्रम या अध्ययन के किसी भी कार्यक्रम में प्रवेश आरंभ करने की तिथि से कम से कम साठ दिन की समाप्ति से पूर्व अपनी वेबसाइट पर एक विवरणिका प्रकाशित और/अथवा अपलोड करेगा, जिसमें इस तरह के संस्थान में प्रवेश लेने के इच्छुक व्यक्तियों और आम जनता की जानकारी के लिए निम्नवत् जानकारी अंतर्विष्ट होगी, नामत:
 - (क) प्रत्येक पाठ्यक्रम अथवा अध्ययन के कार्यक्रम के लिए, शिक्षण के घंटों, व्यावहारिक सत्रों और अन्य कार्य के साथ-साथ अध्ययन के कार्यक्रमों और पाठ्यक्रमों की सूची सहित उपयुक्त सांविधिक प्राधिकरण अथवा संस्थान, जैसा मामला हो, द्वारा विनिर्दिष्ट पाठ्यक्रम की व्यापक रूपरेखा;
 - (ख) जिस शिक्षा वर्ष हेतु प्रवेश दिए जाने का प्रस्ताव हो, उसके प्रत्येक पाठ्यक्रम अथवा अध्ययन के कार्यक्रम के संबंध में, उपयुक्त सांविधिक प्राधिकरण द्वारा अनुमोदित सीटों की संख्या;
 - (ग) संस्थान द्वारा विनिर्दिष्ट किसी विशेष पाठ्यक्रम अथवा अध्ययन कार्यक्रम में छात्र के रूप में प्रवेश के लिए व्यक्तियों की न्यूनतम और अधिकतम आयु सीमा सहित शैक्षिक योग्यता और पात्रता की शर्तें;

- (घ) इस प्रकार के प्रवेश के लिए आवेदन करने वाले योग्य उम्मीदवारों के चयन की प्रक्रिया, जिसमें प्रत्येक पाठ्यक्रम अथवा अध्ययन कार्यक्रम में प्रवेश के लिए ऐसे अभ्यर्थियों के चयन के लिए परीक्षा या इम्तहान के विवरण के संबंध में सभी संगत जानकारी और प्रवेश परीक्षा के लिए निर्धारित शुल्क की राशि शामिल है;
- (ङ) किसी पाठ्यक्रम या अध्ययन कार्यक्रम में अध्ययन करने के लिए ऐसे संस्थान में भर्ती किए गए छात्रों द्वारा देय शुल्क, जमा राशियों और अन्य प्रभारों के प्रत्येक घटक और ऐसे भुगतानों की अन्य निबंधन और शर्तें;
- (च) शास्ति लगाए जाने और संग्रहण किए जाने हेतु नियम/विनियम, विनिर्दिष्ट शीर्ष अथवा श्रेणियां, लगाए जाने वाली शास्ति की न्यूनतम और अधिकतम राशि;
- (छ) ऐसे संस्थानों में दाखिला लेने वाले छात्रों द्वारा यदि पाठ्यक्रम या अध्ययन कार्यक्रम के पूरा होने से पहले अथवा के बाद दाखिला छोड़ दिया जाता है तो छात्रों को प्रतिदाय किए जाने वाले शिक्षण शुल्क और अन्य प्रभारों का प्रतिशत, तथा समय सीमा जिसके भीतर तथा पद्धति जिससे छात्रों को ऐसा प्रतिदाय किया जाएगा;
- (ज) उनकी शैक्षिक योग्यता शिक्षण संकाय का विवरण, उनकी नियुक्ति का स्वरूप (नियमित/अभ्यागत/अतिथि) और उसके प्रत्येक सदस्य के शिक्षण अनुभव के साथ;
- (झ) भौतिक और शैक्षणिक बुनियादी ढांचे और छात्रावास और इसके शुल्क, पुस्तकालय, अस्पताल अथवा उद्योग, जहां छात्रों को व्यावहारिक प्रशिक्षण दिया जाना हो, सहित अन्य सुविधाओं के संबंध में जानकारी और विशेषरूप से छात्रों द्वारा संस्थान में प्रवेश प्राप्त करने पर प्राप्त होने वाली सुविधाओं का ब्योरा अंतर्विष्ट हो;
- (ञ) संस्थान के परिसर के भीतर अथवा बाहर छात्रों द्वारा अनुशासन बनाए रखने के संबंध में सभी संगत निदेश, और, विशेषरूप से किसी छात्र अथवा छात्रों की रैगिंग निषिद्ध करने संबंधी ऐसे अनुशासन को बनाए रखने और उनका उल्लंघन किए जाने के परिणामों और संगत सांविधिक विनियामक प्राधिकरण द्वारा इस संबंध में तैयार किए गए किसी विनियम के उपबंधों का उल्लंघन किए जाने के परिणामों का ब्योरा अंतर्विष्ट होगा; तथा
- (ट) आयोग द्वारा यथा विनिर्दिष्ट कोई अन्य जानकारी:

बशर्ते कि, प्रत्येक संस्थान इस विनियम के खंड (क) से (ट) में उल्लिखित जानकारी को अपनी वेबसाइट पर प्रकाशित/अपलोड करेगा, और विभिन्न समाचारपत्रों और अन्य मीडिया के माध्यम से प्रमुखता से प्रदर्शित करते हुए विज्ञापनों के माध्यम से इच्छुक छात्रों और आम जनता का ध्यान वेबसाइट पर इस तरह के प्रकाशन की ओर दिलाया जाएगा ।

2. प्रत्येक संस्थान अपनी विवरणिका की प्रत्येक मुद्रित प्रति का मूल्य निर्धारित करेगा, जोकि विवरणिका के प्रकाशन और वितरण की उचित लागत से अधिक नहीं होगी और विवरणिका के प्रकाशन, वितरण या बिक्री से कोई लाभ अर्जित नहीं किया जाएगा ।

5. छात्र शिकायत निवारण समितियां (एसजीआरसी):

क. महाविद्यालयी छात्र शिकायत निवारण समिति (सीएसजीआरसी)

- (i) किसी भी पीड़ित छात्र की महाविद्यालय से संबंधित किसी भी शिकायत को निम्नलिखित संरचना वाली महाविद्यालयी छात्र शिकायत निवारण समिति (सीएसजीआरसी) को भेजा जाएगा:
- (क) महाविद्यालय का प्राचार्य— सभापति;
- (ख) प्राचार्य द्वारा शिक्षण संकाय से तीन वरिष्ठ सदस्यगणों को नामनिर्दिष्ट किया जाएगा— सदस्यगण;
- (ग) महाविद्यालय के छात्रों में से एक प्रतिनिधि, जिसे प्राचार्य द्वारा शैक्षणिक योग्यता/खेलकूद में उत्कृष्टता/सह-पाठ्य क्रियाकलापों में उसके निष्पादन के आधार पर नामनिर्दिष्ट किया जाएगा— विशेष आमंत्रित ।
- (ii) सदस्यगणों तथा विशेष आमंत्रित का कार्यकाल दो वर्षों का होगा ।
- (iii) बैठक के लिए गणपूर्ति, सभापति सहित परंतु विशेष आमंत्रित के अलावा, तीन सदस्यगणों की होगी ।
- (iv) शिकायतों पर विचार करते हुए सीएसजीआरसी नैसर्गिक न्याय के सिद्धांतों का पालन करेगी ।

- (v) सीएसजीआरसी रिपोर्ट को अपनी सिफारिशों, यदि कोई हो तो, के साथ संबद्ध करने वाले विश्वविद्यालय के कुलपति को शिकायत प्राप्त की तिथि से 15 दिनों की अवधि के भीतर भेजेगा तथा इसकी एक प्रति पीड़ित छात्र को भी भेजी जाएगी।

ख. विभागीय छात्र शिकायत निवारण समिति (डीएसजीआरसी)

- (i) किसी भी पीड़ित छात्र की विश्वविद्यालय के किसी भी विभाग, अथवा विद्यालय, अथवा केन्द्र से संबंधित किसी भी शिकायत को विभाग, विद्यालय अथवा केन्द्र, जैसा भी मामला हो, द्वारा गठित की जाने और निम्नलिखित संरचना वाली विभागीय छात्र शिकायत निवारण समिति (डीएसजीआरसी) को भेजा जाएगा, नामतः:
- (क) विभाग, विद्यालय, अथवा केन्द्र का अध्यक्ष, चाहे उसे किसी भी पदनाम से जाना जाए— सभापति;
- (ख) विभाग/विद्यालय/केन्द्र के बाहर से कुलपति द्वारा नामनिर्दिष्ट किए जाने वाले दो आचार्य— सदस्य;
- (ग) संकाय का सदस्य, जो शिकायत निवारण की प्रणाली से भली-भांति परिचित हो, को सभापति द्वारा नामनिर्दिष्ट किया जाएगा— सदस्य;
- (घ) महाविद्यालय के छात्रों में से एक प्रतिनिधि, जिसे कुलपति द्वारा शैक्षणिक योग्यता/खेलकूद में उत्कृष्टता/सह-पाठ्य क्रियाकलापों में उसके निष्पादन के आधार पर नामनिर्दिष्ट किया जाएगा— विशेष आमंत्रित
- (ii) सभापति, समिति के सदस्यों और विशेष आमंत्रित का कार्यकाल दो वर्षों का होगा।
- (iii) डीएसजीआरसी की बैठक के लिए गणपूर्ति, सभापति सहित परंतु विशेष आमंत्रित के अलावा, तीन सदस्यगणों की होगी।
- (iv) अपने समक्ष प्रस्तुत शिकायतों पर विचार करते हुए डीएसजीआरसी नैसर्गिक न्याय के सिद्धांतों का पालन करेगी।
- (v) डीएसजीआरसी अपनी रिपोर्ट को सिफारिशों, यदि कोई हों तो, के साथ संस्थान के मुखिया/ कुलपति को शिकायत प्राप्त की तिथि से 15 दिनों की अवधि के भीतर भेजेगा तथा इसकी एक प्रति पीड़ित छात्र को भी भेजी जाएगी।

ग. संस्थागत छात्र शिकायत निवारण समिति (आईएसजीआरसी)

- (i) जब शिकायत किसी विश्वविद्यालय के किसी शैक्षणिक विभाग, विद्यालय अथवा केन्द्र, जैसा भी मामला हो, से संबद्ध नहीं हो तो मामले को कुलपति महोदय द्वारा निम्नवत संरचना के साथ गठित की जाने वाली एक संस्थागत छात्र शिकायत निवारण समिति (आईएसजीआरसी) को भेजा जाएगा; नामतः:
- (क) संस्थान का सम-कुलपति/संकाय अध्यक्ष/वरिष्ठ आचार्य— सभापति;
- (ख) छात्र संकाय अध्यक्ष/संकाय अध्यक्ष, छात्र कल्याण— सदस्य;
- (ग) सभापति के अलावा एक वरिष्ठ शिक्षाविद्— सदस्य;
- (घ) कुलानुशासक/वरिष्ठ शिक्षाविद्— सदस्य
- (ङ) महाविद्यालय के छात्रों में से एक प्रतिनिधि, जिसे कुलपति द्वारा शैक्षणिक योग्यता/खेलकूद में उत्कृष्टता/सह-पाठ्य क्रियाकलापों में उसके निष्पादन के आधार पर नामनिर्दिष्ट किया जाएगा— विशेष आमंत्रित।
- (ii) समिति के सदस्यों का कार्यकाल दो वर्षों का होगा।
- (iii) आईएसजीआरसी की बैठक के लिए गणपूर्ति, सभापति सहित परंतु विशेष आमंत्रित के अलावा, तीन सदस्यगणों की होगी।
- (iv) अपने समक्ष प्रस्तुत शिकायतों पर विचार करते हुए आईएसजीआरसी नैसर्गिक न्याय के सिद्धांतों का पालन करेगी।
- (v) आईएसजीआरसी अपनी रिपोर्ट को सिफारिशों, यदि कोई हों तो, के साथ कुलपति को शिकायत प्राप्त की तिथि से 15 दिनों की अवधि के भीतर भेजेगा तथा इसकी एक प्रति पीड़ित छात्र को भी भेजी जाएगी।

घ. विश्वविद्यालय छात्र शिकायत निवारण समिति (यूएसजीआरसी)

- (i) एक संबद्ध विश्वविद्यालय के कुलपति, उतनी संख्या में विश्वविद्यालय छात्र शिकायत निवारण समितियों (यूएसजीआरसी) का गठन करेंगे, जैसा कि एक या एक से अधिक सीएसजीआरसी या डीएसजीआरसी या आईएसजीआरसी द्वारा अनसुलझी शिकायतों पर विचार करने के लिए आवश्यक हो और प्रत्येक यूएसजीआरसी, महाविद्यालयों/विभागों/संस्थानों से उत्पन्न होने वाली शिकायतों पर, कुलपति द्वारा उसे प्रदत्त किए गए क्षेत्राधिकार क्षेत्र के आधार पर कार्यवाही कर सकता है।
 - क) विश्वविद्यालय का एक वरिष्ठ आचार्य— सभापति;
 - ख) संकाय अध्यक्ष, छात्र कल्याण अथवा समकक्ष – सदस्य;
 - ग) संबद्ध महाविद्यालयों से लिए गए दो प्राचार्य, जो कि समीक्षाधीन सीएसजीआरसी की रिपोर्टों से न जुड़े हों, कुलपति द्वारा नामित किए जाने वाले हैं— सदस्य;
 - घ) विश्वविद्यालय का एक आचार्य – सदस्य;
 - ङ) महाविद्यालय के छात्रों में से एक प्रतिनिधि, जिसे कुलपति द्वारा शैक्षणिक योग्यता/खेलकूद में उत्कृष्टता/सह-पाठ्य क्रियाकलापों में उसके निष्पादन के आधार पर नामनिर्दिष्ट किया जाएगा— विशेष आमंत्रित।
- (ii) सभापति तथा समिति के सदस्यों और विशेष आमंत्रित का कार्यकाल दो वर्षों का होगा।
- (iii) बैठक के लिए गणपूर्ति, सभापति सहित परंतु विशेष आमंत्रित के अलावा, तीन सदस्यगणों की होगी।
- (iv) अपने समक्ष शिकायतों पर विचार करते हुए यूएसजीआरसी नैसर्गिक न्याय के सिद्धांतों का पालन करेगी।
- (v) यूएसजीआरसी अपनी रिपोर्ट और सिफारिशें, यदि कोई हों तो, के साथ शिकायत से संबंधित महाविद्यालय के प्राचार्य/विभागाध्यक्ष/विद्यालय/संस्थान को शिकायत प्राप्ति की तिथि से 15 दिनों की अवधि के भीतर भेजेगी तथा इसकी एक प्रति पीड़ित छात्र को भी भेजी जाएगी।
- (vi) विश्वविद्यालय छात्र शिकायत निवारण समिति के निर्णय से व्यथित कोई भी छात्र, इस तरह के निर्णय की प्राप्ति की तिथि से पंद्रह दिनों की अवधि के भीतर, लोकपाल के समक्ष अपील कर सकता है।

6. लोकपाल की नियुक्ति, सेवाकाल, उसे पद से हटाया जाना और सेवा की शर्तें:

- (i) यूएसजीआरसी के निर्णयों के विरुद्ध सुनवाई करने और निर्णय देने और अपील करने के लिए एक या एक से अधिक अंशकालिक पदाधिकारियों को लोकपाल के रूप में नामित किया जाएगा;

बशर्ते कि, उस राज्य में स्थित सभी राज्य विश्वविद्यालयों (सार्वजनिक के साथ— साथ निजी विश्वविद्यालयों) के संबंध में एक राज्य के लिए एक से अधिक लोकपाल नहीं होंगे, जिन्हें राज्य सरकार द्वारा नियुक्त किया जाएगा;

बशर्ते आगे कि, एक क्षेत्र में स्थित केंद्रीय विश्वविद्यालयों और सम विश्वविद्यालय संस्थानों के लिए एक से अधिक लोकपाल नहीं होंगे, जिन्हें केंद्र सरकार द्वारा नियुक्त किया जाएगा।
- (ii) लोकपाल, शिक्षा अथवा अनुसंधान के क्षेत्र में प्रख्यात व्यक्ति होंगे, जो किसी विश्वविद्यालय के कुलपति रह चुके हों।
- (iii) किसी राज्य में राज्य विश्वविद्यालयों के लिए लोकपाल, उस राज्य के किसी भी विश्वविद्यालय के साथ हितों के टकराव में नहीं होगा; और उस क्षेत्र में स्थित केंद्रीय विश्वविद्यालयों और सम विश्वविद्यालयों हेतु लोकपाल, इस तरह की नियुक्ति से पहले अथवा उसके पश्चात्, उस क्षेत्र में स्थित विश्वविद्यालय अथवा सम विश्वविद्यालय संस्थान के साथ किसी भी तरह के हितों के टकराव में नहीं होंगे।
- (iv) एक राज्य सरकार इस प्रयोजनार्थ गठित एक खोज समिति द्वारा सुझाए गए तीन नामों के पैनल में से लोकपाल की नियुक्ति करेगी, जिसमें निम्नलिखित शामिल होंगे, नामतः
 - (क) राज्यपाल या उपराज्यपाल का एक नामित, जैसा भी मामला हो, जो उच्चतर शिक्षा के क्षेत्र में प्रतिष्ठित व्यक्ति हो— सभापति;
 - (ख) राज्य के राज्यपाल/संघ भासित राज्य के उपराज्यपाल द्वारा नामित किया जाने वाला राज्य सार्वजनिक विश्वविद्यालय का कुलपति— सदस्य;

- (ग) राज्य सरकार द्वारा नामित किया जाने वाला एक राज्य निजी विश्वविद्यालय का कुलपति— सदस्य;
- (घ) राज्य उच्चतर शिक्षा परिषद् का अध्यक्ष अथवा परिषद् के शैक्षणिक सदस्यों में से उनका नामिति— सदस्य;
- (ङ) उच्चतर शिक्षा के लिए उत्तरदायी राज्य सरकार के प्रधान सचिव/सचिव— सदस्य सचिव;
- (v) केंद्र सरकार इस प्रयोजनार्थ गठित एक खोज समिति द्वारा सुझाए गए तीन नामों के पैनल में से लोकपाल की नियुक्ति करेगी, जिसमें निम्नलिखित शामिल होंगे, नामतः
- (क) विश्वविद्यालय अनुदान आयोग के अध्यक्ष महोदय अथवा उनके नामिति— सभापति;
- (ख) किसी केन्द्रीय विश्वविद्यालय का कुलपति जिसे केन्द्र सरकार द्वारा नामनिर्दिष्ट किया जाएगा— सदस्य;
- (ग) किसी सम विश्वविद्यालय संस्थान का कुलपति जिसे केन्द्र सरकार द्वारा नामनिर्दिष्ट किया जाए— सदस्य;
- (घ) केन्द्र सरकार का नामिति जोकि संयुक्त सचिव के पद से नीचे न हो— सदस्य;
- (ङ) विश्वविद्यालय अनुदान आयोग के सचिव महोदय— सदस्य सचिव;
- (vi) लोकपाल को पद ग्रहण करने की तिथि से तीन वर्ष की अवधि अथवा सत्तर वर्ष की आयु होने तक, इनमें से जो भी पहले हो, के लिए नियुक्त किया जाएगा, और वह समान राज्य या क्षेत्र के लिए, जैसा कि मामला हो, एक और कार्यकाल के लिए पुनर्नियुक्ति होने के लिए पात्र होगा।
- (vii) सुनवाई का संचालन करने के लिए, लोकपाल को, यात्रा पर हुए किए गए व्यय की प्रतिपूर्ति सहित विश्वविद्यालय अनुदान आयोग द्वारा निर्धारित किए गए मानदंडों के अनुसार, प्रति दिन, प्रति बैठक के आधार पर शुल्क का भुगतान किया जाएगा।
- (viii) राज्य के लोकपाल के मामले में राज्य सरकार द्वारा और किसी क्षेत्र के लोकपाल के मामले में केन्द्र सरकार द्वारा लोकपाल को इन विनियमों के तहत यथा परिभाषित कदाचार या दुर्व्यवहार के आरोप सिद्ध होने पर पद से हटाया जा सकता है।
- (ix) कम से कम उच्च न्यायालय के न्यायाधीश के पद पर आसीन न्यायमूर्ति द्वारा की गई जांच के अलावा लोकपाल को पदच्युत करने हेतु कोई आदेश जारी नहीं किया जाएगा, और इस प्रकार की गई जांच में लोकपाल को सुनवाई का एक उचित अवसर भी प्रदान किया जाएगा।

7. लोकपाल के कार्यकरण :

- (i) लोकपाल, छात्र द्वारा इन विनियमों के तहत उपबंधित सभी विकल्पों को अपनाने के पश्चात् ही पीड़ित छात्र की अपील की सुनवाई करेंगे।
- (ii) यद्यपि, परीक्षा के संचालन में अथवा मूल्यांकन की प्रक्रिया में गड़बड़ी के मुद्दों को लोकपाल के संदर्भित किया जा सकता है, तथापि, लोकपाल द्वारा उत्तर पुस्तिकाओं के पुनर्मूल्यांकन अथवा अंकों को पुनः योग करने हेतु कोई अपील अथवा आवेदन पर लोकपाल द्वारा सुनवाई नहीं की जाएगी, जब तक कि भेदभाव की किसी विशिष्ट घटना के परिणामों को प्रभावित करने वाली किसी विशिष्ट अनियमितता को इंगित नहीं किया जाता है।
- (iii) लोकपाल, कथित रूप से किए गए भेदभाव की शिकायतों की सुनवाई करने के लिए, न्याय— मित्र के रूप में किसी भी व्यक्ति की सहायता प्राप्त कर सकता है।
- (iv) लोकपाल पीड़ित छात्र(त्रों) से अपील प्राप्त होने के 30 दिनों के भीतर शिकायतों का समाधान के लिए सभी प्रयास करेगा।

8. लोकपाल तथा छात्र शिकायत निवारण समितियों द्वारा शिकायतों के निवारण हेतु प्रक्रिया:

- (i) प्रत्येक संस्थान, इस अधिसूचना के जारी होने की तिथि से तीन माह की अवधि के भीतर एक ऑनलाइन पोर्टल तैयार करेगा, जहां कोई भी पीड़ित छात्र अपनी शिकायत के निवारण के लिए आवेदन कर सकता है।
- (ii) ऑनलाइन शिकायत प्राप्त होने पर संस्थान, ऑनलाइन शिकायत की प्राप्ति के 15 दिनों के भीतर अपनी टिप्पणियों सहित शिकायत को उपर्युक्त छात्र शिकायत निवारण समिति को भेजेगा।

- (iii) छात्र शिकायत निवारण समिति, जैसा भी मामला हो, शिकायत की सुनवाई के लिए एक तिथि निर्धारित करेगी जिसकी जानकारी संस्थान और पीड़ित छात्र को दी जाएगी।
- (iv) पीड़ित छात्र या तो व्यक्तिगत रूप से पेश हो सकता है अथवा अपना पक्ष रखने के लिए अपने किसी प्रतिनिधि को अधिकृत कर सकता है।
- (v) विश्वविद्यालय छात्र शिकायत निवारण समिति द्वारा समाधान नहीं की गई शिकायतों, को इन विनियमों में उपबंधित समयावधि के भीतर लोकपाल को भेजा जाएगा।
- (vi) संस्थान, शिकायतों के शीघ्र निपटान हेतु, लोकपाल अथवा छात्र शिकायत निवारण समिति(यों), जैसा भी मामला हो, सहयोग करेंगे; और ऐसा नहीं किए जाने पर लोकपाल द्वारा आयोग को जानकारी दी जा सकती है जो इन विनियमों के उपबंधों के अनुरूप कार्रवाई करेगा।
- (vii) लोकपाल, दोनों पक्षों को सुने जाने का एक उचित अवसर प्रदान करने के बाद, कार्यवाहियां समाप्त होने पर तत्संबंधी कारणों सहित, इस प्रकार का आदेश पारित करेगा, जैसा वह उपयुक्त समझे, ताकि शिकायत का समाधान हो सके और पीड़ित छात्र को जैसा उपयुक्त हो, राहत प्रदान की जा सके।
- (viii) संस्थान के साथ ही साथ पीड़ित छात्र को लोकपाल के हस्ताक्षर के तहत जारी की गई आदेश की प्रतियां उपलब्ध कराई जाएंगी और संस्थान, आदेश की प्रति को सामान्य जानकारी के लिए इसे अपनी वेबसाइट पर भी डालेगा।
- (ix) संस्थान, लोकपाल की सिफारिशों का अनुपालन करेगा और संस्थान द्वारा सिफारिशों का अनुपालन नहीं किए जाने के संबंध में लोकपाल, आयोग को जानकारी प्रदान करेगा।
- (x) जहां शिकायत झूठी या तुच्छ पाई जाती है उस स्थिति में लोकपाल शिकायतकर्ता के विरुद्ध उपर्युक्त कार्रवाई किए जाने की सिफारिश कर सकता है।

9. लोकपाल और छात्र शिकायत निवारण समितियों के संबंध में जानकारी:

संस्थान अपनी वेबसाइट और अपनी विवरणिका में स्पष्टरूप से इसके क्षेत्राधिकार में आने वाली छात्र शिकायत निवारण समिति(यों) तथा अपील किए जाने के प्रयोजनार्थ लोकपाल के संबंध में सभी संगत जानकारियां उपलब्ध कराएगा।

10. अनुपालन नहीं किए जाने के परिणाम:

आयोग, किसी भी संस्थान के संबंध में, जो जानबूझकर इन विनियमों का उल्लंघन करते हैं अथवा बार-बार लोकपाल अथवा शिकायत निवारण समिति(यों), जैसा भी मामला हो, की सिफारिशों को अनुपालन नहीं करते हैं, उनके विरुद्ध निम्नवत् एक अथवा एक से अधिक कार्यवाहियां कर सकते हैं, नामतः

- (क) अधिनियम की धारा 12ख के तहत अनुदान प्राप्त करने के लिए उपयुक्तता की घोषणा को वापस लेना;
- (ख) संस्थान को आवंटित किसी भी अनुदान को रोका जा सकता है;
- (ग) आयोग के किसी भी सामान्य अथवा विशेष सहायता कार्यक्रम के तहत किसी भी सहायता को प्राप्त करने हेतु विचार किए जाने के लिए संस्थान को अयोग्य घोषित करना;
- (घ) उपयुक्त मीडिया में प्रमुखता से प्रदर्शित कर और आयोग की वेबसाइट पर पोस्ट कर संभावित अभ्यर्थियों सहित जनसाधारण को सूचित करना, तथा इस बाबत घोषणा करना की संस्थान में शिकायतों के निवारण के लिए न्यूनतम मानक मौजूद नहीं हैं;
- (ङ) महाविद्यालय के मामले में, संबद्धता को वापस लेने के लिए संबद्ध विश्वविद्यालय को सिफारिश करना;
- (च) सम विश्वविद्यालय संस्थान के मामले में इस प्रकार की कार्रवाई करना, जो आवश्यक, उपयुक्त और सटीक प्रतीत हो;
- (छ) सम विश्वविद्यालय संस्थान के मामले में सम विश्वविद्यालय संस्थान के रूप में घोषणा को वापस लिया जाने के लिए, यदि आवश्यक हो तो, केंद्र सरकार को सिफारिश करना;
- (ज) राज्य अधिनियम के तहत स्थापित अथवा निगमित विश्वविद्यालय के मामले में राज्य सरकार को आवश्यक और उचित कार्रवाई करने की सिफारिश करना;
- (झ) गैर-अनुपालन के लिए संस्थान के विरुद्ध ऐसी अन्य कार्रवाई करना जो आवश्यक और उचित समझी जाए।

बशर्ते कि, इस विनियमों के तहत आयोग द्वारा कोई कार्रवाई नहीं की जाएगी, जब तक कि संस्थान को अपनी स्थिति स्पष्ट करने के लिए अवसर नहीं दिया गया हो और उसे सुने जाने का अवसर प्रदान नहीं किया गया हो।

11. इन विनियमों में उल्लिखित कोई भी शर्त, विश्वविद्यालय अनुदान आयोग (शिकायत निवारण) विनियम, 2012 के उपबंधों के तहत नियुक्त किसी पदधारी लोकपाल के कार्यकाल की अवधि के दौरान उसके पद पर बने रहने को प्रतिकूल रूप से प्रभावित नहीं करेगी; कार्यकाल समाप्त होने के पश्चात् लोकपाल, की नियुक्ति विश्वविद्यालय अनुदान आयोग (छात्रों की शिकायतों का निवारण) संबंधी विनियम, 2019 के अनुरूप की जाएगी।

प्रो. रजनीश जैन, सचिव

[विज्ञापन—III/4/असा./30/19]

UNIVERSITY GRANTS COMMISSION

NOTIFICATION

New Delhi, the 6th May, 2019

F.No. 14-4/2012(CPP-II).—In exercise of the powers conferred under clause (g) of sub-section (1) of Section 26 of the University Grants Commission Act, 1956 (3 of 1956), and in supersession of the University Grants Commission (Grievance Redressal) Regulations, 2012, the University Grants Commission hereby makes the following regulations, namely -

1. SHORT TITLE, APPLICATION AND COMMENCEMENT:

- These regulations shall be called as the University Grants Commission (Redress of Grievances of Students) Regulations, 2019.
- They shall apply to all higher education institutions, whether established or incorporated by or under a Central Act or a State Act, and every institution recognized by the University Grants Commission under clause (f) of Section 2 of the University Grants Commission Act, 1956 and to all institutions deemed to be a University declared as such under Section 3 therein.
- They shall come into force from the date of their publication in the Official Gazette.

2. OBJECTIVE:

To provide opportunities for redress of certain grievances of students already enrolled in any institution, as well as those seeking admission to such institutions, and a mechanism thereto.

3. DEFINITION: IN THESE REGULATIONS, UNLESS THE CONTEXT OTHERWISE REQUIRES:

- “Act” means the University Grants Commission Act, 1956 (3 of 1956);
- “aggrieved student” means a student, who has any complaint in the matters relating to or connected with the grievances defined under these regulations.
- “college” means any institution, so defined in clause (b) of sub-section (1) of section 12A of the Act.
- “Collegiate Student Grievance Redressal Committee” (CSGRC) means a committee constituted under these regulations, at the level of an institution, being a college.
- “Commission” means the University Grants Commission established under section 4 of the UGC Act, 1956.
- “declared admission policy” means such policy, including the process there under, for admission to a course or program of study as may be offered by the institution by publication in the prospectus of the institution.
- “Departmental Student Grievance Redressal Committee” (DSGRC) means a committee constituted under these regulations, at the level of a Department, School or Centre of a University.
- “grievance” means, and includes, complaint(s) made by an aggrieved student in respect of the following, namely:

- i. admission contrary to merit determined in accordance with the declared admission policy of the institution;
 - ii. irregularity in the process under the declared admission policy of the institution;
 - iii. refusal to admit in accordance with the declared admission policy of the institution;
 - iv. non-publication of prospectus by the institution, in accordance with the provisions of these regulations;
 - v. publication by the institution of any information in the prospectus, which is false or misleading, and not based on facts;
 - vi. withholding of, or refusal to return, any document in the form of certificates of degree, diploma or any other award or other document deposited by a student for the purpose of seeking admission in such institution, with a view to induce or compel such student to pay any fee or fees in respect of any course or program of study which such student does not intend to pursue;
 - vii. demand of money in excess of that specified to be charged in the declared admission policy of the institution;
 - viii. violation, by the institution, of any law for the time being in force in regard to reservation of seats in admission to different category of students;
 - ix. nonpayment or delay in payment of scholarships or financial aid admissible to any student under the declared admission policy of such institution, or under the conditions, if any, prescribed by the Commission;
 - x. delay by the institution in the conduct of examinations, or declaration of results, beyond the schedule specified in the academic calendar of the institution, or in such calendar prescribed by the Commission;
 - xi. failure by the institution to provide student amenities as set out in the prospectus, or is required to be extended by the institution under any provisions of law for the time being in force;
 - xii. non-transparent or unfair practices adopted by the institution for the evaluation of students;
 - xiii. delay in, or denial of, the refund of fees due to a student who withdraws admission within the time mentioned in the prospectus, or as may be notified by the Commission;
 - xiv. complaints of alleged discrimination of students from the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, Women, Minority or persons with disabilities categories;
 - xv. denial of quality education as promised at the time of admission or required to be provided; and
 - xvi. harassment or victimization of a student, other than cases of harassment, which are to be proceeded against under the penal provisions of any law for the time being in force.
- (i) "Institution" means, as the context may be, a University or a college, or an institution declared a deemed to be a University under the Act or an institution established within a University for a particular discipline or activity;
- (j) Institutional Student Grievance Redressal Committee" (ISGRC) means a committee constituted under these regulations at the level of the University, for dealing with grievances which do not belong to a department of the University e.g. hostels and common facilities.
- (k) "Ombudsperson" means the Ombudsperson appointed under these regulations;
- (l) "Prospectus" means and includes any publication, whether in print or otherwise, issued for providing fair and transparent information, relating to an institution, to the general public (including to those seeking admission in such institution) by such institution or any authority or person authorized by such institution to do so;

- (m) "Region" means a geographical territory, comprising of States, so determined, for the purpose of facilitating enforcement of these regulations; namely, South-Eastern Region comprising Andhra Pradesh, Telengana, Puducherry, Andaman and Nicobar, and Tamil Nadu; South-Western Region comprising Kerala, Karnataka, and Lakshadweep; Western Region comprising Maharashtra, Gujarat, Goa, Dadar and Nagar Haveli, Daman and Diu; Central Region comprising Chhattisgarh, Madhya Pradesh and Rajasthan; Northern Region comprising Jammu and Kashmir, Delhi, Himachal Pradesh, Punjab, Haryana, Uttar Pradesh, Uttarakhand and Chandigarh; North-Eastern Region comprising Assam, Meghalaya, Mizoram, Manipur, Tripura, Arunachal Pradesh, Sikkim and Nagaland; and Eastern Region comprising West Bengal, Bihar, Jharkhand and Odisha.
- (n) "State" means a State specified in the First Schedule to the Constitution and includes a Union territory;
- (o) "Student" means a person enrolled, or seeking admission to be enrolled, in any institution to which these regulations apply;
- (p) "University" means a University so defined in clause (f) of section 2 of the Act or, where the context may be, an institution deemed to be University declared as such under Section 3 thereof.
- (q) "University Student Grievance Redressal Committee" (USGRC) means a committee constituted under these regulations, at the level of the university, for dealing with grievances arising out of decisions of the DSGRC, ISGRC or CSGRC.

4. MANDATORY PUBLICATION OF PROSPECTUS, ITS CONTENTS AND PRICING:

- (1) Every institution, shall publish and/or upload on its website, before expiry of at least sixty days prior to the date of the commencement of the admission to any of its courses or programs of study, a prospectus containing the following for the information of persons intending to seek admission to such institution and the general public, namely:
- the list of programs of study and courses offered along with the broad outlines of the syllabus specified by the appropriate statutory authority or by the institution, as the case may be, for every course or program of study, including teaching hours, practical sessions and other assignments;
 - the number of seats approved by the appropriate statutory authority in respect of each course or program of study for the academic year for which admission is proposed to be made;
 - the conditions of educational qualifications and eligibility including the minimum and maximum age limit of persons for admission as a student in a particular course or program of study, specified by the institution;
 - the process of selection of eligible candidates applying for such admission, including all relevant information in regard to the details of test or examination for selecting such candidates for admission to each course or program of study and the amount of fee prescribed for the admission test;
 - each component of the fee, deposits and other charges payable by the students admitted to such institution for pursuing a course or program of study, and the other terms and conditions of such payment;
 - rules/regulations for imposition and collection of any fines in specified heads or categories, minimum and maximum fine may be imposed.
 - the percentage of tuition fee and other charges refundable to a student admitted in such institution in case such student withdraws from such institution before or after completion of course or program of study and the time within and the manner in which such refund shall be made to that student;
 - details of the teaching faculty, including their educational qualifications, along with their type of appointment (Regular/visiting/guest) and teaching experience of every member thereof.
 - information with regard to physical and academic infrastructure and other facilities including hostel accommodation and its fee, library, hospital or industry wherein the practical training is

to be imparted to the students and in particular the amenities accessible by students on being admitted to the institution;

- (j) all relevant instructions in regard to maintaining the discipline by students within or outside the campus of the institution, and, in particular such discipline relating to the prohibition of ragging of any student or students and the consequences thereof and for violating the provisions of any regulation in this behalf made by the relevant statutory regulatory authority; and
- (k) Any other information as may be specified by the Commission:

Provided that an institution shall publish/upload information referred to in clauses (a) to (k) of this regulation, on its website, and the attention of prospective students and the general public shall be drawn to such publication being on the website through advertisements displayed prominently in different newspapers and through other media:

- (2) Every institution shall fix the price of each printed copy of the prospectus, being not more than the reasonable cost of its publication and distribution and no profit be made out of the publication, distribution or sale of prospectus.

5. **STUDENT GRIEVANCE REDRESSAL COMMITTEES (SGRC):**

A. Collegiate Student Grievance Redressal Committee (CSGRC)

- (i) A complaint from an aggrieved student relating to a college shall be addressed to the Collegiate Student Grievance Redressal Committee (CSGRC), with the following composition, namely:
 - a) Principal of the college – Chairperson;
 - b) Three senior members of the teaching faculty to be nominated by the Principal – Members;
 - c) A representative from among students of the college to be nominated by the Principal based on academic merit/excellence in sports/performance in co-curricular activities – Special Invitee.
- (ii) The term of the members and the special invitee shall be two years.
- (iii) The quorum for the meeting including the Chairperson, but excluding the special invitee, shall be three.
- (iv) In considering the grievances before it, the CSGRC shall follow principles of natural justice.
- (v) The CSGRC shall send its report with recommendations, if any, to the Vice-Chancellor of the affiliating University and a copy thereof to the aggrieved student, within a period of 15 days from the date of receipt of the complaint.

B. Departmental Student Grievance Redressal Committee (DSGRC)

- (i) A complaint by an aggrieved student relating to a Department, or School, or Centre of a University shall be addressed to the Departmental Student Grievance Redressal Committee (DSGRC) to be constituted at the level of the Department, School, or Centre, as the case may be, and with the following composition, namely:
 - a) Head of the Department, School, or the Centre, by whatever designation known – Chairperson;
 - b) Two Professors, from outside the Department/School/Centre to be nominated by the Vice Chancellor – Members;
 - c) A member of the faculty, well-versed with the mechanism of grievance redressal to be nominated by the Chairperson – Member;
 - d) A representative from among students of the college to be nominated by the Vice Chancellor based on academic merit/excellence in sports/performance in co-curricular activities – Special Invitee.

- (ii) The term of the Chairperson, members of the Committee, and the special invitee shall be of two years.
- (iii) The quorum for the meeting of DSGRC, including the Chairperson, but excluding the special invitee, shall be three.
- (iv) In considering the grievances before it, the DSGRC shall follow principles of natural justice.
- (v) The DSGRC shall submit its report with recommendations, if any, to the Head of the Institution/ Vice Chancellor, with a copy thereof to the aggrieved student, within a period of 15 days from the date of receipt of the complaint.

C. Institutional Student Grievance Redressal Committee (ISGRC)

- (i) Where a complaint does not relate to any academic Department, School or Centre of a University, as the case may be, the matter shall be referred to the Institutional Student Grievance Redressal Committee (ISGRC) to be constituted by the Vice Chancellor, with the following composition, namely:
 - (a) Pro-Vice Chancellor/Dean/Senior Professor of institution – Chairperson;
 - (b) Dean of students/Dean, Students Welfare – Member;
 - (c) One senior academic, other than the Chairperson – Member;
 - (d) Proctor/Senior academic – Member;
 - (e) A representative from among students of the college to be nominated by the Vice Chancellor based on academic merit/excellence in sports/performance in co-curricular activities – Special Invitee.
- (ii) The term of the members of the committee shall be of two years.
- (iii) The quorum for the meetings of the ISGRC, including the Chairperson, but excluding the special invitee, shall be three.
- (iv) In considering the grievances before it, the ISGRC shall follow principles of natural justice.
- (v) The ISGRC shall send its report with recommendations, if any, to the Vice Chancellor, along with a copy thereof to the aggrieved student, within a period of 15 working days from the date of receipt of the grievance.

D. University Student Grievance Redressal Committee (USGRC)

- (i) The Vice Chancellor of an affiliating University shall constitute such number of University Student Grievance Redressal Committees (USGRC), as may be required to consider grievances unresolved by one or more CSGRC or DSGRC or ISGRC and each USGRC may take up grievances arising from colleges/departments/ Institutions, on the basis of the jurisdiction assigned to it by the Vice Chancellor.
 - a) A senior Professor of the University – Chairperson;
 - b) Dean, Student Welfare or equivalent – Member;
 - c) Two Principals drawn from the affiliating colleges, other than those connected with reports of CSGRC under review, to be nominated by the Vice-Chancellor – Members;
 - d) One Professor of the University - Member;
 - e) A representative from among students of the college to be nominated by the Vice Chancellor based on academic merit/excellence in sports/performance in co-curricular activities – Special Invitee.
- (ii) The Chairperson, members and the special invitee shall have a term of two years.
- (iii) The quorum for the meeting, including the Chairperson, but excluding the special invitee, shall be three.

- (iv) In considering the grievances before it, the USGRC shall follow principles of natural justice.
- (v) The USGRC shall send its report and recommendations, if any, to the Principal of the College relating to the grievance/Head of the department/School/Institution with a copy thereof to the aggrieved student, within 15 days of the receipt of the grievance.
- (vi) Any student aggrieved by the decision of the University Student Grievance Redressal Committee may prefer an appeal to the Ombudsperson, within in a period of fifteen days from the date of receipt of such decision.

6. APPOINTMENT, TENURE, REMOVAL AND CONDITIONS OF SERVICES OF OMBUDSPERSON:

- (i) There shall be one or more part-time functionaries designated as Ombudspersons to hear, and decide on, appeals preferred against the decisions of the USGRCs.

Provided that, there shall not be more than one ombudsperson for a State, in respect of all the State universities (Public as well as Private) in that State, who shall be appointed by the State Government;

Provided further that, there shall not be more than one Ombudsperson for a region, in respect of the Central universities and institutions deemed to be universities in that region, who shall be appointed by the Central Government.

- (ii) The Ombudsperson shall be a person of eminence in academics or research, who had been Vice-Chancellor of a University.
- (iii) The Ombudsperson for the State universities in a State, shall not be in any conflict of interest with any University in that State; and the Ombudsperson for the Central universities and institutions deemed to be universities in a region, shall not be in any conflict of interest with any University or institution deemed to be University in that region, either before or after such appointment.
- (iv) A State Government shall appoint the Ombudsperson from a panel of three names recommended by a search committee constituted for that purpose and consisting of the following, namely:
 - (a) A nominee of the Governor or Lt. Governor, as the case may be, who is a person of eminence in the field of higher education— Chairperson;
 - (b) A Vice Chancellor from a State Public University to be nominated by the Governor/LG of the State/UT - Member;
 - (c) A Vice Chancellor from a State Private University to be nominated by the State Government – Member;
 - (d) Chairperson of the State Council of Higher Education or his/her nominee from among the academic members of the Council— Member;
 - (e) Principal Secretary/Secretary to the State Government responsible for Higher Education— Member Secretary.
- (v) The Central Government shall appoint the Ombudsperson for a region from a panel of three names recommended by a search committee to be constituted for that purpose, and consisting of the following, namely:
 - (a) Chairperson, University Grants Commission or his/her nominee – Chairperson
 - (b) A Vice Chancellor of a Central University to be nominated by the Central Government – Member
 - (c) A Vice Chancellor of an institution deemed to be University to be nominated by the Central Government – Member
 - (d) A nominee of the Central Government, not below the rank of the Joint Secretary – Member
 - (e) Secretary, University Grants Commission – Member Secretary

- (vi) The Ombudsperson shall be appointed for a period of three years or until he attains the age of 70 years, whichever is earlier, from the date of assuming office, and shall be eligible for reappointment for another one term for the same State or region, as the case may be.
- (vii) For conducting the hearings, the Ombudsperson shall be paid a sitting fee, per diem, in accordance with the norms fixed by the University Grants Commission, and shall, in addition, be eligible for reimbursement of the expenditure incurred on conveyance.
- (viii) The State Government, in the case of an Ombudsperson of a State, and the Central Government, in the case of an Ombudsperson of a region, may remove the Ombudsperson from office, on charges of proven misconduct or misbehavior as defined under these regulations.
- (ix) No order of removal of Ombudsperson shall be made except after an inquiry made in this regard by a person not below the rank of judge of the High Court in which a reasonable opportunity of being heard is given to the Ombudsperson.

7. FUNCTIONS OF OMBUDSPERSON:

- (i) The Ombudsperson shall hear appeals from an aggrieved student, only after the student has availed all other remedies provided under these regulations.
- (ii) While issues of malpractices in the conduct of examination or in the process of evaluation may be referred to the Ombudsperson, no appeal or application for revaluation or re-totaling of answer sheets from an examination, shall be entertained by the Ombudsperson unless specific irregularity materially affecting the outcome of specific instance of discrimination is indicated.
- (iii) The Ombudsperson may avail assistance of any person, as amicus curiae, for hearing complaints of alleged discrimination.
- (iv) The Ombudsperson shall make all efforts to resolve the grievances within a period of 30 days of receiving the appeal from the aggrieved student(s).

8. PROCEDURE FOR REDRESSAL OF GRIEVANCES BY OMBUDSPERSONS AND STUDENT GRIEVANCE REDRESSAL COMMITTEES:

- (i) Each institution shall, within a period of three months from the date of issue of this notification, have an online portal where any aggrieved student may submit an application seeking redressal of grievance.
- (ii) On receipt of an online complaint, the institution shall refer the complaint to the appropriate Student Grievance Redressal Committee, along with its comments within 15 days of receipt of complaint on the online portal.
- (iii) The Student Grievance Redressal Committee, as the case may be, shall fix a date for hearing the complaint which shall be communicated to the institution and the aggrieved student.
- (iv) An aggrieved student may appear either in person or authorize a representative to present the case.
- (v) Grievances not resolved by the University Student Grievance Redressal Committee shall be referred to the Ombudsperson, within the time period provided in these regulations.
- (vi) Institutions shall extend co-operation to the Ombudsperson or the Student Grievance Redressal Committee(s), as the case may be, in early redressal of grievances; and failure to do so may be reported by the Ombudsperson to the Commission, which shall take action in accordance with the provisions of these regulations.
- (vii) The Ombudsperson shall, after giving reasonable opportunities of being heard to both parties, on the conclusion of proceedings, pass such order, with reasons there for, as may be deemed fit to redress the grievance and provide such relief as may be appropriate to the aggrieved student.
- (viii) The institution, as well as the aggrieved student, shall be provided with copies of the order under the signature of the Ombudsperson, and the institution shall place it for general information on its website.

- (ix) The institution shall comply with the recommendations of the Ombudsperson; and the Ombudsperson shall report to the Commission any failure on the part of the institution to comply with the recommendations.
- (x) The Ombudsperson may recommend appropriate action against the complainant, where a complaint is found to be false or frivolous.

9. INFORMATION REGARDING OMBUDSPERSONS AND STUDENT GRIEVANCE REDRESSAL COMMITTEES:

An institution shall furnish, prominently, on its website and in its prospectus, all relevant information in respect of the Student Grievance Redressal Committee(s) coming in its purview, and the Ombudsperson for the purpose of appeals.

10. CONSEQUENCES OF NON-COMPLIANCE:

The Commission shall in respect of any institution, which willfully contravenes these regulations or repeatedly fails to comply with the recommendation of the Ombudsperson or the Grievance Redressal Committee(s), as the case may be, proceed to take one or more of the following actions, namely:

- (a) withdrawal of declaration of fitness to receive grants under section 12B of the Act;
- (b) withholding any grant allocated to the Institution;
- (c) declaring the institution ineligible for consideration for any assistance under any of the general or special assistance programs of the Commission;
- (d) informing the general public, including potential candidates for admission, through a notice displayed prominently in suitable media and posted on the website of the Commission, declaring that the institution does not possess the minimum standards for redressal of grievances;
- (e) recommend to the affiliating University for withdrawal of affiliation, in case of a college;
- (f) take such action as it may deem necessary, appropriate and fit, in case of an institution deemed to be University;
- (g) recommend to the Central Government, if required, for withdrawal of declaration as institution deemed to be a University, in case of an institution deemed to be University;
- (h) recommend to the State Government to take necessary and appropriate action, in case of a University established or incorporated under a State Act;
- (i) such other action as may be deemed necessary and appropriate against an institution for non-compliance.

Provided that no action shall be taken by the Commission under this regulation, unless the institution has been given an opportunity to explain its position and an opportunity of being heard has been provided to it.

- 11.** Nothing mentioned hereinabove in these regulations shall affect the continuance in office, during the currency of the term, of an incumbent Ombudsperson appointed under the provisions of the UGC (Grievance Redressal) Regulations, 2012; where after, the appointment of Ombudsperson shall be made as per University Grants Commission (Redress of Grievances of Students) Regulations, 2019.

Prof. RAJNISH JAIN, Secy.

[ADVT.-III/4/Exty./30/19]


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**UNIVERSITY GRANTS COMMISSION
BAHADURSHAH ZAFAR MARG
NEW DELHI – 110 002**

NO. F 1-16/2007 (CPP-II)

April, 2009

**UGC REGULATION ON CURBING THE MENACE OF RAGGING IN HIGHER
EDUCATIONAL INSTITUTIONS, 2009**

In exercise of the powers conferred by Clause (g) of Sub-Section (1) of Section 26 of the University Grants Commission Act, 1956, the University Grants Commission hereby makes the following Regulations, namely -

1. Title, commencement and applicability:-

- 1.1. These regulations shall be called the “UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009”.
- 1.2. They shall come into force with immediate effect.
- 1.3. They shall apply to all the universities established or incorporated by or under a Central Act, a Provincial Act or a State Act, to all institutions deemed to be university under Section 3 of the UGC Act, 1956, to all other higher educational institutions, including the departments, constituent units and all the premises (academic, residential, sports, canteen, etc) of such universities, deemed universities and other higher educational institutions, whether located within the campus or outside, and to all means of transportation of students whether public or private.

2. Objective:-

To root out ragging in all its forms from universities, colleges and other educational institutions in the country by prohibiting it by law, preventing its occurrence by following the provisions of these Regulations and punishing those who indulge in ragging as provided for in these Regulations and the appropriate law in force.

3. Definitions:- For the purposes of these Regulations:-

- 3.1. “college” means any institution, whether known as such or by any other name, which provides for a programme of study beyond 12 years of schooling for obtaining qualification from a university and which, in accordance with the rules and regulations of such university, is recognized as competent to provide for such programme of study and present students undergoing such programme of study for the examination for the award of such qualification.

- 3.2. “Head of the institution” means the ‘Vice-Chancellor’ in case of a university/deemed to be university, ‘Principal’ in case of a college, ‘Director’ in case of an institute.
- 3.3. “institution” means a higher educational institution (HEI), like a university, a college, an institute, etc. imparting higher education beyond 12 years of schooling leading to a degree (graduate, postgraduate and/or higher level) and/or to a university diploma.
- 3.4. “Ragging” means the following:
Any conduct whether by words spoken or written or by an act which has the effect of teasing, treating or handling with rudeness any other student, indulging in rowdy or undisciplined activities which causes or is likely to cause annoyance, hardship or psychological harm or to raise fear or apprehension thereof in a fresher or a junior student or asking the students to do any act or perform something which such student will not in the ordinary course and which has the effect of causing or generating a sense of shame or embarrassment so as to adversely affect the physique or psyche of a fresher or a junior student.
- 3.5. “Statutory/Regulatory body” means a body so constituted by a Central/ State Government legislation for setting and maintaining standards in the relevant areas of higher education, such as the All India Council for Technical Education (AICTE), the Bar Council of India (BCI), the Dental Council of India (DCI), the Distance Education Council (DEC), the Indian Council of Agricultural Research (ICAR), the Indian Nursing Council (INC), the Medical Council of India (MCI), the National Council for Teacher Education (NCTE), the Pharmacy Council of India (PCI), etc. and the State Higher Education Councils.
- 3.6. “University” means a university established or incorporated by or under a Central Act, a Provincial Act or a State Act, an institution deemed to be university under Section 3 of the UGC Act, 1956, or an institution specially empowered by an Act of Parliament to confer or grant degrees.

4. Punishable ingredients of Ragging:-

- Abetment to ragging;
- Criminal conspiracy to rag;
- Unlawful assembly and rioting while ragging;
- Public nuisance created during ragging;
- Violation of decency and morals through ragging;
- Injury to body, causing hurt or grievous hurt;
- Wrongful restraint;
- Wrongful confinement;
- Use of criminal force;
- Assault as well as sexual offences or unnatural offences;
- Extortion;
- Criminal trespass;
- Offences against property;
- Criminal intimidation;

- Attempts to commit any or all of the above mentioned offences against the victim(s);
- Physical or psychological humiliation;
- All other offences following from the definition of “Ragging”.

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

- 5.1 The institution shall strictly observe the provisions of the Act of the Central Government and the State Governments, if any, or if enacted, considering ragging as a cognizable offence under the law on a par with rape and other atrocities against women and ill-treatment of persons belonging to the SC/ST, and prohibiting ragging in all its forms in all institutions.
- 5.2 Ragging in all its forms shall be totally banned in the entire institution, including its departments, constituent units, all its premises (academic, residential, sports, canteen, etc) whether located within the campus or outside and in all means of transportation of students whether public or private.
- 5.3 The institution shall take strict action against those found guilty of ragging and/or of abetting ragging.

6 Measures for prevention of ragging at the institution level:-

6.1 Before admissions:-

- 6.1.1 The advertisement for admissions shall clearly mention that ragging is totally banned in the institution, and anyone found guilty of ragging and/or abetting ragging is liable to be punished appropriately (for punishments, ref. section 8 below).
- 6.1.2 The brochure of admission/instruction booklet for candidates shall print in block letters these Regulations in full (including Annexures).
- 6.1.3 The ‘Prospectus’ and other admission related documents shall incorporate all directions of the Supreme Court and /or the Central or State Governments as applicable, so that the candidates and their parents/ guardians are sensitized in respect of the prohibition and consequences of ragging. If the institution is an affiliating university, it shall make it mandatory for the institutions under it to compulsorily incorporate such information in their ‘Prospectus’.
- 6.1.4 The application form for admission/ enrolment shall have a printed undertaking, preferably both in English/Hindi and in one of the regional languages known to the institution and the applicant (English version given in Annexure I, Part I), to be filled up and signed by the candidate to the effect that he/she is aware of the law regarding prohibition of ragging as well as the punishments, and to the effect that he/she has not been expelled and/or debarred from admission by any institution and that he/she, if found guilty of the offence of ragging and/or abetting ragging, is liable to be punished appropriately.

- 6.1.5 The application form shall also contain a printed undertaking, preferably both in English/Hindi and in one of the regional languages known to the institution and the parent/ guardian (English version given in Annexure I, Part II), to be signed by the parent/ guardian of the applicant to the effect that he/ she is also aware of the law in this regard and agrees to abide by the punishment meted out to his/ her ward in case the latter is found guilty of ragging and/or abetting ragging.
- 6.1.6 The application for admission shall be accompanied by a document in the form of the School Leaving Certificate/Transfer Certificate/ Migration Certificate/ Character Certificate which shall include a report on the behavioral pattern of the applicant, so that the institution can thereafter keep intense watch upon a student who has a negative entry in this regard.
- 6.1.7 A student seeking admission to the hostel shall have to submit additional undertaking in the form of Annexure I (both Parts) along with his/ her application for hostel accommodation.
- 6.1.8 At the commencement of the academic session the Head of the Institution shall convene and address a meeting of various functionaries/agencies, like Hostel Wardens, representatives of students, parents/ guardians, faculty, district administration including police, to discuss the measures to be taken to prevent ragging in the Institution and steps to be taken to identify the offenders and punish them suitably.
- 6.1.9 To make the community at large and the students in particular aware of the dehumanizing effect of ragging, and the approach of the institution towards those indulging in ragging, big posters (preferably multicolored with different colours for the provisions of law, punishments, etc.) shall be prominently displayed on all Notice Boards of all departments, hostels and other buildings as well as at vulnerable places. Some of such posters shall be of permanent nature in certain vulnerable places.
- 6.1.10 The institution shall request the media to give adequate publicity to the law prohibiting ragging and the negative aspects of ragging and the institution's resolve to ban ragging and punish those found guilty without fear or favour.
- 6.1.11 The institution shall identify, properly illuminate and man all vulnerable locations.
- 6.1.12 The institution shall tighten security in its premises, especially at the vulnerable places. If necessary, intense policing shall be resorted to at such points at odd hours during the early months of the academic session.
- 6.1.13 The institution shall utilize the vacation period before the start of the new academic year to launch wide publicity campaign against ragging through posters, leaflets, seminars, street plays, etc.
- 6.1.14 The faculties/ departments/ units of the institution shall have induction arrangements (including those which anticipate, identify

and plan to meet any special needs of any specific section of students) in place well in advance of the beginning of the academic year with a clear sense of the main aims and objectives of the induction process.

6.2 On admission:-

- 6.2.1 Every fresh student admitted to the institution shall be given a printed leaflet detailing when and to whom he/she has to turn to for help and guidance for various purposes (including Wardens, Head of the institution, members of the anti-ragging committees, relevant district and police authorities), addresses and telephone numbers of such persons/authorities, etc., so that the fresher need not look up to the seniors for help in such matters and get indebted to them and start doing things, right or wrong, at their behest. Such a step will reduce the freshers' dependence on their seniors.
- 6.2.2 The institution through the leaflet mentioned above shall explain to the new entrants the arrangements for their induction and orientation which promote efficient and effective means of integrating them fully as students.
- 6.2.3 The leaflet mentioned above shall also inform the freshers about their rights as bona fide students of the institution and clearly instructing them that they should desist from doing anything against their will even if ordered by the seniors, and that they have nothing to fear as the institution cares for them and shall not tolerate any atrocities against them.
- 6.2.4 The leaflet mentioned above shall contain a calendar of events and activities laid down by the institution to facilitate and complement familiarization of freshers with the academic environment of the institution.
- 6.2.5 The institution shall also organize joint sensitization programmes of 'freshers' and seniors.
- 6.2.6 Freshers shall be encouraged to report incidents of ragging, either as victims, or even as witnesses.

6.3 At the end of the academic year:-

- 6.3.1 At the end of every academic year the Vice-Chancellor/ Dean of Students Welfare/ Director/ Principal shall send a letter to the parents/ guardians of the students who are completing the first year informing them about the law regarding ragging and the punishments, and appealing to them to impress upon their wards to desist from indulging in ragging when they come back at the beginning of the next academic session.
- 6.3.2 At the end of every academic year the institution shall form a 'Mentoring Cell' consisting of Mentors for the succeeding academic year. There shall be as many levels or tiers of Mentors as

the number of batches in the institution, at the rate of 1 Mentor for 6 freshers and 1 Mentor of a higher level for 6 Mentors of the lower level.

6.4 Setting up of Committees and their functions:-

- 6.4.1 The Anti-Ragging Committee:- The Anti-Ragging Committee shall be headed by the Head of the institution and shall consist of representatives of faculty members, parents, students belonging to the freshers' category as well as seniors and non-teaching staff. It shall monitor the anti-ragging activities in the institution, consider the recommendations of the Anti-Ragging Squad and take appropriate decisions, including spelling out suitable punishments to those found guilty.
- 6.4.2 The Anti-Ragging Squad:- The Anti-Ragging Squad shall be nominated by the Head of the institution with such representation as considered necessary and shall consist of members belonging to the various sections of the campus community. The Squad shall have vigil, oversight and patrolling functions. It shall be kept mobile, alert and active at all times and shall be empowered to inspect places of potential ragging and make surprise raids on hostels and other hot spots. The Squad shall investigate incidents of ragging and make recommendations to the Anti-Ragging Committee and shall work under the overall guidance of the said Committee.
- 6.4.3 Monitoring Cell on Ragging:- If the institution is an affiliating university, it shall have a Monitoring Cell on Ragging to coordinate with the institutions affiliated to it by calling for reports from the Heads of such institutions regarding the activities of the Anti-Ragging Committees, Squads, and Mentoring Cells, regarding compliance with the instructions on conducting orientation programmes, counseling sessions, etc., and regarding the incidents of ragging, the problems faced by wardens and other officials, etc. This Cell shall also review the efforts made by such institutions to publicize anti-ragging measures, cross-verify the receipt of undertakings from candidates/students and their parents/guardians every year, and shall be the prime mover for initiating action by the university authorities to suitably amend the Statutes or Ordinances or Bye-laws to facilitate the implementation of anti ragging measures at the level of the institution.

6.5 Other measures:-

- 6.5.1 The Annexures mentioned in sub-clauses 6.1.4, 6.1.5 and 6.1.7 of these Regulations shall be furnished at the beginning of each academic year by every student, that is, by freshers as well as seniors.

- 6.5.2 The institution shall arrange for regular and periodic psychological counseling and orientation for students (for freshers separately, as well as jointly with seniors) by professional counselors during the first three months of the new academic year. This shall be done at the institution and department/ course levels. Parents and teachers shall also be involved in such sessions.
- 6.5.3 Apart from placing posters mentioned in sub-clause 6.1.9 above at strategic places, the institution shall undertake measures for extensive publicity against ragging by means of audio-visual aids, by holding counseling sessions, workshops, painting and design competitions among students and other methods as it deems fit.
- 6.5.4 If the institution has B.Ed. and other Teacher training programmes, these courses shall be mandated to provide for anti-ragging and the relevant human rights appreciation inputs, as well as topics on sensitization against corporal punishments and checking of bullying amongst students, so that every teacher is equipped to handle at least the rudiments of the counseling approach.
- 6.5.5 Wardens shall be appointed as per the eligibility criteria laid down for the post reflecting both the command and control aspects of maintaining discipline, as well as the softer skills of counseling and communicating with the youth outside the class-room situations. Wardens shall be accessible at all hours and shall be provided with mobile phones. The institution shall review and suitably enhance the powers and perquisites of Wardens and authorities involved in curbing the menace of ragging.
- 6.5.6 The security personnel posted in hostels shall be under the direct control of the Wardens and assessed by them.
- 6.5.7 Private commercially managed lodges and hostels shall be registered with the local police authorities, and this shall be done necessarily on the recommendation of the Head of the institution. Local police, local administration and the institutional authorities shall ensure vigil on incidents that may come within the definition of ragging and shall be responsible for action in the event of ragging in such premises, just as they would be for incidents within the campus. Managements of such private hostels shall be responsible for not reporting cases of ragging in their premises.
- 6.5.8 The Head of the institution shall take immediate action on receipt of the recommendations of the Anti-Ragging Squad. He/ She shall also take action suo motto if the circumstances so warrant.
- 6.5.9 Freshers who do not report the incidents of ragging either as victims or as witnesses shall also be punished suitably.
- 6.5.10 Anonymous random surveys shall be conducted across the 1st year batch of freshers every fortnight during the first three months of the academic year to verify and cross-check whether the campus is indeed free of ragging or not. The institution may design its own methodology of conducting such surveys.

- 6.5.11 The burden of proof shall lie on the perpetrator of ragging and not on the victim.
- 6.5.12 The institution shall file an FIR with the police / local authorities whenever a case of ragging is reported, but continue with its own enquiry and other measures without waiting for action on the part of the police/ local authorities. Remedial action shall be initiated and completed within the one week of the incident itself.
- 6.5.13 The Migration / Transfer Certificate issued to the student by the institution shall have an entry, apart from those relating to general conduct and behaviour, whether the student has been punished for the offence of committing or abetting ragging, or not, as also whether the student has displayed persistent violent or aggressive behaviour or any inclination to harm others.
- 6.5.14 Preventing or acting against ragging shall be the collective responsibility of all levels and sections of authorities or functionaries in the institution, including faculty, and not merely that of the specific body/ committee constituted for prevention of ragging.
- 6.5.15 The Heads of institutions other than universities shall submit weekly reports to the Vice-chancellor of the university the institution is affiliated to or recognized by, during the first three months of new academic year and thereafter each month on the status of compliance with anti-ragging measures. The Vice Chancellor of each university shall submit fortnightly reports of the university, including those of the Monitoring Cell on Ragging in case of an affiliating university, to the Chancellor.
- 6.5.16 Access to mobile phones and public phones shall be unrestricted in hostels and campuses, except in class-rooms, seminar halls, library etc. where jammers shall be installed to restrict the use of mobile phones.

6.6 Measures for encouraging healthy interaction between freshers and seniors:-

- 6.6.1 The institution shall set up appropriate committees including the course-in-charge, student advisor, Warden and some senior students to actively monitor, promote and regulate healthy interaction between the freshers and senior students.
- 6.6.2 Freshers' welcome parties shall be organized in each department by the senior students and the faculty together soon after admissions, preferably within the first two weeks of the beginning of the academic session, for proper introduction to one another and where the talents of the freshers are brought out properly in the presence of the faculty, thus helping them to shed their inferiority complex, if any, and remove their inhibitions.
- 6.6.3 The institution shall enhance the student-faculty interaction by involving the students in all matters of the institution, except those relating to the actual processes of evaluation and of faculty appointments, so that the students shall feel that they are responsible partners in managing the

affairs of the institution and consequently the credit due to the institution for good work/ performance is due to them as well.

7. Measures at the UGC/ Statutory/ Regulatory body level:-

7.1 Regulatory measures:-

- 7.1.1 The UGC and other Statutory /Regulatory bodies shall make it mandatory for the institutions to compulsorily incorporate in their 'Prospectus' the directions of the Supreme Court and/or the Central or State Governments with regard to prohibition and consequences of ragging, and that non-compliance with the directives against ragging in any manner whatsoever shall be considered as lowering of academic standards by the erring institution making it liable for appropriate action.
- 7.1.2 The UGC (including NAAC and UGC Expert Committees visiting institutions for various purposes) and similar Committees of other Statutory/Regulatory bodies shall cross-verify that the institutions strictly comply with the requirement of getting the undertakings from the students and their parents/ guardians as envisaged under these Regulations.
- 7.1.3 The UGC and other funding bodies shall make it one of the conditions in the Utilization Certificate for sanctioning any financial assistance or aid to the institution under any of the general or special schemes that the institution has strictly complied with the anti-ragging measures and has a blemish-less record in terms of there being no incidents of ragging during the period pertaining to the Utilization Certificate.
- 7.1.4 The NAAC and other accrediting bodies shall factor in any incident of ragging in the institution while assessing the institution in different grades.

7.2 Incentives for curbing ragging:-

- 7.2.1 The UGC shall consider providing special/ additional annual financial grants-in-aid to those eligible institutions which report a blemish-less record in terms of there being no incidents of ragging.
- 7.2.2 The UGC shall also consider instituting another category of financial awards or incentives for those eligible institutions which take stringent action against those responsible for incidents of ragging.
- 7.2.3 The UGC shall lay down the necessary incentive for the post of Warden in order to attract the right type of eligible candidates, and motivate the incumbents.

7.3 Monitoring mechanism to ensure compliance:-

Apart from the monitoring mechanism built in under different sub-clauses of these Regulations, there shall also be the following monitoring mechanism:

7.3.1 The UGC shall constitute an Inter-Council Committee for prevention of Ragging consisting of representatives of the AICTE, the IITs, the NITs, the IIMs, the MCI, the DCI, the NCI, the ICAR and such other bodies which have to deal with higher education to coordinate and monitor the anti-ragging movement across the country and to make certain policy decisions. The said Committee shall meet at least twice a year in the normal course.

7.3.2 The UGC shall also have an Anti-Ragging Cell within the Commission as an institutional mechanism to provide secretarial support for collection of information and monitoring, and to coordinate with the State level and university level Committees for effective implementation of anti-ragging measures.

8 Punishments:-

8.1 At the institution level:-

Depending upon the nature and gravity of the offence as established by the Anti-Ragging Committee of the institution, the possible punishments for those found guilty of ragging at the institution level shall be any one or any combination of the following:

- 8.1.1 Suspension from attending classes and academic privileges
- 8.1.2 Withholding/ withdrawing scholarship/ fellowship and other benefits
- 8.1.3 Debarring from appearing in any test/ examination or other evaluation process
- 8.1.4 Withholding results
- 8.1.5 Debarring from representing the institution in any regional, national or international meet, tournament, youth festival, etc.
- 8.1.6 Suspension/ expulsion from the hostel
- 8.1.7 Cancellation of admission
- 8.1.8 Rustication from the institution for period ranging from 1 to 4 semesters
- 8.1.9 Expulsion from the institution and consequent debarring from admission to any other institution for a specified period
- 8.1.10 Fine ranging between Rupees 25,000/- and Rupees 1 lakh
- 8.1.11 Collective punishment: When the persons committing or abetting the crime of ragging are not identified, the institution shall resort to collective punishment.

8.2 At the university level in respect of institutions under it:-

If an institution under a university (being constituent of, affiliated to or recognized by it) fails to comply with any of the provisions of these Regulations

and fails to curb ragging effectively, the university may impose any one or any combination of the following penalties on it:

- 8.2.1 Withdrawal of affiliation/ recognition or other privileges conferred on it
- 8.2.2 Prohibiting such institution from presenting any students then undergoing any programme of study therein for the award of any degree/diploma of the university
- 8.2.3 Withholding grants allocated to it by the university, if any
- 8.2.4 Withholding any grants channellised through the university to the institution
- 8.2.5 Any other appropriate penalty within the powers of the university.

8.3 At the appointing authority level:-

The authorities of the institution, particularly the Head of the institution, shall be responsible to ensure that no incident of ragging takes place in the institution. In case any incident of ragging takes place, the Head shall take prompt and appropriate action against the person(s) whose dereliction of duty lead to the incident. The authority designated to appoint the Head shall, in its turn, take prompt and appropriate action against the Head.

8.4 At the UGC/Statutory/Regulatory body level:-

If an institution fails to curb ragging, the UGC/Statutory/Regulatory body concerned may impose any one or any combination of the following penalties on it:

- 8.4.1 Delisting the institution from section 12B of the UGC Act or any similar provision in the Act of the Statutory/Regulatory body concerned
- 8.4.2 Withholding any grants allocated to it
- 8.4.3 Declaring the institution ineligible for consideration for any assistance under any of the general or special assistance programmes of the UGC/Statutory/ Regulatory body concerned
- 8.4.4 Declaring that the institution does not have the minimum academic standards and warning the potential candidates for admission accordingly through public notice and posting on the UGC Website/ Website of the Statutory/Regulatory body concerned.
- 8.4.5 Taking such other action within its powers as it may deem fit and impose such other penalties as provided till such time as the institution achieves the objective of curbing ragging.
- 8.4.6 Collaborating with one another to work out other possible deterrents.

-:0:-

ANNEXURE I, Part I

UNDERTAKING BY THE CANDIDATE/STUDENT

1. I, _____
S/o. D/o. of Mr./Mrs./Ms. _____
have carefully read and fully understood the law prohibiting ragging and the
directions of the Supreme Court and the Central/State Government in this regard.

2. I have received a copy of the UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009, and have carefully gone through it.
3. I hereby undertake that
 - I will not indulge in any behavior or act that may come under the definition of ragging,
 - I will not participate in or abet or propagate ragging in any form,
 - I will not hurt anyone physically or psychologically or cause any other harm.
4. I hereby agree that if found guilty of any aspect of ragging, I may be punished as per the provisions of the UGC Regulations mentioned above and/or as per the law in force.
5. I hereby affirm that I have not been expelled or debarred from admission by any institution.

Signed this _____ day of _____ month of _____ year

Signature

Name:

Address:

ANNEXURE I, Part II

UNDERTAKING BY PARENT/GUARDIAN

1. I, _____
 F/o. M/o. G/o _____,
 have carefully read and fully understood the law prohibiting ragging and the directions of the Supreme Court and the Central/State Government in this

regard as well as the UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009.

2. I assure you that my son/ daughter/ ward will not indulge in any act of ragging.
3. I hereby agree that if he/she is found guilty of any aspect of ragging, he/she may be punished as per the provisions of the UGC Regulations mentioned above and/or as per the law in force.

Signed this _____ day of _____ month of _____ Year

Signature

Name:

Address:



University Grant Commission

Decisions agreed upon in the Central Inter-Council/Statutory Bodies, State Councils of Higher Education and Education Secretary of State Government in the meeting held 13th April, 2009 in UGC, New Delhi.

The following were present:-

UGC:

Prof. Sukhadeo Thorat, Chairman
Dr. R.K. Chauhan, Secretary.
Dr. C.S. Meena, JS (CPP-II).
Shri V.K. Jaiswal, US (CPP-II).

In Chair .

Members of the UGC Committee for preparation of Regulations:-

Prof. K.P.S Unni
Dr. R.P. Gangurde
Prof. Virbala Aggarwal

Representatives of the Statutory Councils:

Medical Council Of India
National Council of Teacher Education
Indian Council of Agricultural Research
Distant Educational Council
Dental Council of India
Pharmacy Council of India
Bar Council of India

Representative of the State Governments:-

A.P. Council of Higher Education
H.P. Government,
Punjab Government ,
U.P. Government

Following decisions were taken:-

- a) The participants discussed the Draft Regulations for Prevention of Ragging and made various suggestions. Most of the suggestions were agreed and it was decided that these suggestions would be incorporated in the Regulations after taking into account the legal provisions. The UGC expert committee may do the same preferably by 20th April, 2009.
- b) The various Councils generally agreed with draft Regulations and decided that they would frame their Regulations taking the UGC Regulations as the base and only add some additional provisions to address the specific issues peculiar to each one of them.

13/4/09
DS (CPP-II)

13/04/09

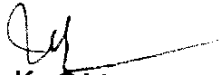
13/4/09
US (CPP-II)

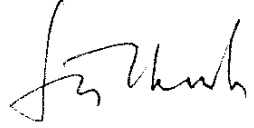
13/4/09
US (CPP-II)



- c) The Council agreed that they will make effort to finalize their Regulations latest by the end of May duly approved by their respective statutory bodies.
- d) The members agreed to constitute an Inter-Council Committee for prevention of Ragging to address the issue relating to ragging which are of national importance and to sort out the issue of overlapping and cross cutting issues. The Committee will meet at least twice a year.
- e) The UGC will finalize the Regulations by next week and send to various councils for follow up action at their end. These will also be placed on the UGC Website for the convenience of the Councils.
- f) The UGC would get the approval of the Commission by circulation, which is expected by the end of April, 2009.
- g) The participants discussed the Monitoring mechanism proposed by Edcil and the presentation made by Prof. Raj Kachroo. The Ed.Cil was requested to finalize the same duly approved by the Ministry of HRD urgently so that the mechanism could also be brought to the notice of Universities and colleges along with these Regulations. The Ed. Cil would sent the communication to all the statutory bodies/councils for the monitoring mechanism agreed by it.
- h) These Regulations would be in place before the commencement of the next academic year in June 2009.

The meeting ended with a vote of thanks to the Chair.


(R. K. CHAUHAN)
13.11.2009


(SUKHADEO THORAT)

**UNIVERSITY GRANTS COMMISSION
BAHADLURSHAH ZAFAR MARG
NEW DELHI-110002**

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

List of participants of meeting of UGC Expert Committee on Regulation to curb the menace of ragging in Higher Educational Institutions-2009 held in UGC Office, New Delhi on 13.4.2009 with State/UT Higher Education Secretary, Professional Councils, State Council of Higher Education

Members UGC Expert Committee

1. Prof. KPS Unny
Former Registrar, JNU, Brindawvan
Near DP office, West Yakkara Road
Palakkad-678014 (Kerala)
Phone 09895865526, kpsunny39@gmail.com
 2. Prof. Virbala Aggarwal
H.P. Univ.
Shimla-171005
Phone 09418168234
 3. Dr. R.P.Gangurde,
Former Addl. Secretary, UGC
C-13/26, Sector 38, Kendriya Vihar
Nerul, New Mumbai-400706
 4. Prof. M.Z. Khan
UGC Consultant
B-59, City Apartments
Vasundhara Enclave
Delhi-110096
- Special invitee

Special invitee

Mr.Raj Kachroo
Aman Movement

Present (UGC)

1. Prof. S.K.Thorat, Chairman, UGC
2. Dr. R.K.Chauhan, Secretary, UGC
3. Dr.C.S.Meena, Joint Secretary, UGC
4. Sh. A.N.Sharma, Deputy Secretary UGC
5. Sh. V.K.Jaiswal, Under Secretary, UGC
6. Smt. Lalitha Ganeshan, S.O., UGC

Professional Councils

1. Dr. Prem Kumar,
Additional Secretary
Medical Council of India
Pocket- 14, Sector-8
Dwarka Phase-1
New Delhi-110077
2. Prof. SVS Choudhary
Vice Chairman
National Council for Teacher Education
Hans Bhavan, Wing II,
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3. Shri C.L. Bhatia
Consultant
Dental Council of India, Aiwan E Galib Marg
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Temple Lane
New Delhi-110002
4. Shri Shiv Kumar
Section Officer
Dental Council of India, Aiwan E Galib Marg
Kotla Road
Temple Lane
New Delhi-110002
5. Ms Archana Mudgal
Pharmacy Council of India
Kotla Road, Aiwan E Ghalib Marg
New Delhi-110002
Phone 23239184
6. Sh. J.R. Sharma
Joint Secretary
Bar Council of India
21, Rouse Avenue, Institutional Area
New Delhi-110002

7. Sh. S.K.Mitra
Deputy Secretary (Education)
Indian Council of Agricultural Research, Krishi Bhavan
Dr. Rajendra Prasad Road, New Delhi-110114
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8. Dr. S.S.Bisht
CSO
Indira Gandhi National Open University
New Delhi-110068
Phone: 9868106047, 29533237, 29572121 (O)

9. Sh. D .Singh
Director
Edcil , India Ltd., Noida
Phone- 0120-2512008, 9971409065

State Council of Higher Education

1. Prof. K.C.Reddy
Chairman
Andhra Pradesh State Council of Hr. Education
Opposite Mahavir Hospital
Masab Tank, Hyderabad-500028
Phone 9866726222, 040- 23417030

State Education Secretary

1. Dr. Narinder Dhillon
DPI College, Punjab
Phone- 0172-2703549, 9814085651

2. Shri P.C.Dhiman
Secretary (Education Dept)
Govt. of Himachal Pradesh
H.P. Secretariat, Shimla-171002

3. Sh. Prabhat Sinha
Spl. Secretary
Dept. of Higher Education
Govt. of U.P., Lucknow
Phone- 09415171471, 0522-2238601

College

4. Dr. Vijay Shanker
Principal
Govt. P.G.College, Badalpur
GB Nagar, U.P.
Phone: 9873885480
Shankerfiji@yahoo.co.in



ज्ञान-विज्ञान विमुक्तये

प्रो. रजनीश जैन
सचिव

Prof. Rajnish Jain
Secretary



विश्वविद्यालय अनुदान आयोग
University Grants Commission

(मानव संसाधन विकास मंत्रालय, भारत सरकार)
(Ministry of Human Resource Development, Govt. of India)

बहादुरशाह ज़फ़र मार्ग, नई दिल्ली-110002
Bahadur Shah Zafar Marg, New Delhi-110002

Ph.: 011-23236288/23239337

Fax : 011-2323 8858

E-mail : secy.ugc@nic.in

D.O. No.1-15/2009 (ARC) pt.III

27th June, 2019

Respected Sir/Madam,

In pursuance to the Judgment of the Hon'ble Supreme Court of India dated 08.05.2009 in Civil Appeal No. 887/2009, the UGC had notified "Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009". The Regulations are available on the UGC website i.e. www.ugc.ac.in. These regulations are mandatory for all higher educational institutions in the country.

As multiple mechanisms are required to ensure a ragging-free campus, here are some recommendations and action steps which are required to be deployed in your esteemed university and all institutions under your ambit.

A. Basic Measures:

1. Constitution of anti-ragging committee, anti-ragging squad, setting up of Anti-Ragging Cell and adequate publicity for these measures through various media are to be undertaken.
2. Mention of anti-ragging warning in the institution's prospectus and information booklets /brochures shall be ensured.
3. Updating websites of institutions with the complete address and contact details of nodal officers related to anti-ragging committee.
4. In compliance with the UGC Regulations and its 2nd Amendment regarding submission of undertaking by each student and every parent, an online undertaking in every academic year to be submitted.
5. UGC has notified 3rd Amendment in UGC Regulations on 29th June, 2016 to expand the definition of ragging by including the following:

"3. (i) Any act of physical or mental abuse (including bullying and exclusion) targeted at another student (fresher or otherwise) on the ground of colour, race, religion, caste, ethnicity, gender (including transgender), sexual orientation, appearance, nationality, regional origins, linguistic identity, place of birth, place of residence or economic background."

6. Installing CCTV cameras at vital points.

B. Counseling and monitoring measures

1. Regular interaction and counseling with the students can detect early signs of ragging and identification of trouble-triggers.
2. Surprise inspection at hostels, students accommodation, canteens, rest-cum-recreation rooms, toilets, bus-stands and any other measure which would augur well in preventing/quelling ragging and any uncalled for behaviour/incident shall be undertaken.

C. Creative Dissemination of the idea of ragging-free campus

1. Events like Anti-Ragging workshops, seminars and other creative avenues to spread the idea.
2. Safety and security apps without affecting the privacy of individuals can be creatively deployed.

Contd...2

D. Using other UGC initiated measures

1. Students in distress due to ragging related incidents can call the National Anti-Ragging Helpline **1800-180-5522 (24x7 Toll Free)** or e-mail the Anti-Ragging Helpline at helpline@antiragging.in.
2. For any other information regarding ragging, please visit the UGC website i.e. www.ugc.ac.in & www.antiragging.in and contact UGC monitoring agency i.e. Aman Satya Kachroo Trust on mobile No. 09871170303, 09818400116 (only in case of emergency).
3. UGC also drives an Anti-Ragging Media Campaign through different modes and UGC has got developed the following entities to promote anti-ragging which are available on UGC website i.e. www.ugc.ac.in.
 - a. UGC has developed 05 TVCs of 30 seconds each from different perspective i.e. Parents, Victim and Offenders.
 - b. UGC has designed and distributed posters amongst Universities/Regulatory Authorities/Councils/IITs/NITs/Other educational institutions for the prominent display.
 - c. UGC has consecutively organized 02 Anti-Ragging Competitions for students/faculty /general public for the wider awareness of the menace of ragging.

Any violation of UGC Regulations or failure of institution to take adequate steps to prevent ragging in accordance with these Regulations or failure to punish perpetrators of incidents of ragging suitably, will attract punitive action under the UGC Act.

You are requested to implement the recommendations communicated vide this office letter of even number dated December 27, 2018 and thereby ensure a ragging-free campus, a fundamental requirement for a supportive and fair institutional climate which is open to change, learning and progress.

With personal regards,

Yours sincerely,



(Rajnish Jain)

The Vice-Chancellor of all Universities.



ज्ञान विज्ञान विमुक्तये

प्रो. रजनीश जैन
सचिव

Prof. Rajnish Jain
Secretary



चतुर्विधं जयते

विश्वविद्यालय अनुदान आयोग
University Grants Commission

(शिक्षा मंत्रालय, भारत सरकार)
(Ministry of Education, Govt. of India)

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E-mail: secy.ugc@nic.in

23 OCT 2020

16th October, 2020

D. O. No. F. 1-15/2009 (ARC) pt.III

Dear Madam/Sir,

In pursuance to the Judgment of the Hon'ble Supreme Court of India dated 8.5.2009 in Civil Appeal No. 887/2009, the UGC notified "Regulations on Curbing the Menace of Ragging in Higher Educational Institutions, 2009". The Regulations are available on the UGC website i.e. www.ugc.ac.in.

It is once again brought to your kind notice that ragging is a criminal offence and UGC has framed regulations on curbing the menace of ragging in higher educational institutions in order to prohibit, prevent and eliminate the scourge of ragging. These regulations are mandatory and all institutions are required to take necessary steps for its implementation in toto including the monitoring mechanism and any violation of these regulations will be viewed seriously. If any institution fails to take adequate steps to prevent ragging or does not act in accordance with these Regulations or fails to punish perpetrators of incidents of ragging suitably, it will attract punitive action against itself by the UGC.

You are requested to step up anti-ragging mechanism by way of adequate publicity through various mediums; constitution of anti-ragging committee and anti-ragging squad, setting up of Anti Ragging Cell, installing CCTV cameras at vital points, Anti-ragging workshops and seminar, updating all websites with nodal officer's complete details, alarm bells etc. Regular interaction and counseling with the students, identification of trouble-triggers and mention of Anti-ragging warning in the institution's prospectus and information booklets/brochures shall be ensured. Surprise inspection of hostels, students' accommodation, canteens, rest cum recreational rooms, toilets, bus-stands, display Anti Ragging posters at all prominent places like Admission Centre, Departments, Library, Canteen, Hostel, Common facilities etc. These posters are available on UGC website www.ugc.ac.in. The size of posters should be 8x6 feet. Any other measure which would augur well in preventing/quelling ragging and any uncalled for behaviour/incident shall be undertaken.

Students in distress due to ragging related incidents can call the National Anti-ragging Helpline 1800-180-5522 (24x7 Toll Free) or e-mail the Anti-Ragging Helpline at helpline@antiragging.in. For any other information regarding ragging you may please visit the UGC website i.e. www.ugc.ac.in & www.antiragging.in and contact UGC monitoring agency i.e. Aman Satya Kachroo Trust on Mobile No. 09871170303, 09818400116 (only in case of emergency).

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- a. UGC has developed 05 TVCs of 30 seconds each with different perspective i.e. parents, Victim and Offenders.
- b. UGC has designed and distributed 04 types of posters amongst Universities / Regulatory Authorities / Councils / IITs / NITs / other educational institutions for the prominent display of these posters.
- c. UGC has consecutively organized 02 Anti- Ragging Competitions for students/faculty/general public for the wider awareness of the menace of ragging.

In compliance of the 2nd Amendment in UGC Regulations, you are requested to make it compulsory for each student and every parent to submit an online undertaking every academic year at www.antiragging.in & www.amanmovement.org

With kind regards,

Yours sincerely,



(Rajnish Jain)

The Vice-Chancellor of all Universities

Encl: As above

Copy to:

1. All Regulatory Bodies
2. UGC Regional Officer



(Rajnish Jain)


CO-ORDINATOR
IQAC
G.M.D. Arts, B.W. Commerce
And Science College, Sinnar




Principal
G. M. D. Arts, B. W. Commerce and
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