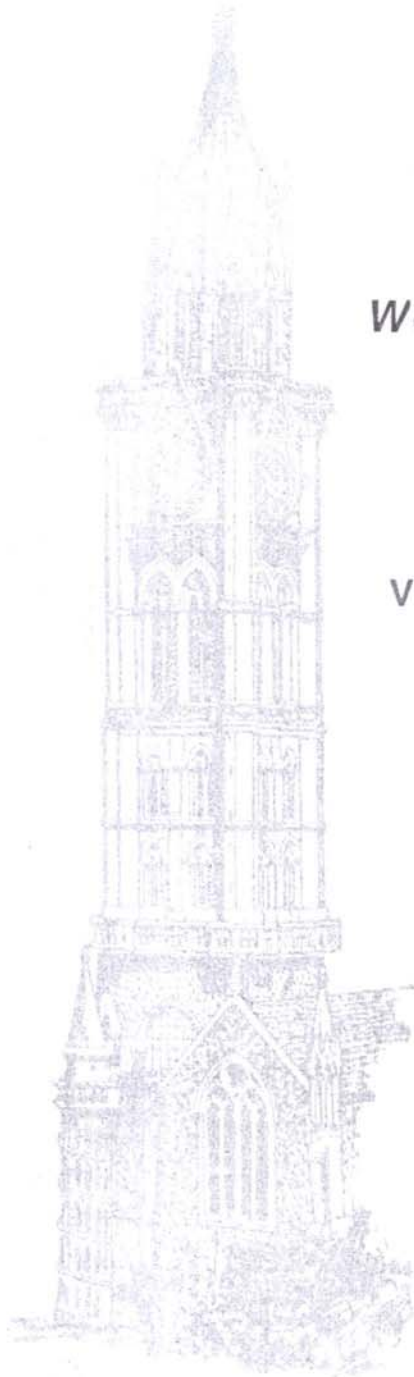


UNIVERSITY OF MUMBAI



WOMEN DEVELOPMENT CELL

Vice-Chancellor's Directions under
Sec. 14 (8) of Maharashtra
Universities Act, 1994.



First Floor, Dr. J. P. Naik Bhavan,
University of Mumbai,
Vidyanagari, Mumbai – 400 098.

EXTENT AND APPLICATIONS OF THE DIRECTIONS

These Directions extend and apply to all the students and employees of all the Departments and Faculties of the University of Mumbai and all the colleges and institutions affiliated to the University of Mumbai whether such colleges/institutions are state-owned or privately owned, whether they are aided or unaided and whether they enjoy the minority status under Article 30 of the Constitution or not. These Directions also extend and apply to all the offices and authorities of the University of Mumbai and all the managements of the affiliated colleges/institutions.

These Directions will apply to all cases and/or complaints or allegations of sexual harassment :

- (i) By a student against a co-student, an employee or any member of the management;
- (ii) By an employee against a student, another employee or member of the management;
- (iii) By a member of the management against a student or an employee.

C. These Directions will also apply in respect of all cases and/or allegations of sexual harassment:

- (i) By a student, employee or member of the management against a third party or an outsider;
- (ii) By a third party or an outsider against a student, employee or member of the management.

Explanation : The applicability of these Directions will be irrespective of whether the alleged sexual harassment has taken place within or outside the University or college/institutional premises.

3. DEFINITIONS

In these Directions, unless the context otherwise requires, the definitions of the terms used are as follows:

- A. "**Cell**" means Women Development Cell constituted under the provisions of these Directions.
- B. "**College**" includes every college and institution affiliated to or recognized by the University of Mumbai.
- C. "**Employee**" means every person in the employment of the University and of colleges/institutions to which these Directions are applicable, including any teaching/non-teaching staff or officers, temporary, part-time, honorary and visiting persons engaged in any duties by whatever designation called and also employees employed on a leave vacancy, casual or project basis or also employed through a contractor.
- D. "**Expert**" means any person who has done or is engaged in research work in any University and/or college/institution of academic learning/ deemed universities and such others who are engaged in the country or outside in the field of Women's Studies or Gender Justice.

- E. **"Management"** means and includes the trustees or the managing or governing body, by whatever name they may be called, of any trust registered under the Bombay Public Trust Act, 1950 (Bom xxix of 1950), or any society registered under the Societies Registration Act, 1860 (21 of 1860), under whose management a college is functioning and any officer or member of the Authority of the University as defined in the Maharashtra Universities Act, 1994.
- F. **"NGO"** includes any non-governmental organization operating on a secular non-profit basis and involved in the amelioration of the status of women and children, duly registered under the Bombay Public Trust Act, 1950 (Bom xxix of 1950), or any society registered under the Societies Registration Act, 1860 (21 of 1860).
- G. **"Sexual Harassment"** includes such unwelcome sexually determined behaviour (whether directly or by implication) as:
- i. Physical contacts and advances;
 - ii. A demand or request for sexual favours;
 - iii. Sexually coloured remarks;
 - iv. Showing pornography;
 - v. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Explanation : "Sexual Harassment" shall include, but will not be confined to the following:

- (i) When submission to unwelcome sexual advances, request for sexual favours and verbal or physical conduct of a sexual nature are made, either explicitly or implicitly, as a term or condition for instruction, employment, participation or evaluation of a person's engagement in any university or college activity,

(ii) When unwelcome sexual advances and verbal, non-verbal or physical conduct such as loaded comments, remarks or jokes, letters, phone-calls or emails, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds or display of a derogatory nature have the purpose or the effect of interfering with an individual's performance or of creating an intimidating, hostile or offensive university or college environment,

(iii) Where any form of sexual assault is committed where a person uses the body or any part of it or any object as an extension of the body in relation to another person without the latter's consent or against that person's will, and

When any such conduct as defined in (i) and (ii) above is committed by a third party or outsider in relation to a member of the University's or College's community or vice versa.

H. **"Student"** includes any person who is enrolled for any course, whether by attendance or by distance education, with the University or any of the colleges or institutions to which these Directions are applicable and includes-

(i) an Under-graduate/Post-graduate student, a Research Scholar and a Repeater;

(ii) a student of another University or another college/institution who has been placed or who has opted for placement with the University or any college to which these Directions apply;

(iii) any person, student or ex-student who has been permitted the use of any of the facilities of the University/college/institution such as library, laboratory, reading room, gymkhana, etc. on the payment of a fee or otherwise.

12. PENALTIES AND PUNISHMENT FOR SEXUAL HARASSMENT

The Committee may impose the following penalties on a person found guilty of sexual harassment:

- A. An **employee** found guilty of sexual harassment shall be liable to receive the following penalties:

Minor Penalties

- (i) Warning, Reprimand or Censure
- (ii) Fine
- (iii) Withholding of increments or promotion
- (iv) Reduction to a post in the lower pay-scale or to a lower stage of increment in his own pay-scale.

Major Penalties

- (i) Compulsory retirement
- (ii) Termination of service
- (iii) Removal/dismissal from service.

- B. A student found guilty of sexual harassment shall be liable to receive the following penalties:

Minor Penalties

- (i) Warning
- (ii) Written apology
- (iii) Bond of good behaviour
- (iv) Debarring entry into a hostel/campus
- (v) Suspension for a specified period of time
- (vi) Withholding results.

Major Penalties

- (i) Debarring from examinations
- (ii) Expulsion from university.

C. A member of the Management found guilty of sexual harassment shall be liable to receive the following penalties:

- (i) Warning, Reprimand or Censure
- (ii) Suspension from the Management of the college/institution as the case may be.
- (iii) Removal from the management of the college/institution as the case may be.