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Annexure to Letter (Ms) No. 121, dated 22.06.2018

**GUIDELINES TO PREVENT AND REDRESS HARASSMENT IN HIGHER
EDUCATIONAL INSTITUTIONS IN TAMIL NADU**

1. Preamble

Instances of harassment or exploitation of persons (students, staff and faculty members) in higher educational institutions have come to the notice of the Government. Many times people in power and authority are found to be taking advantage of their position to exploit the vulnerability of their subordinates and students. This has necessitated framing of guidelines to prevent and prohibit such incidences in educational institutions to provide a mechanism for grievance redressal and also to recommend appropriate penal actions.

The main objective is to create safe campuses for students, staff and faculty to function without fear, threat or anxiety. The rules and regulations are meant to ensure highest standards of honesty and integrity from all stakeholders. The institution has the duty to ensure that its staff, students and any person associated with it are treated, and treat one another, with dignity and respect, free from abuse or harassment. The institution should not tolerate any type of harassment within the workplace or associated with the work performed on behalf of the institution. Complaints relating to harassment must be promptly dealt with, following the guidelines laid out here.

2. Application and Commencement

- i. These guidelines shall be applicable to all higher educational institutions in the State of Tamil Nadu.
- ii. These guidelines shall come into force from the date of issue of G.O

3. Definitions:

- a) "Harassment" means any improper behaviour by a person that is directed at, and is offensive to, another individual and which the person knew or ought reasonably to have known would be offensive. It comprises objectionable or unacceptable conduct that demeans, belittles or causes personal humiliation or embarrassment to an individual. Mildly offensive comments or behaviour can rise to the level of harassment if they are repeated; a single incident can be considered harassment if it is so severe that it has a lasting negative impact on the individual(s) concerned. When behaviour of this kind is engaged, in by any person who is in a position to influence career or employment conditions (including hiring, assignment, contract renewal, performance evaluation or promotion) of the recipient, it also constitutes an abuse of authority.
- b) "Higher Educational Institutions" (HEI) means all universities under the purview of the Department of Higher and Technical Education, Government of Tamil Nadu which include all affiliated autonomous and non-autonomous colleges and research institutions, and study centres, Learning Resource Centres and other such Centres associated with the Institute of Distance Learning of the Universities.

- c) "aggrieved person" means a student or employee who has any complaint in the matters concerned, with the grievances or complaints defined in section 4.
- d) "Victimisation" means any unfavourable treatment meted out to a person with an implicit or explicit intention of harassing.

4. Grievances and Complaints Relating to Harassment:

"Grievances or Complaints" include, but not limited to, the following from the aggrieved students or employees: -

- i. Intimidation, open and indirect threats, verbal and non-verbal conduct, physical abuse, such other objectionable behaviours and objectionable material sent through letter, electronic and social media;
- ii. Undue delay or unfounded refusal for forwarding applications/ requests/ letters of the faculty, staff and students to higher authorities;
- iii. Seeking favours in cash or kind, gifts and rewards, such other for discharging duties. The situations include, but are not restricted to, M.Phil/ Ph.D registration & guidance, examination and evaluation, excessive spending by the student on conduct of viva-voce such as examiner's travel and other expenses, etc.,
- iv. Unreasonable delay in the process of completion of M.Phil/ Ph.D thesis by the teacher including examination and evaluation process;
- v. Assigning non-academic work or academic work not approved by the HEI or demanding work after working hours or on holidays, without the willingness of the person;
- vi. Forcing student, staff and faculty, especially women, to accompany to conferences, seminars or field work or any other academic work;
- vii. Detrimental/prejudicial treatment of or conversely favouritism shown to particular student(s), research scholar, project staff, employee including threat of unfavourable or promise of preferential treatment in the future;
- viii. Humiliation by referring to gender, caste etc. including those that affect the dignity of the person thereby imposing subservient attitude.
- ix. Demand/ assigning work by institution/ department/centre/section heads after working hours, on holidays etc. without any adequate reason for doing so.
- x. Complaints relating to examination and evaluation like re-totalling and revaluation of answer scripts etc., do not form part of harassment.

5. Harassment Awareness and Prevention

- i. Campus safety has become a recurrent concern among the educational fraternity. All stakeholders should be sensitised and awareness created among students, non-teaching staff and faculty about forms, causes and prevention of harassment.
- ii. Campus safety awareness can be done by distributing handouts, posters/notices with helpline numbers posted in prominent places. Regular workshops, orientation programmes at the time of entry as well as periodical reinforcement sessions should also be conducted.

report directly to the head (Vice-Chancellor/ Director/ Principal) of the institution within one to two months and the Head of the Institution shall act within two months. If the complaint is against the head of the Institution, the report shall be submitted to his / her higher authority.

- e) The Complaint shall be disposed-off within six months from the date of receipt of the complaint.

ii. Composition of the Harassment Complaints Committee

Every higher educational institution shall constitute a committee to deal with complaints relating to harassment. The Vice-Chancellor/Director/ Principal of the Institution will take responsibility for constituting the committee with terms of reference and tenure of one or two academic years. The composition of the committee will be as given below:

- a) Dean / Senior Professor / Senior Faculty Member — Chairperson
- b) Two faculty members — One Professor and One Associate Professor in Universities or One Associate Professor and One Assistant Professor in Colleges — Members
- c) One Women Faculty — Member
- d) One external member with Legal background — Member
- e) One SC / ST/ BC representative — Observer

7. Penal Actions

Based on the Harassment Complaints Committee's report, the head of the institution shall take appropriate penal action following the rules, statutes and regulations of the Institution. The penal action can take several forms such as: issuing warning, transfer of the Ph.D/M.Phil student to other faculty member, removal from headship, derecognition as M.Phil/ Ph.D guide, cut in increment and demotion, etc., In the case of students / research scholars, the punishment can be suspension, rustication, etc.,

8. False or Frivolous or Malicious Complaints

The harassment complaints committee shall also have provisions to deal with false or frivolous or malicious complaints and recommend to take action against the complainant with proper justification. The Head of the Institution or Competent Authority shall take appropriate penal action following the rules, statutes and regulations of the Institution.

9. Conduct that would not be considered harassment

Persons must have reasonable grounds before making a complaint of harassment. All situations which appear to meet the definition ultimately may not be found to be instances of harassment. It is important to note that reporting authorities

- iii. The topics covered in the handouts and workshops may include: their sense of self-worth; their right to have and to determine choices; their right to have access to opportunities and resources; their right to have the power to control their own lives, both within and outside the home; and their ability to influence the direction of social change to create a more just social and economic order, nationally and internationally.
- iv. Campus safety programs must include modules on clear differentiation between academic and non-academic aspects, personal and professional involvement as well as prevention of harassment.
- v. There should be adequate and comprehensive set of university/college regulations regarding campus code of conduct, norms for use of library, laboratories, other academic and non-academic zones, office and public spaces.
- vi. It must be made incumbent on all students and employees (faculty and non-teaching staff, both permanent/regular and temporary/contractual), to abide by this Code of Conduct. Every new entrant into the system should know his/her duties, rights and responsibilities, including the consequences of violating the Code.
- vii. Students, research scholars, permanent employees – faculty and non-teaching staff, temporary or contract employees – guest faculty, post-doctoral fellows, and project staff - should sign a declaration accepting the code.
- viii. An Undertaking should be obtained that they will not participate and perpetuate harassment. There should be sufficient provisions for stringent action against anyone who violates this code of conduct.
- ix. Adequate safety provisions like recruiting security guards, installing CCTV cameras, operating shuttle services after working hours for pick-up and drop-off from campuses.
- x. Institutions with high incidence of harassment should be penalised with imposition of fine/reduction in fund allocation, blacklisting in applying for projects, seeking grants etc.,

6. Grievance Redressal Procedure

i. Procedure to File Complaint

- a) The aggrieved person shall make a written complaint with all evidences / complaints directly to the Chairperson of the Harassment Complaints Committee within two months of occurrence of the incident.
- b) The complaint must be registered and acknowledged by the Harassment Complaints Committee within two weeks.
- c) The Harassment Complaints Committee will decide on the nature of enquiry to be conducted on the victim and the person causing harassment to ascertain the form and degree/frequency of harassment etc., The Committee shall maintain full proceedings as confidential.
- d) Based on detailed enquiry the Committee will submit a confidential

may make negative decisions (e.g. about performance or work assignments) which do not, in themselves, constitute harassment. Reporting authorities have a responsibility to give fair and objective feedback and to take appropriate action. If such report is biased due to extraneous factors or retaliation against an individual, then it may constitute harassment. The Complaints committee must carefully look into the background of the complaint and take a decision.

10. Appeal Procedure

Those found guilty of violations and on whom punishments are initiated may appeal for reconsideration of punishment served on him/her. The appeal can be made to the Head of the institution. This provision to file an internal appeal will depend on the severity of the case. The Head of the Institution / Competent Authority will have the discretion to take up the appeal for consideration based on the severity of the case.

SUNIL PALIWAL
PRINCIPAL SECRETARY TO GOVERNMENT

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D/S. G.S.
22/6/2018
SECTION OFFICER
[Signature]
22-6-18