

## **Bharati Vidyapeeth (Deemed to be University), Pune**

A+ Accreditation (third cycle) by NAAC in 2017  
Category-I Deemed to be University Grade by UGC  
68<sup>th</sup> Rank among Universities by NIRF-2021

## **BVDU Policy for Women Safety**

**2021**

Bharati Vidyapeeth (Deemed to be University), Pune  
Bharati Vidyapeeth Bhavan  
Lal Bahadur Shastri Marg, Pune – 411030 (India)

**BHARATI VIDYAPEETH (DEEMED TO BE UNIVERSITY),  
PUNE, INDIA**

- I. **DRAFT POLICY ON WOMEN’S HEALTH, EMPOWERMENT, RESPECT & SAFETY (HERS POLICY)**
- II. **DRAFT POLICY ON PREVENTION, PROHIBITION & REDRESSAL OF SEXUAL HARASSMENT AT THE WORKPLACE**

Bharati Vidyapeeth (Deemed to be University), Pune, India is committed to gender equity, non-discrimination and women empowerment. The University is conscious of the National Policy for Women Empowerment.

We, are committed towards the inclusion of women’s talents, skills, experience and energies across all sectors and levels of economic activity. As we strongly believe that we have a duty of care towards our women employees and in the wake of increasing incidents of violence and atrocities against women, the University felt the need to formulate a policy on women safety, travel guidelines to be adhered to equally by the University and by the women employees (collectively titled the “Policy”). As always, we are committed to giving every woman employee a just and fair hearing on issues raised with respect to their safety.

This Policy applies to all employees and students in various departments, sections and constituent units of Bharati Vidyapeeth (Deemed to be University), Pune, India.

**In tune with the national policy, the university strives towards the following:**

- Equal access to education for women.
- Eliminate discrimination, increase enrolment and retention rates of women
- Improve the quality of education for women to facilitate life-long learning as well as development of occupation/vocation/technical skills by women.
- Developing gender sensitive curricula to address sex stereotyping as one of the causes of gender discrimination.

## **STRATEGIC OBJECTIVES:**

The University aims to maintain its positive gender balance in its student community and teacher community.

- Women students' representation to be maintained above 60% in both undergraduate and postgraduate levels of programs
- Women teachers' representation to be maintained above the national average of 42%.

## **PROPOSED ACTION PLAN:**

- Continue the women-friendly practices of the University
- Sensitization of students and staff about the National and University policies regarding gender equity, non-discrimination and prevention of harassment.
- Highlighting presence of women and achievements in admission campaigns and promotional activities.

## **2. Guidelines for the University**

These guidelines of the University can be classified under the following heads:

1. Physical Guidelines
2. Educational Guidelines

### **I. Physical Guidelines:**

This focuses on the safety of female employees, whilst they are on the job/ inside office premises.

The University shall ensure adherence to the below mentioned **guidelines:**

- 1.1. Establishment of **Women Empowerment Cell**
- 1.2. Establishment of **Women Counselling & Guidance Cell**

1.3. Establishment of **Prevention of Sexual Harassments Committee (POSH Committee)** as per the UGC (Prevention, Prohibition & Redressal of Sexual Harassment of Women Employees & Students in Higher Education Institutions) Regulations, 2015

1.4. Enactment & thorough enforcement of the Annual Gender Sensitization Action Plan through which various promotional or awareness activities could be organized at different levels

1.5. Effective Grievance Redressal Mechanism

1.6. Identification documents (driving license, photo ID, address proof, Finger prints) to be collected from all employees, security guards and casual staff visiting the premises of the University.

1.2. Adequate number of professionally hired security guards shall be posted at all campuses and at all times especially during the late evening working hours.

1.3. **24 X 7 Helpline Number** to be provided by the University

1.4. CCTV Cameras and other safety devices at almost every corner at various campuses

## **II. Organizational Guidelines:**

The University will create a positive atmosphere at the University where woman/ female students are encouraged to come to study/ work, secure in the knowledge that she will be treated with dignity, respect and will be protected from harassment.

2.1. Clearly displayed emergency contact numbers and a designated officer(s) available round the clock to be contacted in emergency.

2.2. Well lit work areas, staircases and parking lots till the last woman employee/ student leaves the premises of the Universities.

2.3. Strict surveillance of visitors- Details of all the visitors such as name, organization, address, purpose of visit, person visited, time in and time out to be recorded in a register. This should apply

not only to the visitors coming for educational purposes but also to courier staff, delivery boys etc.

2.4. Ensure to provide training and refresher training of the University's policy on sexual harassment, on gender discrimination or gender biased approach and the complaint process.

### **3. Guidelines for the woman employees:**

As the University believes in maintaining the highest safety standard for its women employees, in keeping with that efforts, we encourage employees to plan their day better and avoid staying back at office beyond 7:00 pm. In case a women employee needs to work beyond 7:00 p.m., the following procedure needs to be followed:

- Needs to get approval from Campus Unit Head ("Campus Head") and Principal/ Director well in advance by providing required details as prescribed by the University from time to time.
- Based on the written approval from the Campus Head and the Principal/ Director, women employees can stay beyond 7:00 p.m.. The employee may report any concern that she may have with respect to the any awkward or intolerant incident immediately to the Campus Head and the Principal/ Director.

## **II. POLICY ON PREVENTION, PROHIBITION & REDRESSAL OF SEXUAL HARASSMENT AT THE WORKPLACE**

### **1. Introduction**

At Bharati Vidyapeeth (Deemed to be University), Pune, India, we have zero-tolerance for Sexual Harassment (as defined below). We value each individual Employee (as defined below) working at our University and wish to protect their dignity. In doing so, we are determined to promote a working environment in which persons of both genders work and complement each other as equals in an environment that encourages maximum productivity.

This Policy covers every Employee across the University as defined in more detail below. The University encourages every Employee who has been sexually harassed to use the Sexual Harassment Redress System, as described in more detail below that has been laid down within this gender-neutral policy.

We are committed to giving every employee a just and fair hearing on issues raised with respect to sexual harassment. The University will take very serious disciplinary action against any victimization of the Complainant (as defined below) or the respondent (as defined below) that may result from a Complaint (as defined below).

### **2. Scope**

This Policy applies to all Employees including permanent and contract employees.

### **3. Definitions**

For the purposes of this Policy, the following terms shall have the meaning attributed to them below unless the context clearly requires otherwise:

#### **a) Act**

The Act refers to the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and its related Rules, as they are amended from time to time.

#### **b) Aggrieved Individual**

An Aggrieved Individual, in relation to a Workplace(as defined below), is a person, of any age, whether an Employee or not, who alleges to have been subjected to any actor Sexual Harassment.

**c) Complaint**

A Complaint is any complaint under this Policy.

**d) Complainant**

A Complainant is any Aggrieved Individual (or if the Aggrieved Individual is unable to make a Complaint on account of his/her physical or mental incapacity or death or otherwise, any other person permitted under the Rules) who makes a Complaint alleging Sexual Harassment under this Policy.

**e) Employee**

Employee means a person employed by the University, for any work on regular, temporary, ad-hoc or daily wage basis, either directly or through an agent, including contractors, 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.

**f) Respondent**

A Respondent means the person against whom the Complainant has made a Complaint.

**g) Student:**

A student means a person as defined under the UGC (Prevention, Prohibition & Redressal of Sexual Harassment of Women Employees & Students in Higher Education Institutions) Regulations, 2015

**h) Sexual Harassment**

“Sexual Harassment” may include any of the following but not limited to:

- i. Any unwelcome sexually determined behaviour, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behaviour or conduct was directed;
- ii. Physical contact and advances such as touching, stalking, sounds which have explicit and /or implicit sexual connotation/overtone, molestation;
- iii. Display of pictures, signs etc. with sexual nature/ connotation/ overtones in the work area and work-related areas;
- iv. Verbal or non-verbal communication which offends the individual's sensibilities and affect her/his performance and has sexual connotation/ overtone/ nature;
- v. Demand or request for sexual favours;
- vi. Sexually coloured remarks or remarks of a sexual nature about a person's clothing or body;
- vii. Showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS etc.;
- viii. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes;
- ix. Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implicit or explicit;
- x. Giving gifts or leaving objects that are sexually suggestive;
- xi. Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy;
- xii. Persistent watching, following, contacting of a person; and
- xiii. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.



The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any actor behaviour of sexual harassment may amount to Sexual Harassment:

- Implied or explicit promise of preferential treatment in employment;
- Implied or explicit threat of detrimental treatment in employment;
- Implied or explicit threat about the present or future employment status;
- Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
- Humiliating treatment likely to affect the person's health or safety.

The point of consideration should be the effect that the conduct of one person has on another rather than whether the behaviour was intentionally offensive or not. Further, not only face to face harassment but Sexual Harassment by electronic means, such as using social media, as well shall constitute Sexual Harassment. Sexual Harassment does not have to be repeated or continuous to be against this Policy.

“Sexual Harassment” may occur not only where a person uses sexual behaviour to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between a University Employee and someone that Employee deals within the course of his/her work who is not employed by the University.

#### **h) Third Party Harassment**

As per the Act, if Third Party Harassment occurs as a result of an act or omission by any third party or outsider, the University and person-in-charge will take necessary and reasonable steps, as per law, to assist the Aggrieved Individual in terms of support and preventive action including assisting an Employee/guest who wishes to file a complaint with the local police.

This case is particularly relevant in our industry where our Employees are constantly in touch with third parties through their interaction with guests and clients and working at various client locations. Our Employees must be assured that the University will support them in preventing or prosecuting any such case of misconduct.

#### **i) Workplace or University Campus**

- Any department, organization, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled by the University and/or where the regular activities of the University is conducted.
- All University related activities performed at any other site away from the premises of the University.
- Places visited by the Employee arising out of or during employment including transportation provided by the University for undertaking such journey.
- Any misbehaviour in the nature of Sexual Harassment on any social networking website shall also be considered Sexual Harassment at Workplace irrespective of whether such sexual behaviour was shown during or outside of office hours.

#### **4. Sexual Harassment Redress System**

The Act has stipulated that all companies setup an Internal Complaints Committee (“POSH Committee”) at each administrative units or office of the said University, to redress Complaints on Sexual Harassment

The committee is responsible for:

- Receiving Complaints of Sexual Harassment at the various Campuses.
- Initiating and conducting inquiry as per the established procedure.
- Submitting findings and recommendations of inquiries.
- Coordinating with the employer in implementing appropriate action.
- Maintaining strict confidentiality throughout the process as per established guidelines.

- Submitting annual reports in the prescribed format to the University.

## **5. Redressal Procedures**

A Complainant can make a Complaint, in writing, to the POSH Committee, within a period of 3 (three) months from the date of incident and in case of a series of incidents, within a period of 3 (three) months from the date of last incident. The POSH Committee may, for the reasons to be recorded in writing, extend the time limit of 3 (three) months, if it is satisfied that the circumstances were such which prevented the Complainant from filing a Complaint within the said period.

The Complaint may be submitted to the POSH Committee electronically at \_\_\_\_\_ or may be submitted personally, to any POSH Committee member.

## **6. Conciliation**

Prior to initiating an inquiry, the POSH Committee may, at the request of the Complainant, take steps to settle the matter between the Complainant and the Respondent through conciliation, provided that no monetary settlement is made the basis of such conciliation. In case a settlement has been arrived at, the POSH Committee shall record the settlement so arrived and forward the same to the University to act as specified in the recommendation of the POSH Committee.

The POSH Committee will provide copies of the settlement as recorded to the Complainant and the Respondent. Upon a conciliation being reached, the POSH Committee would not be required to conduct any further inquiry.

## **7. Inquiry**

- The POSH Committee will conduct a prompt, thorough and objective investigation of all complaints received. Once a Complaint is received from an Aggrieved Individual, the POSH Committee will setup a meeting with the Aggrieved Individual to obtain more details about the

Complainant. It will conduct further investigation to corroborate the facts. This investigation will include interviewing the relevant persons including the Respondent and potential witnesses. The principle of natural justice will be adopted during investigation. Thus, both parties, the Complainant as well as the Respondent, will be given a platform to produce their respective views of the event/s and will be given an opportunity to explain their sides. The investigation shall be completed by POSH Committee within a period of 90 (ninety) days.

- The conclusions of the POSH Committee will then be informed to the parties in writing following the investigation. The POSH Committee will recommend action to be carried out by the HR Department of the University.

### **8. Action during Pendency of Inquiry**

During the pendency of an inquiry, on a written request made by the Complainant, the POSH Committee may recommend the following actions to be taken:

- transfer the Aggrieved Individual or the Respondent to any other Workplace;
- grant leave to the Aggrieved Individual up to a period of 3 (three) months;
- grant such other relief to the Aggrieved Individual as may be prescribed under applicable law; and/ or
- restrain the Respondent from reporting on the work performance of the Aggrieved Individual or writing his/her confidential report and assign the same to another officer.

### **9. Disciplinary Action**

On the completion of an inquiry, the POSH Committee shall provide a written report of its findings to the University within a period of 10 (ten) days from the date of completion of the inquiry and such report be made available to the concerned parties.

If the POSH Committee arrives at the conclusion that the allegation against the Respondent has not been proved, it shall recommend to the University that no action is required to be taken in the matter.

If the POSH Committee arrives at the conclusion that the allegation against the Respondent has been proved, possible disciplinary action will be taken against the Respondent indirect proportion to the seriousness of the offence. It could range from:

- Written apology, warning, reprimand or censure.
- Withholding of promotion.
- Withholding of pay rise or increments.
- Termination of the Respondent from service
- Immediate transfer, suspension or termination without pay for a Complaint of harassment that is written or if more than one Complaint is lodged against a single person for a minor offence.
- Deduction from the salary or wages of the Respondent such sum as it may consider appropriate to be paid to the Aggrieved Individual or to his/her legal heirs. In case the University is unable to make deductions from the salary of the Respondent due to his being absent from duty or cessation of employment, it may direct the Respondent to pay such sum to the Complainant. In case the Respondent fails to pay the sum referred above, the POSH Committee may forward the order for recovery of the sum as an arrear of land revenue to the concerned district officer.

The University shall act upon the recommendation given by the POSH Committee within 60 (sixty) days of receipt of the recommendation.

#### **10. Non-Retaliation**

For the purposes of this Policy, “Retaliation” means and includes any hurtful employment action against any individual/s.

The University will not accept, support or tolerate Retaliation in any form against any Employee who, acting in good faith, reports suspected misconduct, asks questions or raises concerns. Any

person who engages in such Retaliation directly or indirectly, or encourages others to do so, may be subject to appropriate disciplinary action.

### **11. Malicious Complaint**

In the case where a false Complaint has been filed and the investigation has proved that the motivation of the Complaint was purely to defame the Respondent, disciplinary action must be initiated against the Complainant in the same way as stated in serial number 9 above.

Mere inability to substantiate a complaint or provide adequate proof need not make the Complaint malicious nor should it attract action against the Complainant. The malicious intent on part of the Complainant needs to be established through the inquiry process before any action against such Complainant is recommended by the POSH Committee to the University.

### **12. Procedure for filing an Appeal**

If any person is aggrieved from the recommendations made by the POSH Committee or non-implementation of such recommendations, he/she may appeal to the appropriate authority, as specified by law, within period of 90(ninety) days of the recommendations.

### **13. Confidentiality**

The strictest confidentiality will be observed in respect of any Complaint and all related matters under this Policy, with information provided or generated being restricted to the smallest possible group. It must be ensured that the processes are brief and quick. Any attempt by the members of the POSH Committee or the witnesses or any other persons involved in the inquiry to discuss or disclose this information to anyone except those directly involved with the Complaint will be treated with disciplinary action.

**INTERNAL COMPLAINTS COMMITTEE (Prevention of Sexual Harassment - POSH COMMITTEE):**

1. Presiding Officer not below the rank of Professor or Associate Professor
2. 2 Faculty Members & 2 Non-Teaching Staff Members (Preferably Women)
3. 3 Students (If the Matter involves Students)
4. 1 Member from NGO (committed to the cause of Women)
5. At Least one half of the total members of ICC shall be women
6. Persons in highest positions such as VC, Pro- VC, Registrar, Rectors, Deans, Heads of various departments etc SHALL NOT be the members of ICC
7. Term of Membership of ICC shall be 3 years or a system in which one third of members get change

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