



Nayanta University prevention, prohibition, and redressal of sexual harassment of employees and students 2025

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preamble

Nayanta University has framed and implemented the Nayanta University Policy against Sexual Harassment to prevent and prohibit all forms of sexual harassment on the university campus and in other connected places.

Meanwhile, the University Grants Commission has issued the University Grants Commission (Prevention, Prohibition and Redressal of Sexual Harassment of all sexes, men women & transgenders and Students in Higher Educational Institutions) Regulations, 2015, which has come into force with effect from May 2, 2016. (Appendix). Under the above Regulations, all Higher Educational Institutions, including Nayanta University, must adopt and modify their existing rules in consonance with the above Regulations.

Therefore, in compliance with the above Regulations, Nayanta University has framed the Nayanta University (Prevention, prohibition and Redressal of sexual harassment of Employees and Students) Rules, 2024.

1. short title and commencement

- 1.1. These Rules may be called Nayanta University (Prevention, prohibition and redressal of sexual harassment of employees and students) Rules, 2025.
- 1.2. They shall come into force immediately.

2. definitions

In these Rules, unless the context otherwise requires: -

- 2.1. “Aggrieved party” means in relation to the workplace, a person of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent;
- 2.2. “Act” means the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 Of 2013);
- 2.3. “Campus” means the location or the land on which the University and its related institutional facilities like libraries, laboratories, lecture halls, residences, halls, toilets, student centres, hostels, dining halls, stadiums, parking areas, park-like settings and other amenities like health centres, canteens, bank counters, etc., are situated.

“Campus” also includes extended campus and covers within its scope places visited as a student of the University including transportation provided for the purpose of commuting to and from the University, the locations outside the University on field trips, internships, study tours, excursions, short-term placements, places used for campus, cultural festivals, sports meets and such other activities where a person is participating in the capacity of an employee or student of the University;

- 2.4. “Commission” means the University Grants Commission established under Section 4 of the University Grants Commission Act, 1956 (3 Of 1956);
- 2.5. “Covered individuals” are persons who have engaged in protected activity, such as filing a sexual harassment charge, or who are closely associated with an individual who has engaged in protected activity, and such person can be an employee, fellow student or guardian of the offended person;
- 2.6. “Employee” means a person as defined in the Act and also includes, for the purpose of these Rules, trainees, apprentices (or called by any other name), interns, volunteers, teacher assistants, research assistants, whether employed or not, including those involved in field studies, projects, short-visits and camps;
- 2.7. “Executive Authority” means the Vice-Chancellor of the University;
- 2.8. “Internal Complaints Committee” (ICC) means that the Internal Complaints Committee is constituted under sub-rule (1) of Rule 4 of these rules.
- 2.9. “Protected activity” includes reasonable opposition to a practice believed to violate sexual harassment laws on behalf of oneself or others, such as participation in sexual harassment proceedings, cooperating with an internal investigation or alleged sexual harassment practices or acting as a witness in an investigation by an outside agency or litigation;
- 2.10. “Regulations” means University Grants Commission (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2015
- 2.11. “Sexual harassment” means
 - 2.11.1 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 or online), 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 contacts and advances; or
- e) showing pornography

2.11. Anyone (or more than one or all) of the following circumstances, if it occurs or is present in relation or connected with any behavior that has explicit or implicit sexual undertones (in person or online)–

- 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) malicious intent, defined as a false allegation with the purpose of defaming or causing harm;
- f) humiliating treatment likely to affect the health, safety, dignity or physical integrity of the person concerned.

2.12. “Student” means a person duly admitted and pursuing a programme of study either through regular mode or distance mode, including a short-term training programme in the University

Provided that a student who is in the process of taking admission in the University’s campus, although not yet admitted, shall be treated, for the purposes of these Rules, as a student of the University when any incident of sexual harassment takes place against such student in the University;

Provided that a student who is a participant in any of the activities in the University though enrolled in another university as a student shall be treated, for the purpose of these Rules, as a student of the University when any incident of sexual harassment takes place against such student in the University;

2.13. “Third Party Harassment” refers to a situation where sexual harassment occurs as a result of an act or omission by any third party or outsider, who is not an employee or a student of the University, but a visitor to the University in some other capacity or for some other purpose or reason;

2.14. “The University” means Nayanta University

- 2.15. “Victimisation” means any unfavourable treatment meted out to a person with an implicit or explicit intention to obtain sexual favour;
- 2.16. “Workplace” means the campus of the University, including –
- a) any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit that is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the University;
 - b) any sports institute stadium, sports complex or competition or game venue, whether residential or not, used for training, sports or other activities relating to the University
 - c) any place visited by the employee or student arising out of or during the course of employment or study including transportation provided by the University for undertaking such journey for study in the University
- 2.11. “Retaliation” means engaging in conduct that may reasonably be perceived to
- a) adversely affect a person’s educational, living or work environment because of their participation in the reporting and investigation of a violation; or
 - b) Actively discourage or coerce a person from making a report or participating in an investigation under the Rules

3. responsibilities of the University

The responsibilities of the University shall be as prescribed under clause No. 3 of the UGC Regulations. (Refer to **Appendix** for more details)

4. grievance support mechanism

The Vice-Chancellor shall nominate a Support Group, which will meet both complainants and respondents in an informal manner to give clarifications or advice on the course of action open to them in matters pertaining to sexual harassment. However, the advice or clarifications the Support Group may give will not be binding on the complainant, respondent or Internal Complaints Committee (ICC). The Support Group shall comprise senior employees and those involved in student care and well-being. The ICC Chair may recommend a student member to the Executive Authority for nomination to the Support Group.

The Support Group will be familiar with ICC guidelines and have a working knowledge of the legal framework in which these guidelines operate.

It will be the individual's responsibility to frame the complaint and formally register it with the ICC, as will the respondent's written reply to a complaint made against them.

Provided that there is no obligation to consult the Support Group and a complaint can be lodged directly with ICC without first consulting a member of the Support Group. The same applies to respondents who wish to bypass the Support Group and reply directly to the ICC.

The Support Group cannot be called as a witness in any hearing of the ICC.

5. grievance redressal mechanism

5.1 The Executive Authority shall constitute an Internal Complaints Committee (ICC) with an inbuilt mechanism for gender sensitisation against sexual harassment. The ICC shall have the following composition:

- a) A Presiding Officer who shall be a woman faculty member employed at a senior level (not below a Professor) at the University, nominated by the Executive Authority;

Provided that in case a senior-level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the workplace referred to in sub-section 2 (o) of the Act

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) two faculty members and two non-teaching employees, preferably committed to the cause of women or who have had experience in social work or have legal knowledge, elected by the faculty and by non-teaching employees, respectively;
- c) Four students, if the matter involves students, who shall be enrolled at the undergraduate (2 students), master's and research scholar levels, respectively,

elected through transparent democratic procedure. The undergraduate student members of the ICC shall be elected at the start of every new academic year;

- d) One member from amongst non-government organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment, nominated by the Executive Authority

5.2 At least one-half of the total members of the ICC shall be women.

5.3 Persons in senior administrative positions in the university, such as Vice-Chancellor, Registrar, Deans, Heads of Departments, etc., shall not be members of ICC in order to ensure autonomy of their functioning.

5.4 The term of office of the members of the ICC will be for a period of three years, except in the case of the students. Provided one-third of the members of ICC may change every year.

5.5 The Member appointed from amongst the non-governmental organisations or associations shall be paid such fees or allowances for holding the proceedings of the ICC, by the Executive Authority as may be prescribed.

5.6 Where the Presiding Officer or any member of the ICC:

- a) Contravenes provisions of Section 16 of the Act; or
- b) has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against them; or
- c) has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against them; or
- d) has so abused their position as to render their continuance in office prejudicial to the public interest,

Such Presiding Officer or Member, as the case may be, shall be removed from ICC and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provisions of this Rule.

6. responsibilities of Internal Complaints Committee (ICC)

The ICC shall:

- 6.1 provide assistance if an employee or a student chooses to file a complaint with the police; provide mechanisms of dispute redressal and dialogue to anticipate and address

issues through just and fair conciliation without undermining the complainant's rights, and minimise the need for purely punitive approaches that lead to further resentment, alienation or violence;

- 6.2 protect the safety of the complainant by not divulging the person's identity, and provide the mandatory relief by way of sanctioned leave or relaxation of attendance requirement or transfer to another department or supervisor as required during the pendency of the complaint, or also provide for the transfer of the offender;
- 6.3 ensure that victims or witnesses are not victimised or discriminated against while dealing with complaints of sexual harassment; and
- 6.4 ensure the prohibition of retaliation or adverse action against a covered individual because the employee or the student is engaged in protected activity.
- 6.5 The jurisdiction of the ICC will be restricted to instances of offences in the nature of sexual harassment and not against infractions of any other rules.

7. the process for making a complaint and conducting Inquiry

The ICC shall comply with the procedure prescribed in these Rules and the Act for accepting a complaint and inquiring into the complaint in a time-bound manner. The University shall provide all necessary facilities to the ICC to conduct the inquiry expeditiously and with the required privacy.

8. process of making a complaint of sexual harassment

- 8.1 An aggrieved person shall submit a written complaint to the ICC within three months from the date of the incident and in case of a series of incidents within a period of three months from the last incident. The email address for such complaints is icc@nayanta.edu.in

Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of the ICC shall render all reasonable assistance to the person for making the complaint in writing;

Provided further that the ICC may, for reasons to be accorded in writing, extend the time limit not exceeding three months if it is satisfied that the circumstances were such which prevented the person from filing a complaint within the said period.

- 8.2 Friends, relatives, colleagues, co-students, psychologists, or any other associate of the victim may file the complaint in situations where the aggrieved person is unable to make a complaint on account of physical or mental incapacity or death.

9. process of conducting inquiry

- 9.1 The ICC shall send one copy of the complaint to the respondent within seven days of receiving it.
- 9.2 Upon receipt of a copy of the complaint, the respondent shall file his or her reply to the complaint along with the list of documents and the names and addresses of witnesses within ten days.
- 9.3 The inquiry has to be completed within a period of ninety days from the receipt of the complaint. The inquiry report, with recommendations, if any, has to be submitted within ten days from the inquiry's completion to the University's Executive Authority. Copy of the findings or recommendations shall also be served on both parties to the complaint.
- 9.4 The University's Executive Authority shall act on the ICC's recommendations within thirty days of receiving the inquiry report unless either party files an appeal against the finding within that time.
- 9.5 Either party may file an appeal against the ICC's findings or/and recommendations before the University's Executive Authority within thirty days from the date of the recommendations.
- 9.6 If the Executive Authority of the University decides not to act as per the recommendations of the ICC, then it shall record written reasons for the same to be conveyed to ICC and both the parties to the proceedings. If, on the other hand, it is decided to act as per the recommendations of the ICC, then a show cause notice, answerable within ten days, shall be served on the party against whom action is decided to be taken. The Executive Authority of the University shall proceed only after considering the reply or hearing the aggrieved person.
- 9.7 The aggrieved party may seek conciliation in order to settle the matter. No monetary settlement should be made as a basis of conciliation. The University shall facilitate a conciliation process through ICC, as the case may be, once it is sought. The resolution of the conflict to the full satisfaction of the aggrieved party wherever possible, is preferred to purely punitive intervention.

- 9.8 The identities of the aggrieved party or victim or the witnesses or the offender shall not be made public or kept in the public domain.

10. Interim redressal

The University may,

1. transfer the complainant or the respondent to another section or department to minimise the risks involved in contact or interaction, if the ICC makes such a recommendation;
2. grant leave to the aggrieved with full protection of status and benefits for a period up to three months;
3. restrain the respondent from reporting on or evaluating the work or performance or tests or examinations of the complainant;
4. ensure that offenders are warned to keep a distance from the aggrieved, and wherever necessary if there is a definite threat, restrain their entry into campus;
5. 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.

11. punishment and compensation

11.1 Anyone found guilty of sexual harassment shall be punished in accordance with the service rules of the University, if the offender is an employee.

11.2 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 cards;
- b) suspend or restrict entry into campus for a specific period;
- c) expel and strike off name from the rolls of the institution, including denial of re-admission, if the offence so warrants;
- d) award reformatory punishments like mandatory counselling and/ or the performance of community services.

If the respondent is a repeat offender, the University shall consider this when deciding on the nature and quantum of punishment.

11.3 The aggrieved person is entitled to the payment of compensation. The University shall issue directions for payment of compensation recommended by the ICC and accepted by the Executive Authority, which shall be recovered from the offender. The compensation payable shall be determined based on –

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

12. action against frivolous complaint

If the ICC concludes that the allegations made were false, malicious or the complaint was made knowing it to be untrue, or forged or misleading information has been provided during the inquiry, the complainant shall be liable to be punished as per the provisions of sub-Rule (1) of Rule 10 of UGC regulations, if the complainant is an employee and as per sub-Rule (2) of that Rule, if the complainant is a student. However, the mere inability to substantiate a complaint or provide adequate proof will not attract attention against the complainant. Malicious intent on the part of the complainant shall not be established without an inquiry, in accordance with the procedure prescribed, conducted before any action is recommended.

13. amendments

These Rules may be revised and amended from time to time based on court judgements and revisions in other applicable laws, rules, and regulations. Rules may also be amended through feedback and suggestions from members of Nayanta University. As and when amendments are made, all members of the Nayanta community will be informed.

14. repeals and savings:

1. The existing Nayanta University Policy against Sexual Harassment Rules is hereby repealed.
2. Despite such repeal, any action already initiated and punishment imposed under the repealed rules shall be valid.

appendix

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