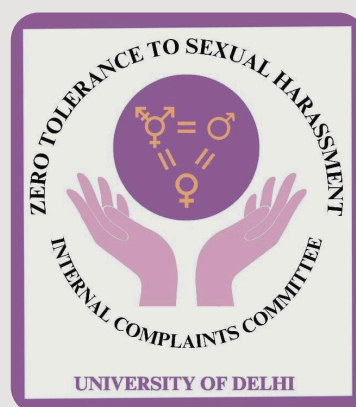




ICC

Internal Complaints Committee University of Delhi



A HANDBOOK 2025

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Equality, respect and integrity are at the core of the University of Delhi's values. University's Kulgeet forefronts gender equality in its words: श्रेष्ठ गुरुजन कर रहे नित, छात्र और छात्राएं दीक्षित ।

To realize the full potential of women in public lives, it is imperative that they feel safe in their educational institutions and workspaces. Discrimination and harassment based on gender, undermines the very fabric of this environment and violates the rights enshrined in the Constitution of India.

We, at the University of Delhi are committed to providing our academic community with a safe and inclusive atmosphere. The university constituted a committee for the redressal of sexual harassment in 2004, which has been working towards addressing this depravity since then. This booklet is also a step towards the well being of women.

The booklet is a user friendly resource to enhance awareness towards preventing sexual harassment. Designed to be an accessible and practical guide, it disentangles the complexities of the law, ensuring that women's rights and available redressal mechanisms can be easily understood. Not just meant for those who have personally experienced sexual harassment; for good measure, it invites readers in general to reflect on their actions and attitudes.

University values the Internal Complaints Committee's work and considers it integral to maintaining a wholesome academic environment. By emphasizing transparency and promoting awareness, it aims to create an educational space where all the students and women employees can learn, grow and thrive without fear or discrimination.

Let us together make our institution, a place where women can flourish with dignity and can contribute unbridled as has been beautifully articulated by the great Hindi poet Sri Jai Shankar Prasad in the following lines:

नारी ! तुम केवल श्रद्धा हो
विश्वास-रजत-नग पगतल में ।
पीयूष-स्रोत सी बहा करो
जीवन के सुन्दर समतल में ।

Yogesh Singh
24/12/24

Prof. Yogesh Singh
Vice-Chancellor
University of Delhi





ICC

**Internal Complaints Committee
University of Delhi**



I am delighted to know that the Internal Complaints Committee (ICC) is bringing out a Handbook containing essential information for all the stakeholders of the University about the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and its implementation in the University. The University has always remained sensitive towards providing a safe environment for every member of University fraternity while striving towards excellence.

The vibrant academic environment of the University has acted as a catalyst of fostering equity and equal opportunity in every sphere of academic activity while upholding the highest standards of respect and dignity for every stakeholder of the University.

Kofi Annan, Former Secretary General, United Nations Organization had once said, "Knowledge is power. Information is liberating. Education is the premise of progress, in every society, in every family". Let me draw our attention towards this observation at this juncture and reiterate that adequate information and knowledge is really important as it gives us an opportunity to know our rights and responsibilities in true perspective. The endeavour of the ICC to bring out this Handbook is an effort towards dissemination of important information about various pertinent provisions of the implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 which will make every woman, be a teacher, an employee, a student of the University feel empowered while instilling confidence among them.

Such an initiative is laudable as it is also a step towards empowerment of women. As Melinda Gates has rightly said, "Investing in Women means investing in the people who invest in everyone else". The University has always encouraged women to excel in every sphere of human knowledge with the vision of a just and egalitarian social order where everyone can contribute towards Nation Building for a Viksit Bharat.

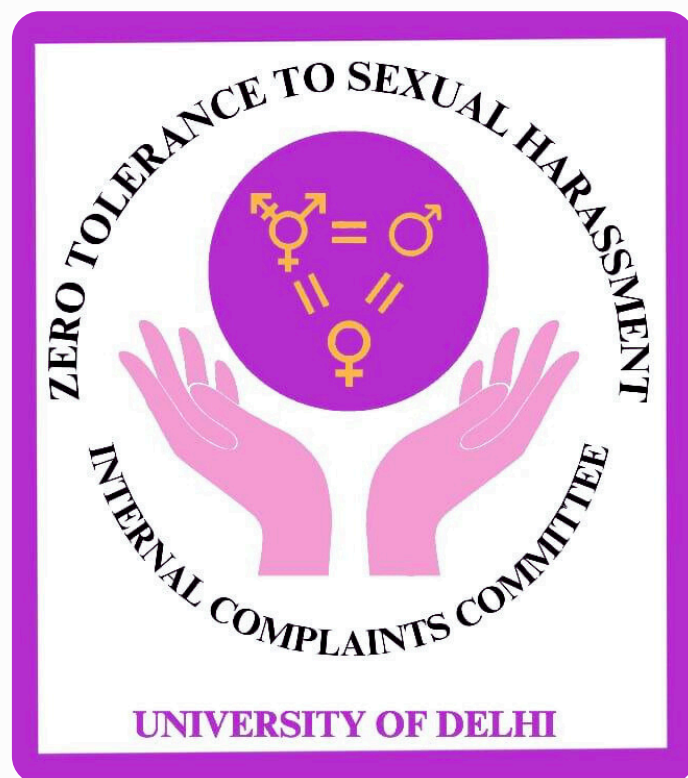
I would like to take this opportunity to congratulate the Presiding Officer, ICC and the members of the ICC who have conceptualized this one of a kind handbook and made it a reality for publication.

Best wishes.

A handwritten signature in blue ink that reads "Vikas Gupta". The signature is written in a cursive style and is underlined with a single blue stroke.

Dr. Vikas Gupta
Registrar
University of Delhi





ICC

**Internal Complaints Committee
University of Delhi**



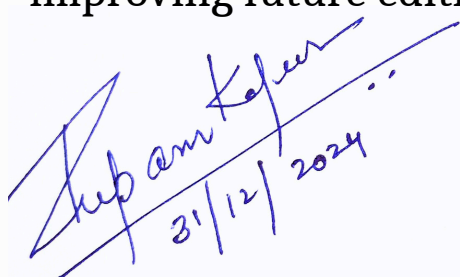
The establishment of the Internal Complaints Committee (ICC) in our university reflects our unwavering commitment to fostering a safe, inclusive, and respectful environment for all members of our academic community. Recognizing the importance of addressing issues of harassment and ensuring equal opportunities, the university had proactively instituted a Complaints Committee in the year, 2004 well before the formal University Grants Commission (Prevention, Prohibition and

Redressal of Sexual Harassment of Women Employees and Students in Higher Education Institutions) Regulations, 2015 came into effect. This demonstrates DU's forward-thinking approach and dedication to safeguard the well-being of our students and employees.

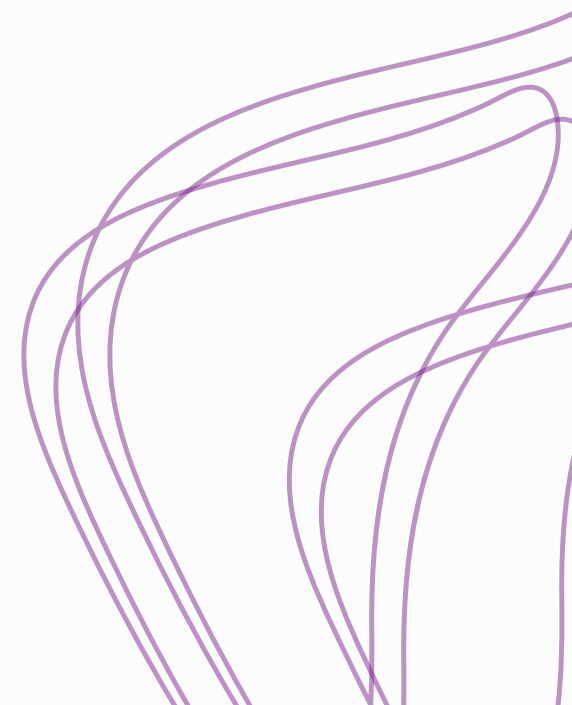
By providing clear information and actionable insights, the booklet seeks to equip students and employees with the knowledge they require to navigate challenging situations and contribute to a culture of mutual respect and accountability. It is not just a document but a reflection of our collective commitment to creating a secure and progressive academic community.

On behalf of ICC, I extend heartfelt thanks to Dr. Shivani Verma for her meticulous efforts in collating the information and presenting it in an engaging and interactive format. The use of characters to explain the functions of the ICC and the procedure for filing complaints adds a unique and accessible touch to the booklet. Additionally, the inclusion of a section on Frequently Asked Questions will undoubtedly address many common queries and doubts. For any further clarifications, we remain committed to provide guidance and support at every step. This booklet is truly a testament to our shared dedication to foster a safe and supportive university environment.

We sincerely hope that you will find this booklet useful for the purpose for which it has been written — to inform, empower, and support our university community. Your feedback is invaluable, and we warmly welcome any suggestions you may have for improving future editions.

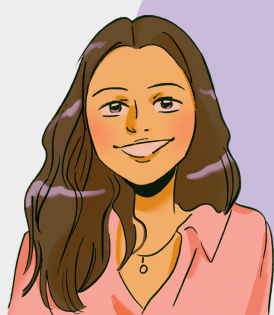

31/12/2024

Prof. Rupam Kapoor
Presiding Officer
Internal complaints Commiitee





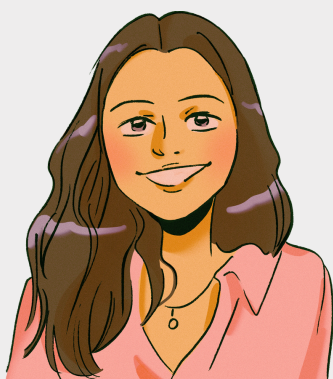
We all have, atleast once, in our lifetimes, either experienced or witnessed this behaviour around us... Did it bother us?
Yes, it did.



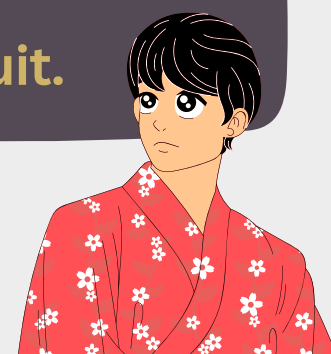
Let's talk about sexual harassment and collectively try to combat it. Because every individual who is forced to lose her job or leave his/her study due to sexual harassment at workplace or in campus in HEIs, reminded us that we failed as a society. Hence, it is important to fight against sexual harassment, collectively. So, let's do it....



Hi, I am Seema from DU. I will give you an overview about the ICC, DU.



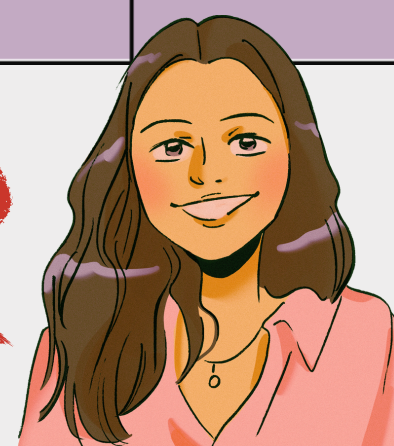
Hi, I am Raj from DU and I will help Seema in this pursuit.



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LET'S
START...



Why ICC was needed at Workplace?

Bhanwari Devi, while working for Rajasthan government angered a group of people from a specific community, who wanted to arrange a child marriage which was reported and stopped by her. As a revenge she was gangraped. The matter was taken up by an NGO and Supreme Court gave the famous Vishakha guidelines to stop sexual harassment.

Vishakha and Others v. State of Rajasthan (1997) 6 SCC 241

The Vishakha guidelines:

The court defined sexual harassment as an unwanted and unwelcome act with sexual undertone.

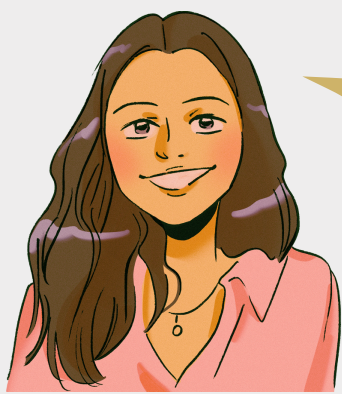
Duties of the Employer:

- Provide a safer working environment
- Assist the aggrieved woman to file a complaint
- Constitute a complaint redressal committee
- Spread awareness

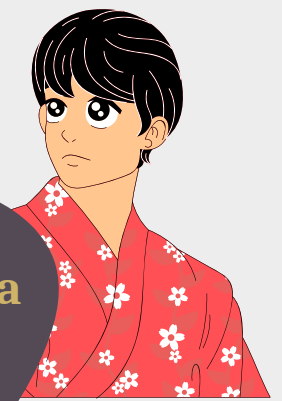
The guidelines also urged the Centre and the State governments to pass the necessary legislations, so as to ensure that the private sector is also bound by these guidelines. The Court said that such legislations would help in the growth and prosperity of the women as well as the nation as a whole.

The Vishakha guidelines were later on replaced by :

The Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013.

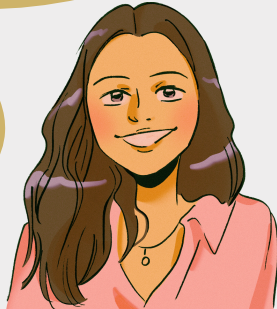


It was after the
Vishakha Guidelines that the
Sexual Harassment of Women at
Workplace (Prevention,
Prohibition and Redressal)
2013 was enacted.



That was indeed a
very progressive step. So,
tell me more about the
POSH Act, 2013

Ok,
Let me quickly take
you through the
POSH Act, 2013



Sexual Harassment

THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013 (The POSH Act, 2013)

Section 2 (n) “sexual harassment” includes any one or more of the following unwelcome acts or behavior (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;

Section 3. Prevention of sexual harassment.

(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 behavior 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.

**THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE
(PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013
(The POSH Act, 2013)**

Obligation on the employer	Constitute an Internal Complaint Committee in every office/branch with 10 or more employees.
Members of ICC	Four members (Presiding officer must be a senior employee and at least half members must be women) and one external member.
Power of ICC	For the purpose of making an inquiry, the Internal Committee or the Local Committee, as the case may be, shall have the same powers as are vested in a civil court 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.
Time frame of inquiry	Inquiry shall be completed within a period of ninety days.
Conciliation	At the request of the aggrieved woman the Internal Committee can take steps to settle the matter between the complainant and the respondent through conciliation.
Penalty for non-compliance	Non-compliances with the Law shall be punishable with fine which may extend to fifty thousand rupees.
Determination of compensation	For the purpose of determining the sums to be paid to the aggrieved woman, the Internal Committee or the Local Committee, as the case may be, shall have regard to – (a) the mental trauma, pain, suffering and emotional distress caused to the aggrieved woman; (b) the loss in the career opportunity due to the incident of sexual harassment; (c) medical expenses incurred by the victim for physical or psychiatric treatment; (d) the income and financial status of the respondent; (e) feasibility of such payment in lump sum or in instalments.
Domestic worker	The domestic worker are protected under the POSH Act, 2013 and have the right to seek redressal from Local Complaints Committee (LCC).

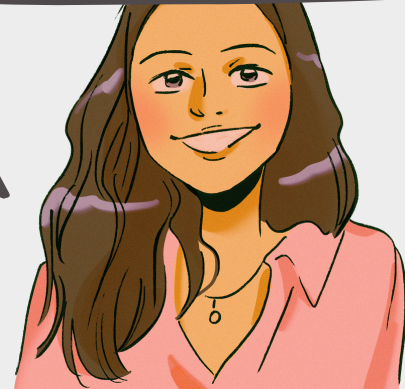


दिल्ली विश्वविद्यालय
University of Delhi

In pursuance to the POSH Act, 2013 the University Grants Commission passed a UGC (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Education Institutions) Regulations, 2015.



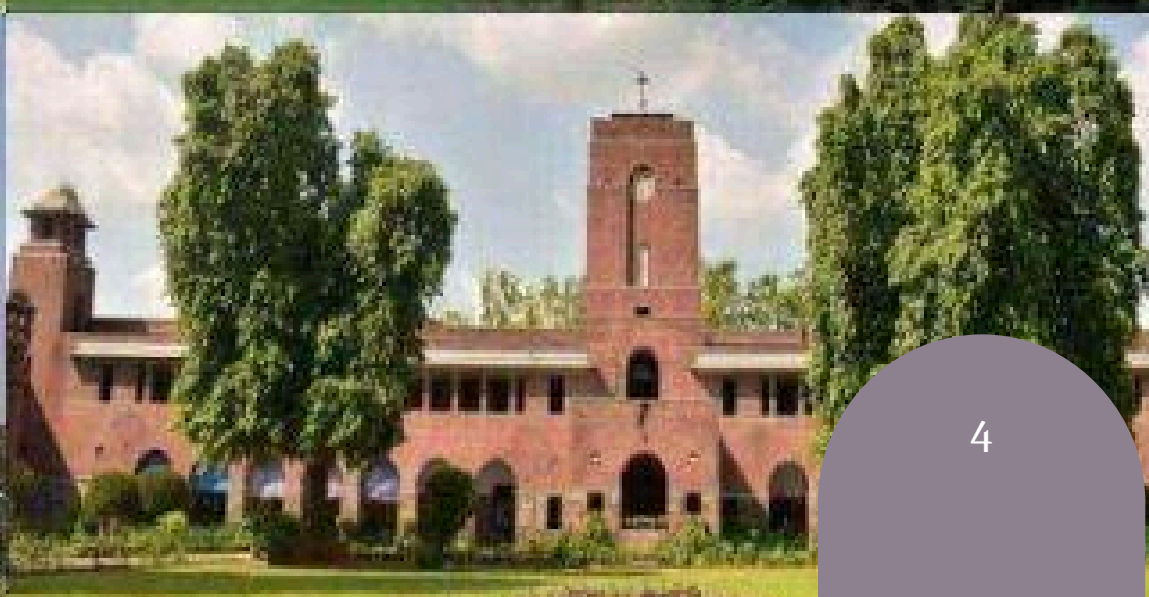
Oh! and that is when our DU constituted an Internal Complaints Committee in consonance with these law.



ICC was constituted by the University of Delhi vide:

**Notification No. -Etab.II (i)/27/ACC/2006
Dated 9th January, 2014 for POSH Act, 2013**

**Notification no- Etab.II (i)/27/ICC/2006/1103
Dated 15th June, 2017 for UGC Regulations, 2015**





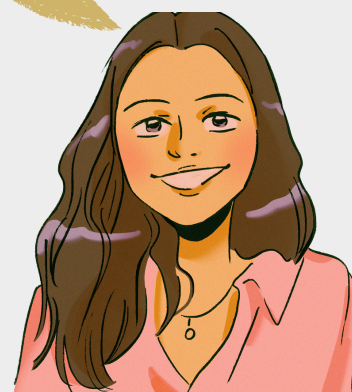
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University of Delhi

**University Grants Commission
(Prevention, Prohibition and Redressal of Sexual
Harassment of Women Employees and Students in Higher
Education Institutions (HEI)) Regulations, 2015**

- **PREVENT**
- **PROHIBIT**
- **REDRESS**

Let me begin with
explaining the objects
of the Regulations
in context of HEI.

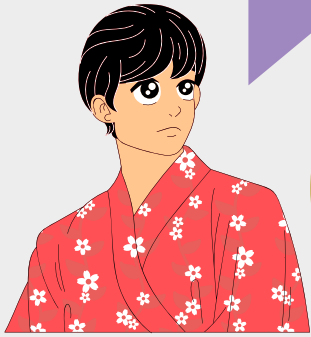
OBJECTIVES



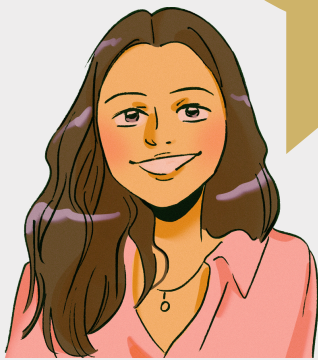
- To make the students and employees of the HEIs **aware** of their legal rights and protections available to them.
- To **empower** students and employees with the knowledge they need to reach out to the authorities, whenever needed.
- To **enable** students and employees to question, if their campuses are safe and whether their educational institution is ICC compliant or not.
- To make the Executive authorities aware of their duties and responsibilities under the legal framework provided to **protect** students and employees from sexual harassment at the workplace.
- To spread awareness among its community, about the information on the mechanism for **redressal** of complaints pertaining to sexual harassment and everything around it.

CAMPUS - DEFINITION

So, the UGC Regulations apply in the Campuses of the Higher Educational Institutions, but DU campus is so big, how will one understand the periphery of it?



Yes, you are right, let me define campus for you.



CAMPUS

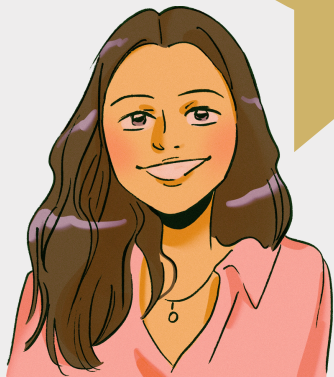


Regulations 2 (c) “**campus**” means

- location/land on of the HEI;
- institutional facilities like libraries, labs, toilets, etc.
- hostels, stadiums, parking areas, etc.
- other amenities like health centres, canteens, Bank counters, etc.,
- extended campus and areas within its scope including places visited by a student for educational or related activities;
- transportation provided for the purpose of commuting to and from the institution,
- the locations outside the institution during field trips, internships, study tours etc.

WORKPLACE - DEFINITION

The regulations protect the women employees also, so let us know what will be the definition of workplace in this context



WORKPLACE

Regulations 2(o) “workplace” means

The campus of a HEI including-

- Any department, organisation, etc. established, owned, controlled or wholly or substantially financed by HEI;
- Any sports institute, stadium, sports complex etc. in HEIs;
- Any place visited by the employee or student in the course of employment or study including transportation provided by HEI.



SEXUAL HARASSMENT - DEFINITION

Regulations 2(k) “sexual harassment” means-

(i) “An unwanted conduct with sexual undertones if it occurs or which is persistent and which demeans, humiliates or creates a hostile and intimidating environment or is calculated to induce submission by actual or threatened adverse consequences and includes any one or more or all of the following unwelcome acts or behaviour (whether directly or by implication), namely;-

- (a) any unwelcome physical, verbal or non verbal conduct of sexual nature;
- (b) demand or request for sexual favours;
- (c) making sexually coloured remarks
- (d) physical contact and advances; or
- (e) showing pornography”

(ii) any one (or more than one or all) of the following circumstances, if it occurs or is present in relation or connected with any behaviour that has explicit or implicit sexual undertones-

- (a) implied or explicit promise of preferential treatment as quid pro quo for sexual favours;
- (b) implied or explicit threat of detrimental treatment in the conduct of work;
- (c) implied or explicit threat about the present or future status of the person concerned;
- (d) creating an intimidating offensive or hostile learning environment;
- (e) humiliating treatment likely to affect the health, safety dignity or physical integrity of the person concerned;



"If you cannot come out for my late night parties and make faces, whenever I try to come close to you, you will lose connections, then don't expect promotion or favours."

"बॉस तो वैसे भी आप ही को देखते रहते हैं, आप को तो छुट्टी मिल ही जाएगी"

Sirf or sirf tmhri dp dekh ke or voice ki vjh se aaya tha n 1:29 AM

Otherwise bht dur tha bilkul ni ata m 1:30 AM

Or hn ek bt or bhaiya viya nhi hu n 😂😂

Fisrt step

to prevention

IS RECOGNITION

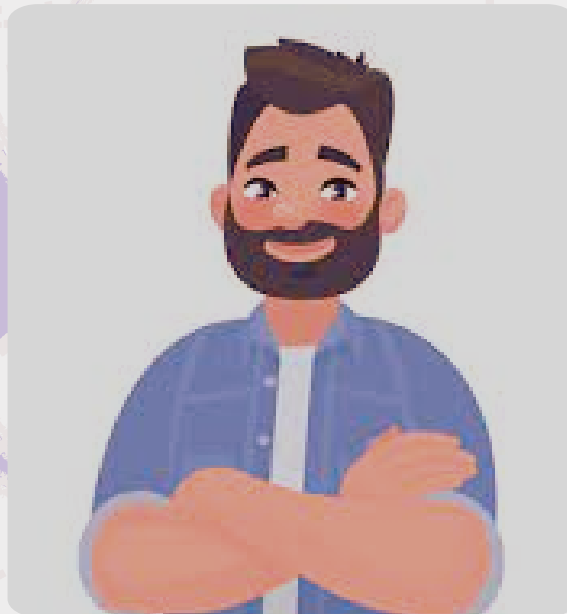
Sexual Harassment
is **BEHAVIOUR** that is
UNWELCOME,
SEXUAL in nature
a **SUBJECTIVE** experience
not the intent but **IMPACT** matters.

You are wearing nice fragrance today, sit next to the boss and promotion is confirm.

I recieved a dirty joke, wanna see?

My my!! you are looking so sexy today?

If you can't take healthy flirting sportingly, I don't want you in this project with me. I prefer someone who is fun loving.



Oh, she must be PMSing, women and their mood swings, I tell You!

Stop!!!
This is sexual Harassment



I need to do something to stop this....

Responsibilities of the Higher Education Institutions to Combat Sexual Harassment

Regulation 3(1)



To Prevent

- Notify the regulations
- Train the authorities and ICC members
- Adopt zero tolerance policy
- Create awareness and Inform about the recourse available
- Display the commitment to combat sexual harassment and write in prospectus
- Monitor and ensure compliance
- Organise orientation and sensitization programme
- Treat sexual harassment stringently

Regulation 3(2)



To Support

- Identify the vulnerable groups and support
- Extend support to research scholars
- Ensure proper support to ICC
- Organise gender sensitization program
- Adequate lighting and CCTV
- Counselling
- Security in campus/hostels /transports etc.
- Availability of medical facility
- Create accountability

Regulation 4



To Redress

- Constitute an Internal Complaints Committee
- Provide essential support to the ICC to function
- Act upon or execute the recommendations of ICC in timely manner
- Monitor and ensure compliances of laws and rules by ICC
- Ensure the compilation of report by ICC on time

Composition of ICC

Presiding Officer:

A woman faculty member employed at a senior level (not below a Professor in case of a University, and not below an Associate Professor or Reader in case of a college) at the educational institution.

Employee Members:

Two of the faculty members and two non-teaching employees, preferably those who are committed to the cause of women or who have had experience in social work or have legal knowledge.

External Member:

One member from the non-government organisations (NGOs) or any associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.

Student Members:

Three students who shall be duly enrolled at the undergraduate course, masters degree, and that of research scholar levels respectively, and they all should be elected through transparent and a democratic procedure.

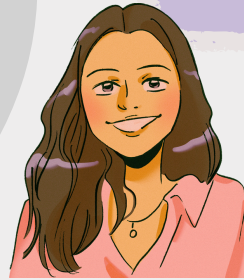
Atleast one-half of the members must be women and atleast one-half of the members, including the presiding officer must be present in the hearings of ICC

Process of Filing a Complaint in ICC

Hi Seema, a colleague keeps on making sexual remarks towards me. I am very disturbed but don't know what I can do to stop him?



Hi Monica, as you work in DU, you can file a complaint in ICC, DU. Why don't you visit, ICC office to know more!



ICC OFFICE

I want to file a complaint against sexual harassment.



If you are a bonafide student or women and if the alleged incident of sexual harassment happened in our University, please file a complaint here.

Welcome to ICC, we'll help you in doing so.



Submit your complaint directly to the office of the ICC:

Room No. 206, 2nd Floor, Academic Research Centre, Patel Marg,
Opp. Khalsa College, University of Delhi, Delhi – 110007

Send an email to: office_icc@admin.du.ac.in

A complaint through SHe-BOX can be filed at:

nodal.shebox@admin.du.ac.in

IMPORTANT CONTACTS: -

Aggrieved person may contact Women Helpline Number – 181

Emergency Response Support System Number – 112

For any further query please contact Ms. Anita Gupta (Coordinator ICC, DU)

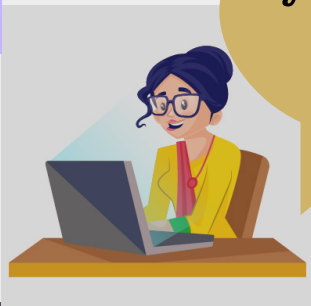
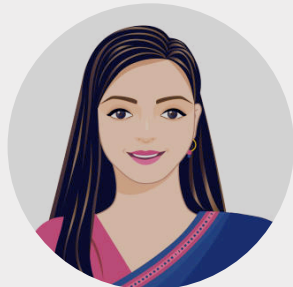
in the office of

**Presiding Officer, Internal Complaints Committee,
University of Delhi.**

Grievance Redressal Mechanism

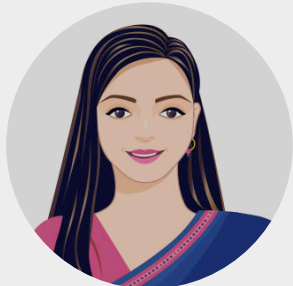
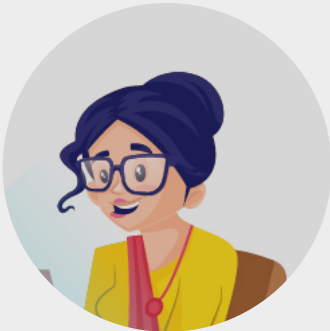
Regulations 6 and 7

If you have any queries about complaints,
Please feel free to inquire.



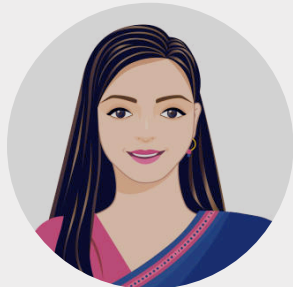
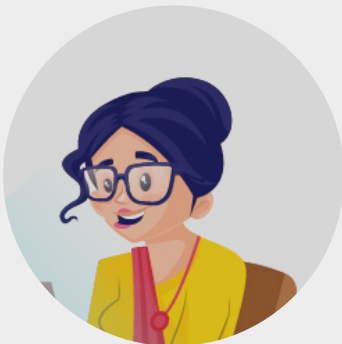
Who can file?

Any aggrieved male/female student/any woman employee of the university. Any prescribed person, where the aggrieved person is unable to make complaint due to physical/mental incapacity.



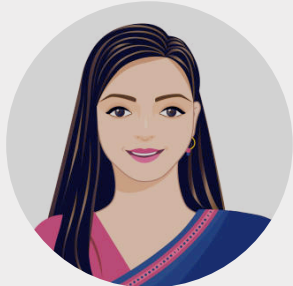
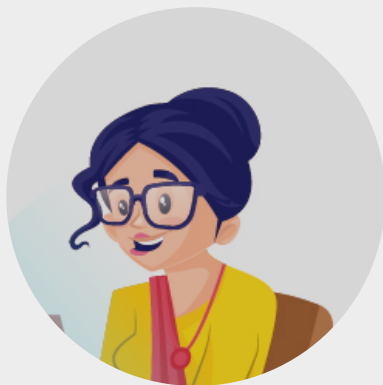
When can be filed ?

Within 3 months of an alleged incident/ in case of series of incidents within 3 months of the last incident.



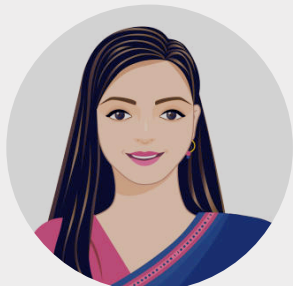
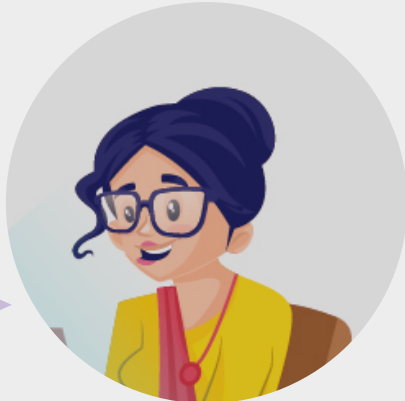
How can be filed?

The Complainant shall file minimum six copies of the complaint. The complaint shall consist of name of the Respondent(s), date and details of incident of sexual harassment, name and details of witness, if any, along with the supporting documents.



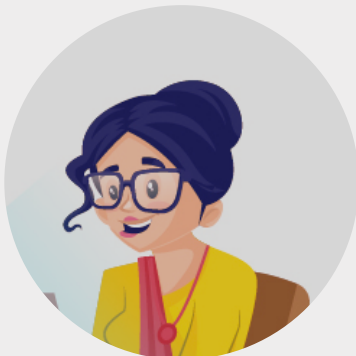
Where can be filed?

In the ICC office directly, through email or by submitting it's hard copy.



Against whom can be filed ?

Any student or employee of the university.



Complaints in ICC

Thankyou! It was indeed a very important information, I feel confident now and I would like to file a complaint against a co-worker. Please, help me understand, how can I file this complaint?



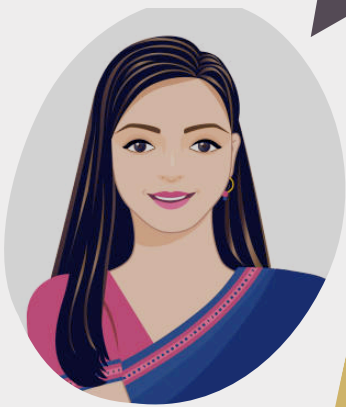
I hope, you have come within 3 months of the incident.

Kindly mention; the name of the respondent(s), date and details of incident of sexual harassment, name & details of witness, if any, and the supporting documents.



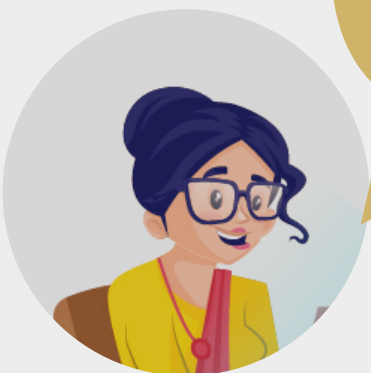
You are required to give six duly signed copies of your complaint.

And what if, I dont want to pursue it afterwards and want to give the person another chance to correct his behaviour?



Don't worry, you have an option of Conciliation:
Regulation 8 (7):

- The ICC may, before initiating an inquiry, at the request of the aggrieved woman, take steps to settle the matter;
- No monetary settlement shall be made as a basis of conciliation;
- The settlement terms shall be recorded and forwarded to the parties;
- If settlement is so made, no further inquiry will be done by the ICC.



Process of "Inquiry by ICC"

Receive a complaint within 3 months of the incident

Send a copy of complaint to the respondent within 7 days

Witnesses are called and inquiry is completed within total 90 days.

Inquiry report with recommendations is submitted to the executive authority of HEI within 10 days.

Findings and recommendations are served to both the parties within 10 days of the finalisation of report.

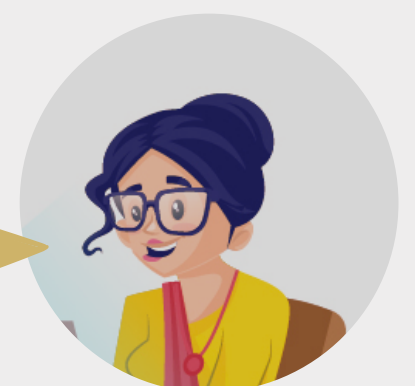
Executive authority of HEI acts upon the report within 30 days.

Appeal against the ICC inquiry report can be filed to Executive authority of HEI within 30 days.

APPROACH DURING INQUIRY..

- INFORMAL
- UNBIASED
- NON-PREJUDICED
- CONFIDENTIAL
- JUDICIOUS
- SUPPORTIVE
- VICTIM FRIENDLY
- TIME BOUND

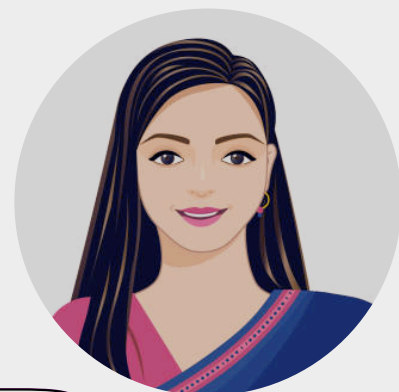
ICC is a very supportive, informal and hassle free body to provide an effective redressal mechanism to all the aggrieved persons.



Interim Redressal by ICC

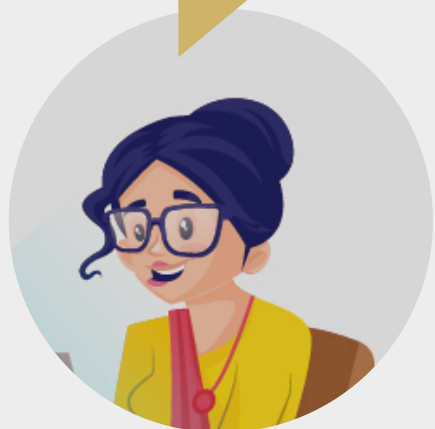
I am still apprehensive. How will I continue working with the same person, till the final recommendations of ICC come?

We understand, it is a very genuine concern and for such situations, to support the aggrieved party/ies, there is a provision of Interim relief, which may be granted, in between the inquiry proceedings, before the final inquiry report is prepared,



Regulation 9.

Interim redressal

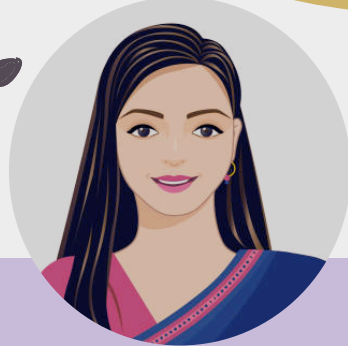


- The HEI may, transfer the complainant or the respondent to minimise the risks involved in contact or interaction;
- grant leave to the aggrieved for a period up to 3 months;
- restrain the respondent from reporting on or evaluating the work of the complainant;
- ensure that offenders are warned to keep a distance from the aggrieved;
- if there is a definite threat, restrain the entry of the offenders into the campus;
- take strict measures to provide a conducive environment of safety and protection to the complainant against retaliation and victimisation as a consequence of making a complaint of sexual harassment.



Recommendations by ICC

I hope he gets punished for his inappropriate behaviour.



Yes, the guilty are punished by the employer on the basis of the recommendations of ICC.



For Employees of DU, service rules as for misconduct are to be followed and ICC may recommend:

- Disciplinary action like written apology, warning etc.
- Reprimand
- With-hold of promotion/pay increase or increments
- Counselling sessions, community service
- Termination from service, financial damages
- Additional and/or any other recommendations

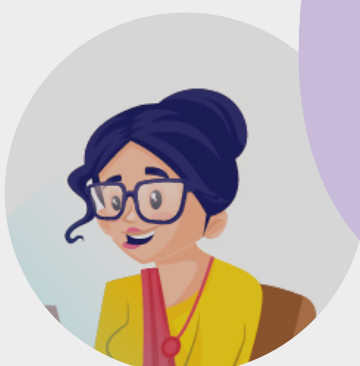


Compensation: Regulation 10 (3)

The aggrieved person is entitled to compensation which shall be recovered from the offender. The factors to consider:

- mental trauma, pain, suffering and distress caused to the aggrieved person;
- the loss of career opportunity due to the incident;
- the medical expenses incurred by the victim for physical, psychiatric treatment;
- the income and status of the alleged perpetrator and victim; and
- the feasibility of such payment in lump sum or in instalments.

Other Punishments (Regulation 10): ICC is free to recommend any other appropriate punishment. The employees of the University are punished as per the Rule 14(2) of the CENTRAL CIVIL SERVICES (CLASSIFICATION, CONTROL AND APPEAL) RULES, 1965.

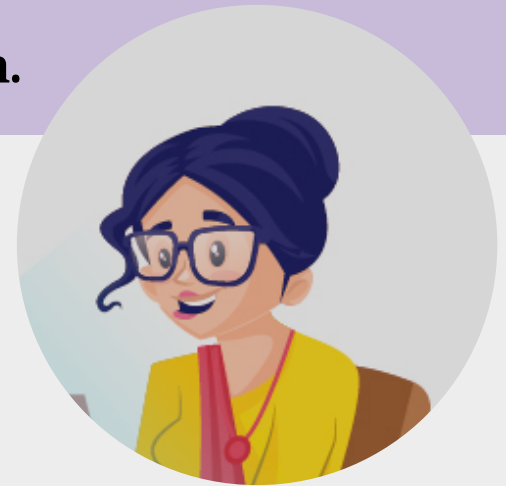


Where the respondent is a student, depending upon the severity of the offence, the HEI may:

- Withhold the privileges of the student such as access to the library, auditoria, hostel, transportation, scholarships, allowances and identity card
- Suspend or restrict entry into the campus for a specific period
- Expel and strike off name from the roles of the institution, including denial of readmission, if offense so warrants.
- Reformative punishment like mandatory counselling and/or performance of community services

The aggrieved person is also entitled to compensation.

PENAL PROVISIONS



Reformation



Termination



**Suspension/
Expulsion**



**Apology
Letter**

**Reprimand/
Written Apology**

**Withhold
promotion**



**Denial of
Privileges/Access**



**Deduct or
Withhold Salary**



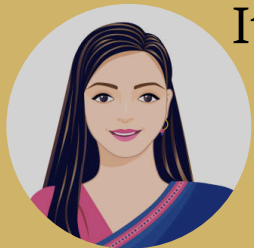
**Award
Compensation**



Frivolous Complaints

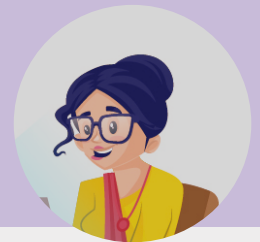
Regulation 11

If an Employee/Students is found to have raised a malicious or false Complaint or given any false evidence, the complainant is liable to be punished as per Regulations 10.



It was Seema, who helped me understand the legal provisions against Sexual Harassment but I want everyone to be aware of the rights and the redressal mechanism against sexual harassment in Delhi University.

It was indeed, very kind of her. Now, let us both create a comprehensive understanding of the Legal provisions against Sexual Harassment for all, so that we all can create a "sexual-harassment free DU".



Frequently Asked Questions

That will be very helpful, so firstly, tell me what is sexual harassment?

In broader context, sexual harassment is any act/behaviour/conduct, which is direct or indirect/ verbal or non-verbal/ written or non-written, has a sexual undertone and is unwelcome. The definition is inclusive and might encompass other similar kind of behaviours.

What is direct sexual harassment?

If someone directly, touches someone, comes close, texts, passes a sexually coloured remark, shows pornography, exhibits indecent gestures/body language or displays any other similar kind of act(s), then such act(s) are called direct sexual harassment, if such acts have a sexual undertone and are unwelcomed acts or conduct.

What is indirect sexual harassment?

If a person indirectly, harasses a person by holding back his/her privileges or depriving him/her from their entitlements etc. to create a hostile work environment, then it is called indirect sexual harassment. There must be a sexual undertone behind all this and the behaviour must NOT be welcomed by the aggrieved person.

What if the person was doing all this casually, in fun with no intention?

In such cases, the intention does not matter. If someone's behaviour is sexually coloured and unwelcomed, then the impact matters not the intention.

Do we have any laws to deal with such cases of sexual harassment?

Yes, of course, there is Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013, also known as the POSH Act. For Higher Education Institute, like University of Delhi, there are specific UGC (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Education Institutions (HEIs) Regulations, 2015 known as UGC Regulations of 2015.

How does this legal framework help in combatting sexual harassment at workplace?

Both the Posh Act and UGC Regulations provide for a multi-dimensional approach to tackle the menace of Sexual Harassment. Along with explicitly defining what sexual harassment is, they also provide provisions to prohibit, prevent and redress the same. They create an obligation on HEIs to provide support to the aggrieved persons.

So, which one is followed by DU, the POSH Act or the UGC Regulations?

Although both of them are harmonious with each other but as the UGC Regulations of 2015 are specifically provided for HEIs, they prevail in the context of HEIs including DU.

What are the obligations created by these Regulations on DU?

In the context of sexual harassment, the Regulations create FOUR responsibilities on DU: Prohibit, Prevent, Support and Redress

What does DU do to prohibit sexual harassment?

DU expressly, explicitly and stringently condemns the acts of sexual harassment and provides information about the acts, which amount to sexual harassment, creates awareness regarding the gender sensitised behaviours and also lays down a process of grievance redressal so that the respondents are duly punished for the acts of sexual harassment.

And how does DU prevent the acts of sexual harassment?

DU follows the mandate of POSH Act and UGC Regulations in spirit and letter, all the employees in HEIs are duty bound & committed to prevent sexual harassment by not indulging in any such kind of act and by collectively creating a conducive environment in the campus to ensure that no person is sexually harassed.

And how does DU extend support in such cases?

DU creates awareness against sexual harassment, establishes a redressal body i.e. the Internal Complaints Committee (ICC) to inquire the matters of sexual harassment and also provides for safety measures and counselling for the parties. The gender sensitisation programs are also organised to inculcate gender sensitivity in all.

What is ICC? Do we have ICC in DU?

ICC is the Internal Complaints Committee which provides grievance redressal mechanism when any case of Sexual Harassment is reported. Yes, we have ICC in DU. ICC was constituted by the University of Delhi vide: Notification No. -Etab.II (i)/27/ACC/2006 Dated 09/01/2014 for POSH Act, 2013 Notification no- Etab.II (i)/27/ICC/2006/1103 Dated 15/06/2017 for UGC Regulations, 2015.

What is the composition of ICC?

ICC in DU is composed of : One female Professor as the Presiding Officer, two teacher members, two non-teaching members, three student representatives (one each from UG,PG, Ph.D course) and one external member having experience and expertise in the field.

So, can anyone file a complaint in ICC, DU?

Any bonafide student and any woman can file a complaint in ICC, if he/she/they is subjected to any act/s of sexual harassment in the campus of DU or in DU as the workplace.

And what is "campus" ?

Campus includes the building of the department/faculty alongwith the canteen, park, library, lawn, lab, transportation facilities provided by HEIs etc. and includes any other place where any education related activities are conducted by HEI

What is a "workplace"?

The campus of a HEI including - any department, organisation, etc. established, owned, controlled or wholly or substantially financed by HEI, any sports institute, stadium, sports complex etc. in HEIs and any place visited by the employee or student in the course of employment or study, including transportation provided by HEI.

And when can an aggrieved person file a complaint in ICC?

Within three months of the incident of sexual harassment, the aggrieved person can file a complaint in ICC.

Can a complaint be filed online or through an email to ICC?

Yes, a complaint can be filed using the SHe-BOX portal and through an email to ICC.

Is there any prescribed format for the complaint?

No, the entire process of ICC inquiry is hassle-free, victim-friendly and less-formal. So a complaint can be filed in any format; stating the incident that is being complained of; mentioning all the relevant details along with the names of the witnesses and list of evidences, if any.

Also six copies of the complaint is required to be filed.

Can someone else file a complaint on behalf of the aggrieved person?

Only the aggrieved person can file a complaint, however in exceptional cases, due to physical and mental incapacity of the aggrieved person, a next friend may be allowed to file on behalf of the aggrieved person.

Are the parties required to hire an advocate for the proceedings in ICC?

No, the parties represent themselves and as the process is less-formal, no representation through an advocate is allowed.

How long does ICC take to finish the inquiry?

After a complaint is filed, ICC is obligated to finish the inquiry within 90 days.

How will the aggrieved party manage to study/work for 90 days, if the respondent studies or works in the same premises or workplace as the complainant?

ICC is a victim-friendly committee and to ensure safety and well-being of the complainant, an interim order can be given, if a prima-facie case of sexual harassment is established. through such orders; restraining orders, transfer orders and leave of 90 days can be given to the complainant, till the final report is not filed.

What if someone wants to settle the matter?

In the instance of the complainant, conciliation can be facilitated by the ICC and the settlement, if any, is reached, the same can be recorded and reported. No further inquiry, after this will be made by ICC in the matter.

What kind of punishments are given to the respondent, if he is found guilty?

If the Respondent is an employee of DU, the punishment for misconduct as provided under Rule 14(2) of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 is given, which might include; termination, suspension, withholding the salary or pension benefits etc.

However, if the Respondent is a student, as per Reg 10 of the UGC, 2015 the punishments might include; termination of admission, suspension, withdrawal of privileges and access rights etc.

Is there any provision of granting compensation to the victim?

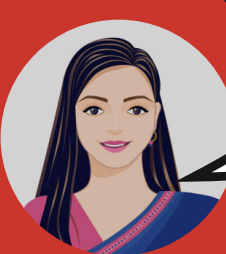
Yes, besides the provision of punishment, the respondent can be asked to pay compensation to the complainant. While doing so a due consideration is given to the facts like: mental trauma suffered by the complainant, loss of employment and medical expenditure incurred by the complainant etc.

What if the complaint is found to be frivolous?


If ICC reaches the conclusion that the complaint was frivolous or maliciously filed, then the complainant can also be punished as per the CCS Rules and the UGC Regulations.

Such cases are very sensitive and might damage the reputation and life of everyone involved. How does ICC take care of this?

The UGC Regulations impose a strict responsibility on the ICC, to maintain complete confidentiality of the matter. No sensitive/personal information should be leaked or disclosed.



So, the ICC alligns with the mandate of sexual harassment-free campus and an extensive support is extended to the aggrieved persons. The process of inquiry is informal and simple.



Yes and ICC follows the principles of natural justice and the rule of prepondence of probabilities in genuine matters



Awareness Created by ICC



Internal Complaints Committee (ICC) University of Delhi

Are You Being Sexually Harassed?

If you are a student/employee experiencing sexual harassment at your Work Place/College/Department/Hostel/Faculty or any place in the University/College or if you want to help victim, read on:

The Sexual Harassment of Women at Workplace Act, 2013 & UGC (Prevention, Prohibition & Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2015

What constitutes Sexual Harassment?

- Sexual Harassment includes unwelcome Sexual Behavior of direct or implied nature such as –
- Physical contact and advances
- Request for sexual favors
- Sexually colored remarks
- Showing pornography
- Unwelcome physical, verbal or non-verbal sexual conduct
-

How does one prepare a complaint?

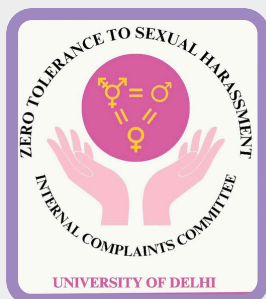
- Write exactly what happened with details, dates, names of
- Witnesses & document, if any
- Be specific about the incident/incidents.
- Be honest, as false complaints can invite penalties.
- Your need to file a complaint of sexual harassment within three months of the incident

Submit the complaint : Directly at the office of the ICC , Room No. 206, (2nd Floor, Academic Research Centre, Patel Marg, Opp. Khalsa College, Delhi University, Delhi – 110007)

- OR: Send an email to: office_icc@admin.du.ac.in
- OR: Can contact women Helpline Number – 181
- OR: Contact Emergency Response Support System Number – 112
- OR: If you are in College, then contact the College ICC
- For any queries please contact personally in the office of ICC: Ms. Anita Gupta (Coordinator ICC, DU)

**Presiding Officer
Internal Complaints Committee
University Of Delhi**

Posters for spreading awareness and sensitization regarding sexual harassment throughout the University.



Awareness Created by ICC



Internal Complaints Committee (ICC) University of Delhi

Punishments, if found Guilty of Sexual Harassment

- Under the Sexual Harassment of Women at Workplace Act, 2013 &
- UGC (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2015
- Anyone can file a Complaint, if one is being sexually harassed.

Punishments

1. Anyone found guilty of sexual harassment shall be punished in accordance with the service rules (teaching/non-teaching) of the University of Delhi.
2. Where the respondent is a student, depending upon the severity of the offence, the University may
 - a) Withhold privileges of the student such as access to the Library, Auditoria, Halls of residence, Transportation, Scholarships, allowances and identity card.
 - b) Suspend or restrict entry into the campus for a specific period.
 - c) Expel and strike off name from the rolls of the Institution, including denial of readmission, if the offence so warrants:
 - d) Award reformatory punishments like mandatory counseling and, or, performance of community services

Action against Frivolous Complaint

- If the ICC concludes that the allegations made were false, malicious or untrue, the complainant shall be liable to be punished as per the provisions of the POSH Act & UGC (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2015

Submit the complaint : Directly at the office of the ICC , Room No. 206, (2nd Floor, Academic Research Centre, Patel Marg, Opp. Khalsa College, Delhi University, Delhi – 110007)

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Acts of Sexual Harassment: Understanding through Judicial Response

Union of India v. Dilip Paul, 2023 INSC 975

A colleague started making phone calls to a female co-worker, sometimes at night and used unofficial and multimeaning word.

Shubha Tiwari v. State of Uttar Pradesh, (2003) 3 SCC 477

Repeated, unwanted, and inappropriate attention, in person or through electronic means was unnecessarily given to a female employee with a sexual undertone.

Bhavya Pandey v. State of Uttar Pradesh, 2020 SCC OnLine SC 525

Accused was charged with harassment as he was involved in inappropriate touching and making lewd comments.

Medha Kotwal Lele v. Union of India, (2012) 4 SCC 1

A superior or colleague used their position to initiate sexual advances under the guise of workplace relationships or power dynamics.

Jagdish Singh v. State of Haryana, 2020 SCC OnLine SC 520

A woman in Haryana was harassed by a man in public, who made inappropriate comments and physically touched her without consent.

Rupan Deol Bajaj v. K.P.S. Gill, (1995) 6 SCC 194

The Punjab police chief, allegedly made obscene advances and comments toward a female officer in the Punjab government, The advances made, including obscene gestures and comments were amounted to be sexual harassment.

Deepa Sharma v. State of Delhi, (2014) 3 SCC 203

A university employee, faced verbal harassment and inappropriate sexual advances at her workplace.

Cases for Reference:

Vishakha v. State of Rajasthan (1997) – (1997) 6 SCC 241

R.K. Sharma v. Union of India (2000) – (2000) 5 SCC 89

Aureliano Fernandes v. State of Goa and Others - CA No. 2482 of 2014

Naina Sood v. Union of India (2001) – 2001 (2) SCC 333

M.K. Agarwal v. Union of India (2006) – 2006 (2) SCC 10

Vasundhara Raje Scindia v. Union of India (2008) – (2008) 4 SCC 297

R.K. Bhatnagar v. State of Delhi (2016) – (2016) 4 SCC 223

Sakshi v. Union of India (2004) – (2004) 5 SCC 518

S.Y. Qureshi v. Union of India (2018) – (2018) 3 SCC 509

T.S. Krishnamurthy v. State of Karnataka (2013) – 2013 (3) SCC 126

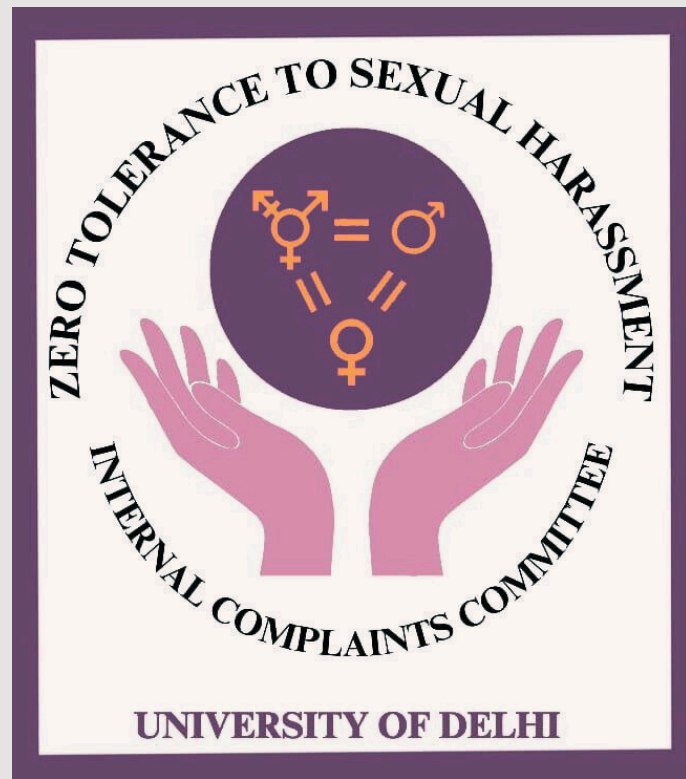
S.R. Batra v. State of Maharashtra (2015) – (2015) 9 SCC 256

Kailash Chandra Sharma v. Union of India (2017) – (2017) 8 SCC 235

Maharashtra State v. Meera Chopra (2017) – (2017) 9 SCC 411

Parveen Vyas v. Union of India (2019) – (2019) 7 SCC 253

**Let us make our campus free from
sexual harassment.**



**INTERNAL COMPLAINTS COMMITTEE
UNIVERSITY OF DELHI**

ADDRESS:

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ROOM NO. 206, 2ND FLOOR,
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