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विश्वविद्यालय अनुदान आयोग

अधिसूचना

नई दिल्ली, 6 मई, 2019

फा. सं. 14-4/2012 (सीपीपी-II).—विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 (1956 का 3) की धारा 26 की उप-धारा (1) के खंड (छ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और विश्वविद्यालय अनुदान आयोग (शिकायत निवारण) विनियम, 2012 का अधिक्रमण करते हुए विश्वविद्यालय अनुदान आयोग एतद्वारा निम्नलिखित विनियम बनाता है, नामतः—

1. संक्षिप्त नाम, विनियोग और प्रारंभ :

- (क) इन विनियमों को विश्वविद्यालय अनुदान आयोग (छात्रों की शिकायतों का निवारण) विनियम, 2019 कहा जाएगा।
- (ख) वे ऐसे सभी उच्चतर शिक्षा संस्थानों पर लागू होंगे, जिन्हें किसी केन्द्रीय अधिनियम अथवा राज्य अधिनियम के तहत स्थापित अथवा निगमित किया गया हो, और विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 की धारा 2 के खंड (च) के तहत मान्यता प्राप्त सभी संस्थानों तथा ऐसे सभी सम विश्वविद्यालय संस्थानों पर लागू होंगे जिन्हें तत्संबंध की धारा 3 के तहत विश्वविद्यालय घोषित किया गया हो।
- (ग) यह विनियम, भासकीय राजपत्र में प्रकाशित होने की तिथि से प्रभावी होंगे।

2. उद्देश्य:

किसी संस्थान में पहले से नामांकित छात्रों और साथ ही ऐसे संस्थानों में प्रवेश चाहने वाले छात्रों की कतिपय शिकायतों के निवारण के लिए अवसर प्रदान करना और इस संबंध में एक तंत्र स्थापित करना।

3. परिभाषा: जब तक कि इन विनियमों के संदर्भ में अन्यथा अपेक्षित न हो:

- (क) “अधिनियम” का अभिप्राय विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 (1956 का 3) से है;
- (ख) “पीड़ित छात्र” से अभिप्राय किसी ऐसे छात्र से है जिसे इन विनियमों के तहत परिभाषित शिकायतों के संबंध में किसी मामले अथवा तत्संबंध किसी मामले में कोई शिकायत हो।

- (ग) "महाविद्यालय" से अभिप्राय अधिनियम की धारा 12क की उपधारा (1) के खंड (ख) में इस प्रकार से परिभाषित किसी संस्थान से है।
- (घ) "महाविद्यालयी छात्र शिकायत निवारण समिति" (सीएसजीआरसी) से अभिप्राय इन विनियमों के तहत किसी संस्थान के स्तर पर, जोकि महाविद्यालय हो, गठित किसी समिति से है।
- (ङ) "आयोग" से अभिप्राय विश्वविद्यालय अनुदान आयोग अधिनियम, 1956 की धारा 4 के तहत स्थापित आयोग से है।
- (च) "घोषित प्रवेश नीति" का अभिप्राय संस्थान द्वारा पेशकश किए जा रहे किसी पाठ्यक्रम या अध्ययन कार्यक्रम में प्रवेश के लिए संस्थान की विवरणिका में प्रकाशित की गई किसी ऐसी नीति से है, जिसमें उसके अंतर्गत आने वाली प्रक्रियाएं भी शामिल हैं।
- (छ) "विभागीय छात्र शिकायत निवारण समिति" (डीएसजीआरसी) से अभिप्राय इन विनियमों के तहत किसी विश्वविद्यालय के किसी विभाग, विद्यालय या केंद्र के स्तर पर गठित किसी समिति से है।
- (ज) "शिकायत" का अभिप्राय, और इसमें निम्नवत् के संबंध में किसी पीड़ित छात्र द्वारा की गई शिकायत(तें) शामिल हैं, नामतः
- i. संस्थान की घोषित प्रवेश नीति के अनुरूप निर्धारित की गई योग्यता के विपरीत प्रवेश दिया जाना;
 - ii. संस्थान की घोषित प्रवेश नीति के तहत प्रक्रिया में अनियमितताएं;
 - iii. संस्थान की घोषित प्रवेश नीति के अनुरूप प्रवेश देने से इंकार किया जाना;
 - iv. इन विनियमों के उपबंधों के अनुरूप, संस्था द्वारा विवरणिका का प्रकाशन न किया जाना;
 - v. संस्थान द्वारा विवरणिका में ऐसी कोई जानकारी देना जोकि झूठी या भ्रामक हो, और तथ्यों पर आधारित नहीं हो;
 - vi. किसी छात्र द्वारा ऐसे संस्थान में प्रवेश लेने के प्रयोजन से जमा किए गए किसी दस्तावेज जोकि उपाधि, डिप्लोमा या किसी अन्य पुरस्कार के रूप में हो, को अपने पास रख लेना या वापस करने से इंकार करना ताकि ऐसे किसी पाठ्यक्रम या अध्ययन कार्यक्रम के संबंध में छात्र को किसी शुल्क अथवा शुल्कों, का भुगतान करने हेतु तैयार किया जा सके अथवा मजबूर किया जा सके जिसमें छात्र अध्ययन नहीं करना चाहता हो;
 - vii. संस्था की घोषित प्रवेश नीति में निर्धारित राशि से अधिक धनराशि की मांग करना;
 - viii. छात्रों की विभिन्न श्रेणियों के लिए प्रवेश में सीटों के आरक्षण के संबंध में वर्तमान में लागू किसी कानून का संस्थान द्वारा उल्लंघन किया जाए;
 - ix. ऐसे किसी संस्थान की घोषित प्रवेश नीति के तहत, अथवा आयोग द्वारा विहित किन्हीं शर्तों, यदि कोई हों तो, के तहत किसी भी छात्र हेतु ग्राह्य छात्रवृत्ति या वित्तीय सहायता का भुगतान नहीं किया जाना अथवा विलम्ब से भुगतान किया जाना;
 - x. संस्थान के शैक्षणिक कैलेंडर में, अथवा आयोग द्वारा विहित ऐसे किसी कैलेंडर में विनिर्दिष्ट अनुसूची से इतर परीक्षाओं के आयोजन में, अथवा परीक्षा के परिणामों की घोषणा में विलम्ब करना;
 - xi. विवरणिका में यथा उल्लिखित, अथवा संस्थान द्वारा लागू किसी कानून के किसी उपबंध के तहत यथा अपेक्षित छात्रों की सुविधा प्रदान करने में संस्थान द्वारा विफल रहना;
 - xii. छात्रों के मूल्यांकन के लिए संस्थान द्वारा अपनाई गई गैर— पारदर्शी अथवा अनुचित पद्धतियां;
 - xiii. ऐसे किसी छात्र को शुल्क के प्रतिदाय में विलंब करना, अथवा इंकार करना जोकि विवरणिका में उल्लिखित समय के भीतर, अथवा जैसा की आयोग द्वारा अधिसूचित किया जाए, के भीतर प्रवेश त्याग देता है;
 - xiv. अनुसूचित जाति, अनुसूचित जनजाति, अन्य पिछड़ा वर्ग, महिला, अल्पसंख्यक अथवा निशक्त श्रेणियों के छात्रों के कथित भेदभाव की शिकायत;
 - xv. प्रवेश दिए जाने के समय जैसा भरोसा दिलाया गया था अथवा प्रदान किए जाना अपेक्षित था के अनुरूप गुणवत्तापूर्ण शिक्षा प्रदान नहीं किया जाना; तथा

- xvi. छात्र के उत्पीड़न के अन्य मामले के अलावा जिन पर वर्तमान में लागू किसी कानून के दंडात्मक उपबंधों के तहत कार्रवाई की जानी हो, छात्र का उत्पीड़न किया जाना अथवा उसे निशाना बनाया जाना।
- (झ) “संस्थान” से अभिप्राय है, जैसा कि संदर्भ हो, अधिनियम के तहत किसी विश्वविद्यालय अथवा महाविद्यालय अथवा किसी सम विश्वविद्यालय संस्थान से है, अथवा किसी विशिष्ट विधा अथवा क्रियाकलाप हेतु किसी विश्वविद्यालय के तहत स्थापित किए गए किसी संस्थान से है।
- (ञ) “संस्थागत छात्र शिकायत निवारण समिति” (आईएसजीआरसी) का अभिप्राय इन विनियमों के तहत किसी विश्वविद्यालय के स्तर पर, ऐसी शिकायतों पर कार्यवाही करने के लिए गठित की गई समिति से है जो विश्वविद्यालय के किसी भी विभाग से संबंधित नहीं हो, उदाहरण के लिए छात्रावास और सामान्य सुविधाएं।
- (ट) “लोकपाल” का अभिप्राय इन विनियमों के तहत नियुक्त लोकपाल से है;
- (ठ) “विवरणिका” का अभिप्राय और इसमें ऐसा कोई भी प्रकाशन शामिल है, चाहे वह मुद्रित स्वरूप में अथवा अन्यथा हो, जिसे जनसाधारण (जिसमें ऐसे संस्थान में प्रवेश पाने के इच्छुकों सहित) को एक संस्था से संबंधित निष्पक्ष और पारदर्शी जानकारी प्रदान करने के लिए ऐसे संस्थान अथवा किसी प्राधिकरण अथवा ऐसे संस्थान द्वारा ऐसा करने के लिए प्राधिकृत किए गए किसी व्यक्ति द्वारा जारी किया गया हो;
- (ड) “क्षेत्र” का अभिप्राय एक भौगोलिक क्षेत्र, जिसमें राज्य शामिल हैं, जिन्हें इन विनियमों को लागू करने हेतु सुकर बनाने के प्रयोजनार्थ ऐसा निर्धारित किया गया हो: नामतः, दक्षिण-पूर्वी क्षेत्र जिसमें आंध्र प्रदेश, तेलंगाना, पुडुचेरी, अंडमान और निकोबार और तमिलनाडु शामिल हैं; दक्षिण-पश्चिम क्षेत्र में केरल, कर्नाटक और लक्षद्वीप शामिल हैं; पश्चिमी क्षेत्र में महाराष्ट्र, गुजरात, गोवा, दादर और नगर हवेली, दमन और दीव शामिल हैं; मध्य क्षेत्र में छत्तीसगढ़, मध्य प्रदेश और राजस्थान शामिल हैं; उत्तरी क्षेत्र में जम्मू और कश्मीर, दिल्ली, हिमाचल प्रदेश, पंजाब, हरियाणा, दिल्ली, उत्तराखंड, उत्तर प्रदेश, उत्तराखंड और चंडीगढ़ शामिल हैं; पूर्वोत्तर क्षेत्र में असम, मेघालय, मिजोरम, मणिपुर, त्रिपुरा, अरुणाचल प्रदेश, सिक्किम और नागालैंड शामिल हैं, और पूर्वी क्षेत्र में पश्चिम बंगाल, बिहार, झारखंड और ओडिशा शामिल हैं।
- (ढ) “राज्य” का अभिप्राय संविधान की प्रथम अनुसूची में विनिर्दिष्ट किसी राज्य से है जिसमें संघ राज्य क्षेत्र भी शामिल है;
- (ण) “छात्र” से अभिप्राय किसी ऐसे संस्थान, जिसमें यह विनियम लागू होते हैं, में नामांकित किसी व्यक्ति, अथवा नामांकित होने के लिए प्रवेश प्राप्त के इच्छुक व्यक्ति से है;
- (त) “विश्वविद्यालय” से अभिप्राय अधिनियम की धारा 2 की खंड (च) में यथा परिभाषित किसी विश्वविद्यालय से है, अथवा जहां संदर्भ के अनुसार, तत्संबंध की धारा 3 के तहत इस प्रकार घोषित किए जाने वाला कोई सम विश्वविद्यालय संस्थान हो।
- (थ) “विश्वविद्यालय छात्र शिकायत निवारण समिति” (यूएसजीआरसी) से अभिप्राय विश्वविद्यालय के स्तर पर डीएसजीआरसी, आईएसजीआरसी अथवा सीएसजीआरसी के निर्णय के परिणामस्वरूप उपजी शिकायतों पर कार्रवाई करने के लिए इन विनियमों के तहत गठित किसी समिति से है।

4. विवरणिका का अनिवार्य प्रकाशन, इसकी विषयवस्तु तथा मूल्य निर्धारण:

- प्रत्येक संस्थान, अपने पाठ्यक्रम या अध्ययन के किसी भी कार्यक्रम में प्रवेश आरंभ करने की तिथि से कम से कम साठ दिन की समाप्ति से पूर्व अपनी वेबसाइट पर एक विवरणिका प्रकाशित और/अथवा अपलोड करेगा, जिसमें इस तरह के संस्थान में प्रवेश लेने के इच्छुक व्यक्तियों और आम जनता की जानकारी के लिए निम्नवत् जानकारी अंतर्विष्ट होगी, नामतः:
 - प्रत्येक पाठ्यक्रम अथवा अध्ययन के कार्यक्रम के लिए, शिक्षण के घंटों, व्यावहारिक सत्रों और अन्य कार्य के साथ-साथ अध्ययन के कार्यक्रमों और पाठ्यक्रमों की सूची सहित उपयुक्त सांविधिक प्राधिकरण अथवा संस्थान, जैसा मामला हो, द्वारा विनिर्दिष्ट पाठ्यक्रम की व्यापक रूपरेखा;
 - जिस शिक्षा वर्ष हेतु प्रवेश दिए जाने का प्रस्ताव हो, उसके प्रत्येक पाठ्यक्रम अथवा अध्ययन के कार्यक्रम के संबंध में, उपयुक्त सांविधिक प्राधिकरण द्वारा अनुमोदित सीटों की संख्या;
 - संस्थान द्वारा विनिर्दिष्ट किसी विशेष पाठ्यक्रम अथवा अध्ययन कार्यक्रम में छात्र के रूप में प्रवेश के लिए व्यक्तियों की न्यूनतम और अधिकतम आयु सीमा सहित शैक्षिक योग्यता और पात्रता की शर्तें;

- (घ) इस प्रकार के प्रवेश के लिए आवेदन करने वाले योग्य उम्मीदवारों के चयन की प्रक्रिया, जिसमें प्रत्येक पाठ्यक्रम अथवा अध्ययन कार्यक्रम में प्रवेश के लिए ऐसे अभ्यर्थियों के चयन के लिए परीक्षा या इम्तहान के विवरण के संबंध में सभी संगत जानकारी और प्रवेश परीक्षा के लिए निर्धारित शुल्क की राशि शामिल है;
- (ङ) किसी पाठ्यक्रम या अध्ययन कार्यक्रम में अध्ययन करने के लिए ऐसे संस्थान में भर्ती किए गए छात्रों द्वारा देय शुल्क, जमा राशियों और अन्य प्रभारों के प्रत्येक घटक और ऐसे भुगतानों की अन्य निबंधन और शर्तें;
- (च) शास्ति लगाए जाने और संग्रहण किए जाने हेतु नियम/विनियम, विनिर्दिष्ट शीर्ष अथवा श्रेणियां, लगाए जाने वाली शास्ति की न्यूनतम और अधिकतम राशि;
- (छ) ऐसे संस्थानों में दाखिला लेने वाले छात्रों द्वारा यदि पाठ्यक्रम या अध्ययन कार्यक्रम के पूरा होने से पहले अथवा के बाद दाखिला छोड़ दिया जाता है तो छात्रों को प्रतिदाय किए जाने वाले शिक्षण शुल्क और अन्य प्रभारों का प्रतिशत, तथा समय सीमा जिसके भीतर तथा पद्धति जिससे छात्रों को ऐसा प्रतिदाय किया जाएगा;
- (ज) उनकी शैक्षिक योग्यता शिक्षण संकाय का विवरण, उनकी नियुक्ति का स्वरूप (नियमित/अभ्यागत/अतिथि) और उसके प्रत्येक सदस्य के शिक्षण अनुभव के साथ;
- (झ) भौतिक और शैक्षणिक बुनियादी ढांचे और छात्रावास और इसके शुल्क, पुस्तकालय, अस्पताल अथवा उद्योग, जहां छात्रों को व्यावहारिक प्रशिक्षण दिया जाना हो, सहित अन्य सुविधाओं के संबंध में जानकारी और विशेषरूप से छात्रों द्वारा संस्थान में प्रवेश प्राप्त करने पर प्राप्त होने वाली सुविधाओं का ब्योरा अंतर्विष्ट हो;
- (ञ) संस्थान के परिसर के भीतर अथवा बाहर छात्रों द्वारा अनुशासन बनाए रखने के संबंध में सभी संगत निदेश, और, विशेषरूप से किसी छात्र अथवा छात्रों की रैगिंग निषिद्ध करने संबंधी ऐसे अनुशासन को बनाए रखने और उनका उल्लंघन किए जाने के परिणामों और संगत सांविधिक विनियामक प्राधिकरण द्वारा इस संबंध में तैयार किए गए किसी विनियम के उपबंधों का उल्लंघन किए जाने के परिणामों का ब्योरा अंतर्विष्ट होगा; तथा
- (ट) आयोग द्वारा यथा विनिर्दिष्ट कोई अन्य जानकारी:
- बशर्ते कि, प्रत्येक संस्थान इस विनियम के खंड (क) से (ट) में उल्लिखित जानकारी को अपनी वेबसाइट पर प्रकाशित/अपलोड करेगा, और विभिन्न समाचारपत्रों और अन्य मीडिया के माध्यम से प्रमुखता से प्रदर्शित करते हुए विज्ञापनों के माध्यम से इच्छुक छात्रों और आम जनता का ध्यान वेबसाइट पर इस तरह के प्रकाशन की ओर दिलाया जाएगा ।
2. प्रत्येक संस्थान अपनी विवरणिका की प्रत्येक मुद्रित प्रति का मूल्य निर्धारित करेगा, जोकि विवरणिका के प्रकाशन और वितरण की उचित लागत से अधिक नहीं होगी और विवरणिका के प्रकाशन, वितरण या बिक्री से कोई लाभ अर्जित नहीं किया जाएगा ।

5. छात्र शिकायत निवारण समितियां (एसजीआरसी):

क. महाविद्यालयी छात्र शिकायत निवारण समिति (सीएसजीआरसी)

- (i) किसी भी पीड़ित छात्र की महाविद्यालय से संबंधित किसी भी शिकायत को निम्नलिखित संरचना वाली महाविद्यालयी छात्र शिकायत निवारण समिति (सीएसजीआरसी) को भेजा जाएगा:
- (क) महाविद्यालय का प्राचार्य— सभापति;
- (ख) प्राचार्य द्वारा शिक्षण संकाय से तीन वरिष्ठ सदस्यगणों को नामनिर्दिष्ट किया जाएगा— सदस्यगण;
- (ग) महाविद्यालय के छात्रों में से एक प्रतिनिधि, जिसे प्राचार्य द्वारा शैक्षणिक योग्यता/खेलकूद में उत्कृष्टता/सह-पाठ्य क्रियाकलापों में उसके निष्पादन के आधार पर नामनिर्दिष्ट किया जाएगा— विशेष आमंत्रित ।
- (ii) सदस्यगणों तथा विशेष आमंत्रित का कार्यकाल दो वर्षों का होगा ।
- (iii) बैठक के लिए गणपूर्ति, सभापति सहित परंतु विशेष आमंत्रित के अलावा, तीन सदस्यगणों की होगी ।
- (iv) शिकायतों पर विचार करते हुए सीएसजीआरसी नैसर्गिक न्याय के सिद्धांतों का पालन करेगी ।

- (v) सीएसजीआरसी रिपोर्ट को अपनी सिफारिशों, यदि कोई हो तो, के साथ संबद्ध करने वाले विश्वविद्यालय के कुलपति को शिकायत प्राप्त की तिथि से 15 दिनों की अवधि के भीतर भेजेगा तथा इसकी एक प्रति पीड़ित छात्र को भी भेजी जाएगी।

ख. विभागीय छात्र शिकायत निवारण समिति (डीएसजीआरसी)

- (i) किसी भी पीड़ित छात्र की विश्वविद्यालय के किसी भी विभाग, अथवा विद्यालय, अथवा केन्द्र से संबंधित किसी भी शिकायत को विभाग, विद्यालय अथवा केन्द्र, जैसा भी मामला हो, द्वारा गठित की जाने और निम्नलिखित संरचना वाली विभागीय छात्र शिकायत निवारण समिति (डीएसजीआरसी) को भेजा जाएगा, नामतः:
- (क) विभाग, विद्यालय, अथवा केन्द्र का अध्यक्ष, चाहे उसे किसी भी पदनाम से जाना जाए— सभापति;
- (ख) विभाग/विद्यालय/केन्द्र के बाहर से कुलपति द्वारा नामनिर्दिष्ट किए जाने वाले दो आचार्य—सदस्य;
- (ग) संकाय का सदस्य, जो शिकायत निवारण की प्रणाली से भली-भांति परिचित हो, को सभापति द्वारा नामनिर्दिष्ट किया जाएगा— सदस्य;
- (घ) महाविद्यालय के छात्रों में से एक प्रतिनिधि, जिसे कुलपति द्वारा शैक्षणिक योग्यता/खेलकूद में उत्कृष्टता/सह-पाठ्य क्रियाकलापों में उसके निष्पादन के आधार पर नामनिर्दिष्ट किया जाएगा—विशेष आमंत्रित
- (ii) सभापति, समिति के सदस्यों और विशेष आमंत्रित का कार्यकाल दो वर्षों का होगा।
- (iii) डीएसजीआरसी की बैठक के लिए गणपूर्ति, सभापति सहित परंतु विशेष आमंत्रित के अलावा, तीन सदस्यगणों की होगी।
- (iv) अपने समक्ष प्रस्तुत शिकायतों पर विचार करते हुए डीएसजीआरसी नैसर्गिक न्याय के सिद्धांतों का पालन करेगी।
- (v) डीएसजीआरसी अपनी रिपोर्ट को सिफारिशों, यदि कोई हों तो, के साथ संस्थान के मुखिया/ कुलपति को शिकायत प्राप्त की तिथि से 15 दिनों की अवधि के भीतर भेजेगा तथा इसकी एक प्रति पीड़ित छात्र को भी भेजी जाएगी।

ग. संस्थागत छात्र शिकायत निवारण समिति (आईएसजीआरसी)

- (i) जब शिकायत किसी विश्वविद्यालय के किसी शैक्षणिक विभाग, विद्यालय अथवा केन्द्र, जैसा भी मामला हो, से संबद्ध नहीं हो तो मामले को कुलपति महोदय द्वारा निम्नवत संरचना के साथ गठित की जाने वाली एक संस्थागत छात्र शिकायत निवारण समिति (आईएसजीआरसी) को भेजा जाएगा; नामतः:
- (क) संस्थान का सम-कुलपति/संकाय अध्यक्ष/वरिष्ठ आचार्य— सभापति;
- (ख) छात्र संकाय अध्यक्ष/संकाय अध्यक्ष, छात्र कल्याण— सदस्य;
- (ग) सभापति के अलावा एक वरिष्ठ शिक्षाविद्— सदस्य;
- (घ) कुलानुशासक/वरिष्ठ शिक्षाविद्— सदस्य
- (ङ) महाविद्यालय के छात्रों में से एक प्रतिनिधि, जिसे कुलपति द्वारा शैक्षणिक योग्यता/खेलकूद में उत्कृष्टता/सह-पाठ्य क्रियाकलापों में उसके निष्पादन के आधार पर नामनिर्दिष्ट किया जाएगा—विशेष आमंत्रित।
- (ii) समिति के सदस्यों का कार्यकाल दो वर्षों का होगा।
- (iii) आईएसजीआरसी की बैठक के लिए गणपूर्ति, सभापति सहित परंतु विशेष आमंत्रित के अलावा, तीन सदस्यगणों की होगी।
- (iv) अपने समक्ष प्रस्तुत शिकायतों पर विचार करते हुए आईएसजीआरसी नैसर्गिक न्याय के सिद्धांतों का पालन करेगी।
- (v) आईएसजीआरसी अपनी रिपोर्ट को सिफारिशों, यदि कोई हों तो, के साथ कुलपति को शिकायत प्राप्त की तिथि से 15 दिनों की अवधि के भीतर भेजेगा तथा इसकी एक प्रति पीड़ित छात्र को भी भेजी जाएगी।

घ. विश्वविद्यालय छात्र शिकायत निवारण समिति (यूएसजीआरसी)

- (i) एक संबद्ध विश्वविद्यालय के कुलपति, उतनी संख्या में विश्वविद्यालय छात्र शिकायत निवारण समितियों (यूएसजीआरसी) का गठन करेंगे, जैसा कि एक या एक से अधिक सीएसजीआरसी या डीएसजीआरसी या आईएसजीआरसी द्वारा अनसुलझी शिकायतों पर विचार करने के लिए आवश्यक हो और प्रत्येक यूएसजीआरसी, महाविद्यालयों/विभागों/संस्थानों से उत्पन्न होने वाली शिकायतों पर, कुलपति द्वारा उसे प्रदत्त किए गए क्षेत्राधिकार क्षेत्र के आधार पर कार्यवाही कर सकता है।
 - क) विश्वविद्यालय का एक वरिष्ठ आचार्य— सभापति;
 - ख) संकाय अध्यक्ष, छात्र कल्याण अथवा समकक्ष – सदस्य;
 - ग) संबद्ध महाविद्यालयों से लिए गए दो प्राचार्य, जो कि समीक्षाधीन सीएसजीआरसी की रिपोर्टों से न जुड़े हों, कुलपति द्वारा नामित किए जाने वाले हैं— सदस्य;
 - घ) विश्वविद्यालय का एक आचार्य – सदस्य;
 - ङ) महाविद्यालय के छात्रों में से एक प्रतिनिधि, जिसे कुलपति द्वारा शैक्षणिक योग्यता/खेलकूद में उत्कृष्टता/सह-पाठ्य क्रियाकलापों में उसके निष्पादन के आधार पर नामनिर्दिष्ट किया जाएगा— विशेष आमंत्रित।
- (ii) सभापति तथा समिति के सदस्यों और विशेष आमंत्रित का कार्यकाल दो वर्षों का होगा।
- (iii) बैठक के लिए गणपूर्ति, सभापति सहित परंतु विशेष आमंत्रित के अलावा, तीन सदस्यगणों की होगी।
- (iv) अपने समक्ष शिकायतों पर विचार करते हुए यूएसजीआरसी नैसर्गिक न्याय के सिद्धांतों का पालन करेगी।
- (v) यूएसजीआरसी अपनी रिपोर्ट और सिफारिशें, यदि कोई हों तो, के साथ शिकायत से संबंधित महाविद्यालय के प्राचार्य/विभागाध्यक्ष/विद्यालय/संस्थान को शिकायत प्राप्ति की तिथि से 15 दिनों की अवधि के भीतर भेजेगी तथा इसकी एक प्रति पीड़ित छात्र को भी भेजी जाएगी।
- (vi) विश्वविद्यालय छात्र शिकायत निवारण समिति के निर्णय से व्यथित कोई भी छात्र, इस तरह के निर्णय की प्राप्ति की तिथि से पंद्रह दिनों की अवधि के भीतर, लोकपाल के समक्ष अपील कर सकता है।

6. लोकपाल की नियुक्ति, सेवाकाल, उसे पद से हटाया जाना और सेवा की शर्तें:

- (i) यूएसजीआरसी के निर्णयों के विरुद्ध सुनवाई करने और निर्णय देने और अपील करने के लिए एक या एक से अधिक अंशकालिक पदाधिकारियों को लोकपाल के रूप में नामित किया जाएगा;

बशर्ते कि, उस राज्य में स्थित सभी राज्य विश्वविद्यालयों (सार्वजनिक के साथ— साथ निजी विश्वविद्यालयों) के संबंध में एक राज्य के लिए एक से अधिक लोकपाल नहीं होंगे, जिन्हें राज्य सरकार द्वारा नियुक्त किया जाएगा;

बशर्ते आगे कि, एक क्षेत्र में स्थित केंद्रीय विश्वविद्यालयों और सम विश्वविद्यालय संस्थानों के लिए एक से अधिक लोकपाल नहीं होंगे, जिन्हें केंद्र सरकार द्वारा नियुक्त किया जाएगा।
- (ii) लोकपाल, शिक्षा अथवा अनुसंधान के क्षेत्र में प्रख्यात व्यक्ति होंगे, जो किसी विश्वविद्यालय के कुलपति रह चुके हों।
- (iii) किसी राज्य में राज्य विश्वविद्यालयों के लिए लोकपाल, उस राज्य के किसी भी विश्वविद्यालय के साथ हितों के टकराव में नहीं होगा; और उस क्षेत्र में स्थित केंद्रीय विश्वविद्यालयों और सम विश्वविद्यालयों हेतु लोकपाल, इस तरह की नियुक्ति से पहले अथवा उसके पश्चात्, उस क्षेत्र में स्थित विश्वविद्यालय अथवा सम विश्वविद्यालय संस्थान के साथ किसी भी तरह के हितों के टकराव में नहीं होंगे।
- (iv) एक राज्य सरकार इस प्रयोजनार्थ गठित एक खोज समिति द्वारा सुझाए गए तीन नामों के पैनल में से लोकपाल की नियुक्ति करेगी, जिसमें निम्नलिखित शामिल होंगे, नामतः
 - (क) राज्यपाल या उपराज्यपाल का एक नामित, जैसा भी मामला हो, जो उच्चतर शिक्षा के क्षेत्र में प्रतिष्ठित व्यक्ति हो— सभापति;
 - (ख) राज्य के राज्यपाल/संघ भासित राज्य के उपराज्यपाल द्वारा नामित किया जाने वाला राज्य सार्वजनिक विश्वविद्यालय का कुलपति— सदस्य;

- (ग) राज्य सरकार द्वारा नामित किया जाने वाला एक राज्य निजी विश्वविद्यालय का कुलपति— सदस्य;
- (घ) राज्य उच्चतर शिक्षा परिषद् का अध्यक्ष अथवा परिषद् के शैक्षणिक सदस्यों में से उनका नामिति— सदस्य;
- (ङ) उच्चतर शिक्षा के लिए उत्तरदायी राज्य सरकार के प्रधान सचिव/सचिव— सदस्य सचिव;
- (v) केंद्र सरकार इस प्रयोजनार्थ गठित एक खोज समिति द्वारा सुझाए गए तीन नामों के पैनल में से लोकपाल की नियुक्ति करेगी, जिसमें निम्नलिखित शामिल होंगे, नामतः
 - (क) विश्वविद्यालय अनुदान आयोग के अध्यक्ष महोदय अथवा उनके नामिति— सभापति;
 - (ख) किसी केन्द्रीय विश्वविद्यालय का कुलपति जिसे केन्द्र सरकार द्वारा नामनिर्दिष्ट किया जाएगा— सदस्य;
 - (ग) किसी सम विश्वविद्यालय संस्थान का कुलपति जिसे केन्द्र सरकार द्वारा नामनिर्दिष्ट किया जाए— सदस्य;
 - (घ) केन्द्र सरकार का नामिति जोकि संयुक्त सचिव के पद से नीचे न हो— सदस्य;
 - (ङ) विश्वविद्यालय अनुदान आयोग के सचिव महोदय— सदस्य सचिव;
- (vi) लोकपाल को पद ग्रहण करने की तिथि से तीन वर्ष की अवधि अथवा सत्तर वर्ष की आयु होने तक, इनमें से जो भी पहले हो, के लिए नियुक्त किया जाएगा, और वह समान राज्य या क्षेत्र के लिए, जैसा कि मामला हो, एक और कार्यकाल के लिए पुनर्नियुक्ति होने के लिए पात्र होगा।
- (vii) सुनवाई का संचालन करने के लिए, लोकपाल को, यात्रा पर हुए किए गए व्यय की प्रतिपूर्ति सहित विश्वविद्यालय अनुदान आयोग द्वारा निर्धारित किए गए मानदंडों के अनुसार, प्रति दिन, प्रति बैठक के आधार पर शुल्क का भुगतान किया जाएगा।
- (viii) राज्य के लोकपाल के मामले में राज्य सरकार द्वारा और किसी क्षेत्र के लोकपाल के मामले में केन्द्र सरकार द्वारा लोकपाल को इन विनियमों के तहत यथा परिभाषित कदाचार या दुर्यवहार के आरोप सिद्ध होने पर पद से हटाया जा सकता है।
- (ix) कम से कम उच्च न्यायालय के न्यायाधीश के पद पर आसीन न्यायमूर्ति द्वारा की गई जांच के अलावा लोकपाल को पदच्युत करने हेतु कोई आदेश जारी नहीं किया जाएगा, और इस प्रकार की गई जांच में लोकपाल को सुनवाई का एक उचित अवसर भी प्रदान किया जाएगा।

7. लोकपाल के कार्यकरण :

- (i) लोकपाल, छात्र द्वारा इन विनियमों के तहत उपबंधित सभी विकल्पों को अपनाने के पश्चात् ही पीड़ित छात्र की अपील की सुनवाई करेंगे।
- (ii) यद्यपि, परीक्षा के संचालन में अथवा मूल्यांकन की प्रक्रिया में गड़बड़ी के मुद्दों को लोकपाल के संदर्भित किया जा सकता है, तथापि, लोकपाल द्वारा उत्तर पुस्तिकाओं के पुनर्मूल्यांकन अथवा अंकों को पुनः योग करने हेतु कोई अपील अथवा आवेदन पर लोकपाल द्वारा सुनवाई नहीं की जाएगी, जब तक कि भेदभाव की किसी विशिष्ट घटना के परिणामों को प्रभावित करने वाली किसी विशिष्ट अनियमितता को इंगित नहीं किया जाता है।
- (iii) लोकपाल, कथित रूप से किए गए भेदभाव की शिकायतों की सुनवाई करने के लिए, न्याय— मित्र के रूप में किसी भी व्यक्ति की सहायता प्राप्त कर सकता है।
- (iv) लोकपाल पीड़ित छात्र(त्रों) से अपील प्राप्त होने के 30 दिनों के भीतर शिकायतों का समाधान के लिए सभी प्रयास करेगा।

8. लोकपाल तथा छात्र शिकायत निवारण समितियों द्वारा शिकायतों के निवारण हेतु प्रक्रिया:

- (i) प्रत्येक संस्थान, इस अधिसूचना के जारी होने की तिथि से तीन माह की अवधि के भीतर एक ऑनलाइन पोर्टल तैयार करेगा, जहां कोई भी पीड़ित छात्र अपनी शिकायत के निवारण के लिए आवेदन कर सकता है।
- (ii) ऑनलाइन शिकायत प्राप्त होने पर संस्थान, ऑनलाइन शिकायत की प्राप्ति के 15 दिनों के भीतर अपनी टिप्पणियों सहित शिकायत को उपर्युक्त छात्र शिकायत निवारण समिति को भेजेगा।

- (iii) छात्र शिकायत निवारण समिति, जैसा भी मामला हो, शिकायत की सुनवाई के लिए एक तिथि निर्धारित करेगी जिसकी जानकारी संस्थान और पीड़ित छात्र को दी जाएगी।
- (iv) पीड़ित छात्र या तो व्यक्तिगत रूप से पेश हो सकता है अथवा अपना पक्ष रखने के लिए अपने किसी प्रतिनिधि को अधिकृत कर सकता है।
- (v) विश्वविद्यालय छात्र शिकायत निवारण समिति द्वारा समाधान नहीं की गई शिकायतों, को इन विनियमों में उपबंधित समयावधि के भीतर लोकपाल को भेजा जाएगा।
- (vi) संस्थान, शिकायतों के शीघ्र निपटान हेतु, लोकपाल अथवा छात्र शिकायत निवारण समिति(यों), जैसा भी मामला हो, सहयोग करेंगे; और ऐसा नहीं किए जाने पर लोकपाल द्वारा आयोग को जानकारी दी जा सकती है जो इन विनियमों के उपबंधों के अनुरूप कार्रवाई करेगा।
- (vii) लोकपाल, दोनों पक्षों को सुने जाने का एक उचित अवसर प्रदान करने के बाद, कार्यवाहियां समाप्त होने पर तत्संबंधी कारणों सहित, इस प्रकार का आदेश पारित करेगा, जैसा वह उपयुक्त समझे, ताकि शिकायत का समाधान हो सके और पीड़ित छात्र को जैसा उपयुक्त हो, राहत प्रदान की जा सके।
- (viii) संस्थान के साथ ही साथ पीड़ित छात्र को लोकपाल के हस्ताक्षर के तहत जारी की गई आदेश की प्रतियां उपलब्ध कराई जाएंगी और संस्थान, आदेश की प्रति को सामान्य जानकारी के लिए इसे अपनी वेबसाइट पर भी डालेगा।
- (ix) संस्थान, लोकपाल की सिफारिशों का अनुपालन करेगा और संस्थान द्वारा सिफारिशों का अनुपालन नहीं किए जाने के संबंध में लोकपाल, आयोग को जानकारी प्रदान करेगा।
- (x) जहां शिकायत झूठी या तुच्छ पाई जाती है उस स्थिति में लोकपाल शिकायतकर्ता के विरुद्ध उपर्युक्त कार्रवाई किए जाने की सिफारिश कर सकता है।

9. लोकपाल और छात्र शिकायत निवारण समितियों के संबंध में जानकारी:

संस्थान अपनी वेबसाइट और अपनी विवरणिका में स्पष्टरूप से इसके क्षेत्राधिकार में आने वाली छात्र शिकायत निवारण समिति(यों) तथा अपील किए जाने के प्रयोजनार्थ लोकपाल के संबंध में सभी संगत जानकारीयां उपलब्ध कराएगा।

10. अनुपालन नहीं किए जाने के परिणाम:

आयोग, किसी भी संस्थान के संबंध में, जो जानबूझकर इन विनियमों का उल्लंघन करते हैं अथवा बार— बार लोकपाल अथवा शिकायत निवारण समिति(यों), जैसा भी मामला हो, की सिफारिशों को अनुपालन नहीं करते हैं, उनके विरुद्ध निम्नवत् एक अथवा एक से अधिक कार्यवाहियां कर सकते हैं, नामतः:

- (क) अधिनियम की धारा 12ख के तहत अनुदान प्राप्त करने के लिए उपयुक्तता की घोषणा को वापस लेना;
- (ख) संस्थान को आवंटित किसी भी अनुदान को रोका जा सकता है;
- (ग) आयोग के किसी भी सामान्य अथवा विशेष सहायता कार्यक्रम के तहत किसी भी सहायता को प्राप्त करने हेतु विचार किए जाने के लिए संस्थान को अयोग्य घोषित करना;
- (घ) उपयुक्त मीडिया में प्रमुखता से प्रदर्शित कर और आयोग की वेबसाइट पर पोस्ट कर संभावित अभ्यर्थियों सहित जनसाधारण को सूचित करना, तथा इस बाबत घोषणा करना की संस्थान में शिकायतों के निवारण के लिए न्यूनतम मानक मौजूद नहीं हैं;
- (ङ) महाविद्यालय के मामले में, संबद्धता को वापस लेने के लिए संबद्ध विश्वविद्यालय को सिफारिश करना;
- (च) सम विश्वविद्यालय संस्थान के मामले में इस प्रकार की कार्रवाई करना, जो आवश्यक, उपयुक्त और सटीक प्रतीत हो;
- (छ) सम विश्वविद्यालय संस्थान के मामले में सम विश्वविद्यालय संस्थान के रूप में घोषणा को वापस लिया जाने के लिए, यदि आवश्यक हो तो, केंद्र सरकार को सिफारिश करना;
- (ज) राज्य अधिनियम के तहत स्थापित अथवा निगमित विश्वविद्यालय के मामले में राज्य सरकार को आवश्यक और उचित कार्रवाई करने की सिफारिश करना;
- (झ) गैर-अनुपालन के लिए संस्थान के विरुद्ध ऐसी अन्य कार्रवाई करना जो आवश्यक और उचित समझी जाए।

बशर्ते कि, इस विनियमों के तहत आयोग द्वारा कोई कार्यवाई नहीं की जाएगी, जब तक कि संस्थान को अपनी स्थिति स्पष्ट करने के लिए अवसर नहीं दिया गया हो और उसे सुने जाने का अवसर प्रदान नहीं किया गया हो।

11. इन विनियमों में उल्लिखित कोई भी शर्त, विश्वविद्यालय अनुदान आयोग (शिकायत निवारण) विनियम, 2012 के उपबंधों के तहत नियुक्त किसी पदधारी लोकपाल के कार्यकाल की अवधि के दौरान उसके पद पर बने रहने को प्रतिकूल रूप से प्रभावित नहीं करेगी; कार्यकाल समाप्त होने के पश्चात् लोकपाल, की नियुक्ति विश्वविद्यालय अनुदान आयोग (छात्रों की शिकायतों का निवारण) संबंधी विनियम, 2019 के अनुरूप की जाएगी।

प्रो. रजनीश जैन, सचिव

[विज्ञापन—III / 4 / असा. / 30 / 19]

UNIVERSITY GRANTS COMMISSION

NOTIFICATION

New Delhi, the 6th May, 2019

F.No. 14-4/2012(CPP-II).—In exercise of the powers conferred under clause (g) of sub-section (1) of Section 26 of the University Grants Commission Act, 1956 (3 of 1956), and in supersession of the University Grants Commission (Grievance Redressal) Regulations, 2012, the University Grants Commission hereby makes the following regulations, namely -

1. SHORT TITLE, APPLICATION AND COMMENCEMENT:

- a) These regulations shall be called as the University Grants Commission (Redress of Grievances of Students) Regulations, 2019.
- b) They shall apply to all higher education institutions, whether established or incorporated by or under a Central Act or a State Act, and every institution recognized by the University Grants Commission under clause (f) of Section 2 of the University Grants Commission Act, 1956 and to all institutions deemed to be a University declared as such under Section 3 therein.
- c) They shall come into force from the date of their publication in the Official Gazette.

2. OBJECTIVE:

To provide opportunities for redress of certain grievances of students already enrolled in any institution, as well as those seeking admission to such institutions, and a mechanism thereto.

3. DEFINITION: IN THESE REGULATIONS, UNLESS THE CONTEXT OTHERWISE REQUIRES:

- (a) “Act” means the University Grants Commission Act, 1956 (3 of 1956);
- (b) “aggrieved student” means a student, who has any complaint in the matters relating to or connected with the grievances defined under these regulations.
- (c) “college” means any institution, so defined in clause (b) of sub-section (1) of section 12A of the Act.
- (d) “Collegiate Student Grievance Redressal Committee” (CSGRC) means a committee constituted under these regulations, at the level of an institution, being a college.
- (e) “Commission” means the University Grants Commission established under section 4 of the UGC Act, 1956.
- (f) “declared admission policy” means such policy, including the process there under, for admission to a course or program of study as may be offered by the institution by publication in the prospectus of the institution.
- (g) “Departmental Student Grievance Redressal Committee” (DSGRC) means a committee constituted under these regulations, at the level of a Department, School or Centre of a University.
- (h) “grievance” means, and includes, complaint(s) made by an aggrieved student in respect of the following, namely:

- i. admission contrary to merit determined in accordance with the declared admission policy of the institution;
 - ii. irregularity in the process under the declared admission policy of the institution;
 - iii. refusal to admit in accordance with the declared admission policy of the institution;
 - iv. non-publication of prospectus by the institution, in accordance with the provisions of these regulations;
 - v. publication by the institution of any information in the prospectus, which is false or misleading, and not based on facts;
 - vi. withholding of, or refusal to return, any document in the form of certificates of degree, diploma or any other award or other document deposited by a student for the purpose of seeking admission in such institution, with a view to induce or compel such student to pay any fee or fees in respect of any course or program of study which such student does not intend to pursue;
 - vii. demand of money in excess of that specified to be charged in the declared admission policy of the institution;
 - viii. violation, by the institution, of any law for the time being in force in regard to reservation of seats in admission to different category of students;
 - ix. nonpayment or delay in payment of scholarships or financial aid admissible to any student under the declared admission policy of such institution, or under the conditions, if any, prescribed by the Commission;
 - x. delay by the institution in the conduct of examinations, or declaration of results, beyond the schedule specified in the academic calendar of the institution, or in such calendar prescribed by the Commission;
 - xi. failure by the institution to provide student amenities as set out in the prospectus, or is required to be extended by the institution under any provisions of law for the time being in force;
 - xii. non-transparent or unfair practices adopted by the institution for the evaluation of students;
 - xiii. delay in, or denial of, the refund of fees due to a student who withdraws admission within the time mentioned in the prospectus, or as may be notified by the Commission;
 - xiv. complaints of alleged discrimination of students from the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, Women, Minority or persons with disabilities categories;
 - xv. denial of quality education as promised at the time of admission or required to be provided; and
 - xvi. harassment or victimization of a student, other than cases of harassment, which are to be proceeded against under the penal provisions of any law for the time being in force.
- (i) “Institution” means, as the context may be, a University or a college, or an institution declared a deemed to be a University under the Act or an institution established within a University for a particular discipline or activity;
- (j) Institutional Student Grievance Redressal Committee” (ISGRC) means a committee constituted under these regulations at the level of the University, for dealing with grievances which do not belong to a department of the University e.g. hostels and common facilities.
- (k) “Ombudsperson” means the Ombudsperson appointed under these regulations;
- (l) “Prospectus” means and includes any publication, whether in print or otherwise, issued for providing fair and transparent information, relating to an institution, to the general public (including to those seeking admission in such institution) by such institution or any authority or person authorized by such institution to do so;

- (m) "Region" means a geographical territory, comprising of States, so determined, for the purpose of facilitating enforcement of these regulations; namely, South-Eastern Region comprising Andhra Pradesh, Telengana, Puducherry, Andaman and Nicobar, and Tamil Nadu; South-Western Region comprising Kerala, Karnataka, and Lakshadweep; Western Region comprising Maharashtra, Gujarat, Goa, Dadar and Nagar Haveli, Daman and Diu; Central Region comprising Chhattisgarh, Madhya Pradesh and Rajasthan; Northern Region comprising Jammu and Kashmir, Delhi, Himachal Pradesh, Punjab, Haryana, Uttar Pradesh, Uttarakhand and Chandigarh; North-Eastern Region comprising Assam, Meghalaya, Mizoram, Manipur, Tripura, Arunachal Pradesh, Sikkim and Nagaland; and Eastern Region comprising West Bengal, Bihar, Jharkhand and Odisha.
- (n) "State" means a State specified in the First Schedule to the Constitution and includes a Union territory;
- (o) "Student" means a person enrolled, or seeking admission to be enrolled, in any institution to which these regulations apply;
- (p) "University" means a University so defined in clause (f) of section 2 of the Act or, where the context may be, an institution deemed to be University declared as such under Section 3 thereof.
- (q) "University Student Grievance Redressal Committee" (USGRC) means a committee constituted under these regulations, at the level of the university, for dealing with grievances arising out of decisions of the DSGRC, ISGRC or CSGRC.

4. MANDATORY PUBLICATION OF PROSPECTUS, ITS CONTENTS AND PRICING:

- (1) Every institution, shall publish and/or upload on its website, before expiry of at least sixty days prior to the date of the commencement of the admission to any of its courses or programs of study, a prospectus containing the following for the information of persons intending to seek admission to such institution and the general public, namely:
 - (a) the list of programs of study and courses offered along with the broad outlines of the syllabus specified by the appropriate statutory authority or by the institution, as the case may be, for every course or program of study, including teaching hours, practical sessions and other assignments;
 - (b) the number of seats approved by the appropriate statutory authority in respect of each course or program of study for the academic year for which admission is proposed to be made;
 - (c) the conditions of educational qualifications and eligibility including the minimum and maximum age limit of persons for admission as a student in a particular course or program of study, specified by the institution;
 - (d) the process of selection of eligible candidates applying for such admission, including all relevant information in regard to the details of test or examination for selecting such candidates for admission to each course or program of study and the amount of fee prescribed for the admission test;
 - (e) each component of the fee, deposits and other charges payable by the students admitted to such institution for pursuing a course or program of study, and the other terms and conditions of such payment;
 - (f) rules/regulations for imposition and collection of any fines in specified heads or categories, minimum and maximum fine may be imposed.
 - (g) the percentage of tuition fee and other charges refundable to a student admitted in such institution in case such student withdraws from such institution before or after completion of course or program of study and the time within and the manner in which such refund shall be made to that student;
 - (h) details of the teaching faculty, including their educational qualifications, along with their type of appointment (Regular/visiting/guest) and teaching experience of every member thereof.
 - (i) information with regard to physical and academic infrastructure and other facilities including hostel accommodation and its fee, library, hospital or industry wherein the practical training is

to be imparted to the students and in particular the amenities accessible by students on being admitted to the institution;

- (j) all relevant instructions in regard to maintaining the discipline by students within or outside the campus of the institution, and, in particular such discipline relating to the prohibition of ragging of any student or students and the consequences thereof and for violating the provisions of any regulation in this behalf made by the relevant statutory regulatory authority; and

- (k) Any other information as may be specified by the Commission:

Provided that an institution shall publish/upload information referred to in clauses (a) to (k) of this regulation, on its website, and the attention of prospective students and the general public shall be drawn to such publication being on the website through advertisements displayed prominently in different newspapers and through other media:

- (2) Every institution shall fix the price of each printed copy of the prospectus, being not more than the reasonable cost of its publication and distribution and no profit be made out of the publication, distribution or sale of prospectus.

5. STUDENT GRIEVANCE REDRESSAL COMMITTEES (SGRC):

A. Collegiate Student Grievance Redressal Committee (CSGRC)

- (i) A complaint from an aggrieved student relating to a college shall be addressed to the Collegiate Student Grievance Redressal Committee (CSGRC), with the following composition, namely:
 - a) Principal of the college – Chairperson;
 - b) Three senior members of the teaching faculty to be nominated by the Principal – Members;
 - c) A representative from among students of the college to be nominated by the Principal based on academic merit/excellence in sports/performance in co-curricular activities – Special Invitee.
- (ii) The term of the members and the special invitee shall be two years.
- (iii) The quorum for the meeting including the Chairperson, but excluding the special invitee, shall be three.
- (iv) In considering the grievances before it, the CSGRC shall follow principles of natural justice.
- (v) The CSGRC shall send its report with recommendations, if any, to the Vice-Chancellor of the affiliating University and a copy thereof to the aggrieved student, within a period of 15 days from the date of receipt of the complaint.

B. Departmental Student Grievance Redressal Committee (DSGRC)

- (i) A complaint by an aggrieved student relating to a Department, or School, or Centre of a University shall be addressed to the Departmental Student Grievance Redressal Committee (DSGRC) to be constituted at the level of the Department, School, or Centre, as the case may be, and with the following composition, namely:
 - a) Head of the Department, School, or the Centre, by whatever designation known – Chairperson;
 - b) Two Professors, from outside the Department/School/Centre to be nominated by the Vice Chancellor – Members;
 - c) A member of the faculty, well-versed with the mechanism of grievance redressal to be nominated by the Chairperson – Member;
 - d) A representative from among students of the college to be nominated by the Vice Chancellor based on academic merit/excellence in sports/performance in co-curricular activities – Special Invitee.

- (ii) The term of the Chairperson, members of the Committee, and the special invitee shall be of two years.
- (iii) The quorum for the meeting of DSGRC, including the Chairperson, but excluding the special invitee, shall be three.
- (iv) In considering the grievances before it, the DSGRC shall follow principles of natural justice.
- (v) The DSGRC shall submit its report with recommendations, if any, to the Head of the Institution/ Vice Chancellor, with a copy thereof to the aggrieved student, within a period of 15 days from the date of receipt of the complaint.

C. Institutional Student Grievance Redressal Committee (ISGRC)

- (i) Where a complaint does not relate to any academic Department, School or Centre of a University, as the case may be, the matter shall be referred to the Institutional Student Grievance Redressal Committee (ISGRC) to be constituted by the Vice Chancellor, with the following composition, namely:
 - (a) Pro-Vice Chancellor/Dean/Senior Professor of institution – Chairperson;
 - (b) Dean of students/Dean, Students Welfare – Member;
 - (c) One senior academic, other than the Chairperson – Member;
 - (d) Proctor/Senior academic – Member;
 - (e) A representative from among students of the college to be nominated by the Vice Chancellor based on academic merit/excellence in sports/performance in co-curricular activities – Special Invitee.
- (ii) The term of the members of the committee shall be of two years.
- (iii) The quorum for the meetings of the ISGRC, including the Chairperson, but excluding the special invitee, shall be three.
- (iv) In considering the grievances before it, the ISGRC shall follow principles of natural justice.
- (v) The ISGRC shall send its report with recommendations, if any, to the Vice Chancellor, along with a copy thereof to the aggrieved student, within a period of 15 workings days from the date of receipt of the grievance.

D. University Student Grievance Redressal Committee (USGRC)

- (i) The Vice Chancellor of an affiliating University shall constitute such number of University Student Grievance Redressal Committees (USGRC), as may be required to consider grievances unresolved by one or more CSGRC or DSGRC or ISGRC and each USGRC may take up grievances arising from colleges/departments/ Institutions, on the basis of the jurisdiction assigned to it by the Vice Chancellor.
 - a) A senior Professor of the University – Chairperson;
 - b) Dean, Student Welfare or equivalent – Member;
 - c) Two Principals drawn from the affiliating colleges, other than those connected with reports of CSGRC under review, to be nominated by the Vice-Chancellor – Members;
 - d) One Professor of the University - Member;
 - e) A representative from among students of the college to be nominated by the Vice Chancellor based on academic merit/excellence in sports/performance in co-curricular activities – Special Invitee.
- (ii) The Chairperson, members and the special invitee shall have a term of two years.
- (iii) The quorum for the meeting, including the Chairperson, but excluding the special invitee, shall be three.

- (iv) In considering the grievances before it, the USGRC shall follow principles of natural justice.
- (v) The USGRC shall send its report and recommendations, if any, to the Principal of the College relating to the grievance/Head of the department/School/Institution with a copy thereof to the aggrieved student, within 15 days of the receipt of the grievance.
- (vi) Any student aggrieved by the decision of the University Student Grievance Redressal Committee may prefer an appeal to the Ombudsperson, within in a period of fifteen days from the date of receipt of such decision.

6. APPOINTMENT, TENURE, REMOVAL AND CONDITIONS OF SERVICES OF OMBUDSPERSON:

- (i) There shall be one or more part-time functionaries designated as Ombudspersons to hear, and decide on, appeals preferred against the decisions of the USGRCs.

Provided that, there shall not be more than one ombudsperson for a State, in respect of all the State universities (Public as well as Private) in that State, who shall be appointed by the State Government;

Provided further that, there shall not be more than one Ombudsperson for a region, in respect of the Central universities and institutions deemed to be universities in that region, who shall be appointed by the Central Government.

- (ii) The Ombudsperson shall be a person of eminence in academics or research, who had been Vice-Chancellor of a University.
- (iii) The Ombudsperson for the State universities in a State, shall not be in any conflict of interest with any University in that State; and the Ombudsperson for the Central universities and institutions deemed to be universities in a region, shall not be in any conflict of interest with any University or institution deemed to be University in that region, either before or after such appointment.
- (iv) A State Government shall appoint the Ombudsperson from a panel of three names recommended by a search committee constituted for that purpose and consisting of the following, namely:
 - (a) A nominee of the Governor or Lt. Governor, as the case may be, who is a person of eminence in the field of higher education— Chairperson;
 - (b) A Vice Chancellor from a State Public University to be nominated by the Governor/LG of the State/UT - Member;
 - (c) A Vice Chancellor from a State Private University to be nominated by the State Government – Member;
 - (d) Chairperson of the State Council of Higher Education or his/her nominee from among the academic members of the Council— Member;
 - (e) Principal Secretary/Secretary to the State Government responsible for Higher Education— Member Secretary.
- (v) The Central Government shall appoint the Ombudsperson for a region from a panel of three names recommended by a search committee to be constituted for that purpose, and consisting of the following, namely:
 - (a) Chairperson, University Grants Commission or his/her nominee – Chairperson
 - (b) A Vice Chancellor of a Central University to be nominated by the Central Government – Member
 - (c) A Vice Chancellor of an institution deemed to be University to be nominated by the Central Government – Member
 - (d) A nominee of the Central Government, not below the rank of the Joint Secretary – Member
 - (e) Secretary, University Grants Commission – Member Secretary

- (vi) The Ombudsperson shall be appointed for a period of three years or until he attains the age of 70 years, whichever is earlier, from the date of assuming office, and shall be eligible for reappointment for another one term for the same State or region, as the case may be.
- (vii) For conducting the hearings, the Ombudsperson shall be paid a sitting fee, per diem, in accordance with the norms fixed by the University Grants Commission, and shall, in addition, be eligible for reimbursement of the expenditure incurred on conveyance.
- (viii) The State Government, in the case of an Ombudsperson of a State, and the Central Government, in the case of an Ombudsperson of a region, may remove the Ombudsperson from office, on charges of proven misconduct or misbehavior as defined under these regulations.
- (ix) No order of removal of Ombudsperson shall be made except after an inquiry made in this regard by a person not below the rank of judge of the High Court in which a reasonable opportunity of being heard is given to the Ombudsperson.

7. FUNCTIONS OF OMBUDSPERSON:

- (i) The Ombudsperson shall hear appeals from an aggrieved student, only after the student has availed all other remedies provided under these regulations.
- (ii) While issues of malpractices in the conduct of examination or in the process of evaluation may be referred to the Ombudsperson, no appeal or application for revaluation or re-totalling of answer sheets from an examination, shall be entertained by the Ombudsperson unless specific irregularity materially affecting the outcome of specific instance of discrimination is indicated.
- (iii) The Ombudsperson may avail assistance of any person, as amicus curiae, for hearing complaints of alleged discrimination.
- (iv) The Ombudsperson shall make all efforts to resolve the grievances within a period of 30 days of receiving the appeal from the aggrieved student(s).

8. PROCEDURE FOR REDRESSAL OF GRIEVANCES BY OMBUDSPERSONS AND STUDENT GRIEVANCE REDRESSAL COMMITTEES:

- (i) Each institution shall, within a period of three months from the date of issue of this notification, have an online portal where any aggrieved student may submit an application seeking redressal of grievance.
- (ii) On receipt of an online complaint, the institution shall refer the complaint to the appropriate Student Grievance Redressal Committee, along with its comments within 15 days of receipt of complaint on the online portal.
- (iii) The Student Grievance Redressal Committee, as the case may be, shall fix a date for hearing the complaint which shall be communicated to the institution and the aggrieved student.
- (iv) An aggrieved student may appear either in person or authorize a representative to present the case.
- (v) Grievances not resolved by the University Student Grievance Redressal Committee shall be referred to the Ombudsperson, within the time period provided in these regulations.
- (vi) Institutions shall extend co-operation to the Ombudsperson or the Student Grievance Redressal Committee(s), as the case may be, in early redressal of grievances; and failure to do so may be reported by the Ombudsperson to the Commission, which shall take action in accordance with the provisions of these regulations.
- (vii) The Ombudsperson shall, after giving reasonable opportunities of being heard to both parties, on the conclusion of proceedings, pass such order, with reasons there for, as may be deemed fit to redress the grievance and provide such relief as may be appropriate to the aggrieved student.
- (viii) The institution, as well as the aggrieved student, shall be provided with copies of the order under the signature of the Ombudsperson, and the institution shall place it for general information on its website.

- (ix) The institution shall comply with the recommendations of the Ombudsperson; and the Ombudsperson shall report to the Commission any failure on the part of the institution to comply with the recommendations.
- (x) The Ombudsperson may recommend appropriate action against the complainant, where a complaint is found to be false or frivolous.

9. INFORMATION REGARDING OMBUDSPERSONS AND STUDENT GRIEVANCE REDRESSAL COMMITTEES:

An institution shall furnish, prominently, on its website and in its prospectus, all relevant information in respect of the Student Grievance Redressal Committee(s) coming in its purview, and the Ombudsperson for the purpose of appeals.

10. CONSEQUENCES OF NON-COMPLIANCE:

The Commission shall in respect of any institution, which willfully contravenes these regulations or repeatedly fails to comply with the recommendation of the Ombudsperson or the Grievance Redressal Committee(s), as the case may be, proceed to take one or more of the following actions, namely:

- (a) withdrawal of declaration of fitness to receive grants under section 12B of the Act;
- (b) withholding any grant allocated to the Institution;
- (c) declaring the institution ineligible for consideration for any assistance under any of the general or special assistance programs of the Commission;
- (d) informing the general public, including potential candidates for admission, through a notice displayed prominently in suitable media and posted on the website of the Commission, declaring that the institution does not possess the minimum standards for redressal of grievances;
- (e) recommend to the affiliating University for withdrawal of affiliation, in case of a college;
- (f) take such action as it may deem necessary, appropriate and fit, in case of an institution deemed to be University;
- (g) recommend to the Central Government, if required, for withdrawal of declaration as institution deemed to be a University, in case of an institution deemed to be University;
- (h) recommend to the State Government to take necessary and appropriate action, in case of a University established or incorporated under a State Act;
- (i) such other action as may be deemed necessary and appropriate against an institution for non-compliance.

Provided that no action shall be taken by the Commission under this regulation, unless the institution has been given an opportunity to explain its position and an opportunity of being heard has been provided to it.

- 11.** Nothing mentioned hereinabove in these regulations shall affect the continuance in office, during the currency of the term, of an incumbent Ombudsperson appointed under the provisions of the UGC (Grievance Redressal) Regulations, 2012; where after, the appointment of Ombudsperson shall be made as per University Grants Commission (Redress of Grievances of Students) Regulations, 2019.

Prof. RAJNISH JAIN, Secy.

[ADVT.-III/4/Exty./30/19]

ESTABLISHMENT OF SPECIAL CELLS FOR SCHEDULED CASTES AND SCHEDULED TRIBES IN UNIVERSITIES AND INSTITUTIONS DEEMED TO BE UNIVERSITIES

1. Introduction

Scheduled Castes and Scheduled Tribes have been identified as the two most backward groups of Indian Society. They include all such castes, races or tribes, which have been declared as scheduled castes and scheduled tribes by the Constitution of India under the provisions of Article 341 and 342 of the Constitution of India. Scheduled Castes generally represent those communities, which have suffered from the stigma of untouchability in one form or the other. Scheduled Tribes are generally those who have been living in seclusion in hills and forests, more or less untouched by modern civilization and development.

Scheduled Castes constitute about 15 per cent of the total population of the country while Scheduled Tribes constitute about 7.5 per cent of the total Indian Population. Thus, together, these groups constitute a little more than one fifth of the total population of the country.

When India became independent, it committed itself to a socially just and equal social order. The Constitution of the country, promulgated in 1950, recognizes the scheduled castes and the scheduled tribes as the two most backward groups needing special protection. A number of provisions have been made in the Constitution with a view to abolish all forms of discrimination and put these groups at par with others.

Specific provisions for the reservation in services, in favour of the members of the scheduled castes and scheduled tribes, have been made in the Constitution of India are as follows:

Article 16(4) - Equality of opportunity in matters of public employment - Nothing in this Article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class or citizens, which, in the opinion of the State, is not adequately represented in the services under the State.

As per article 335, the claims of the members of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or State.

The main objective of providing reservation for Scheduled Castes and Scheduled Tribes in Government services is not just to give jobs to some persons belonging to these communities, and thereby increase their representations in the services, but to improve the status of these people socially and educationally so that they can take their rightful place in the mainstream of society.

Xth Plan profile of Higher Education in India under Para 10.B2 states as under:

“To ensure the effective implementation of the reservation policy in admission, recruitment, allotment of staff quarters, Hostels etc. SC/ST Cells are established in the Universities.”

The Commission is providing financial assistance to the Universities for the establishment of Special Cell for SC/STs. The purpose of these Cells is to help the universities in implementing the reservation policy with regard to the admission of students and the recruitment of teaching and non-teaching staff at various levels. Its function is also to help the SC/ST categories to integrate with the mainstream of the university community and to remove difficulties, which they may be experiencing. Such SC/ST Cells have already been set up in 109 universities upto the end of Ninth Plan.

2. Objectives

- i. To implement the reservation policy for SCs/STs in the Universities and Colleges.
- ii. To collect data regarding the implementation of the policies in respect of admissions, appointments to teaching and non-teaching positions in the universities, and in the affiliating colleges and analyse the data showing the trends and changes towards fulfilling the required quota.
- iii. To take such follow up measures for achieving the objectives and targets laid down for the purpose by the Government of India and the UGC.
- iv. To implement, monitor and evaluate continuously the reservation policy in universities and colleges and plan measures for ensuring effective implementation of the policy and programme of the Government of India.

Functions of the Special Cells

1. To circulate Government of India and Commission's decisions and to collect regularly, on an annual basis, information regarding course-wise admissions to candidates belonging to the Scheduled Castes and Scheduled Tribes in the Universities and Colleges for different courses, in forms prescribed, by a stipulated date, and to take follow up action, where required.
2. To circulate Government of India orders and Commission's decisions and to collect information in respect of appointment, training of these communities in teaching and non-teaching posts in the Universities and Colleges, in suitable forms by a stipulated date and take follow up action where required.
3. To collect reports and information regarding the Government of India orders on the various aspects of education, training and employment of Scheduled

Castes and Scheduled Tribes candidates, for evolving new policies or modifying existing policy by the Commission.

4. To analyze the information collected above and prepare reports and digests for onward transmission to the Ministry of Human Resource Development/University Grants Commission and such other authorities as may be required.
5. To deal with representations received from Scheduled Castes and Scheduled Tribes candidates regarding their admission, recruitment, promotion and other similar matters in Universities/Colleges.
6. To monitor the working of the remedial coaching scheme, if approved in the affiliated colleges and university.
7. To function as a Grievances Redressal Cell for the Grievances of SC/ST students and employees of the university and render them necessary help in solving their academic as well as administrative problems.
8. To maintain a register for employment of SCs/STs in the University and Colleges for the candidates belonging to SC/ST communities for various posts in the university/colleges.
9. Any other work assigned from time to time to promote higher education among these two communities suffering economic, social and education deprivations.
10. The SC/ST Cell exclusively looks after the work related to SC/STs matters and no other work is assigned to the Cell.
11. If the required data is not submitted by the given date, UGC reserves the right to withhold either plan or non-plan grant until the required information/data is received. Hence, the universities/colleges are advised to supply the necessary information as required.

3. Eligibility/Target Group

Financial assistance under the Scheme would be available to such Universities and Deemed Universities, which come within the purview of Section 2(f) and are fit to receive central assistance under section 12(B) of the UGC Act, 1956. The Scheme is meant for SC/ST only.

4. Nature of Financial Assistance Available Under the Scheme

During Xth Plan period financial assistance to Universities and Institutions deemed to be Universities shall be provided under the scheme as per details given below:

i. For Setting up of New SC/ST Cells

The universities/Institutions deemed to be Universities, where the Special Cells have not been set up earlier, up to end of IXth Plan i.e. 31.3.2002, will be considered for establishment of new SC/ST Cells. For this purpose, the Commission shall provide following financial assistance upto the end of Xth Plan period only.

Non-recurring

Computer and Printer: Rs.50, 000/-

Recurring

(i) Salary of staff as per actual expenditure for the post detailed in the following Table:

S.No.	Name of the Post	Number of Posts
1.	Coordinator Grade 1 in the scale of pay of Reader/Deputy Registrar for State/Central Universities and Coordinator Grade II in the scale of pay of Lecturer/Assistant Registrar for Deemed to be Universities.	1
2.	Administrative Assistant equivalent to Section Officer	1
3.	Research-cum-Statistical Officer	1
4.	Steno with Computer knowledge/Data Entry Operator	1
5.	Peon	1
	Total:	5

The scale of pay and allowances for the posts indicated above will be as per corresponding posts in the University concerned.

The UGC assistance for the posts created under the scheme would be available only for the Xth plan period ending on 31st March 2007, irrespective of the date of appointment. Therefore, in order to claim assistance from the UGC for the staff salary, the University should follow the guidelines issued by the UGC for filling up the posts and should fill-up the sanctioned posts within one year of approval by the UGC. It is a necessary condition for the release of UGC assistance that a copy of the concurrence accorded by the State Government/ or an undertaking by the concerned University, based on the resolution of the executive council in

respect of the maintenance of the posts after the Xth Plan period is submitted by the University to the UGC. Such concurrence is not necessary for Central Universities and UGC maintained deemed universities getting 100 per cent maintenance grants.

(ii) Contingencies: Rs.1.00 lakh per annum

- i. TA/DA for field work
 - ii. Data Collection
 - iii. Analysis and evaluation of statistical data
- ii. Financial Assistance for continuation of the Special Cells in the Xth Plan period for the Cells, which were established upto the end of IX Plan period.

Earlier, the Commission has provided financial assistance to the universities and deemed to be universities for setting up of Special Cells for the implementation of reservation policy during the last four plan periods. There are Special Cells, which have done excellent work in this field. The assistance of these Special Cells, on recurring items, has ceased on the expiry of the Plan period. To continue the work of implementing reservation policy in the universities and affiliated colleges, the Commission will provide assistance to the tune of Rs.1, 00,000/- per annum for the following items:

- i. TA/DA for field work
- iv. Data Collection
- v. Analysis and evaluation of statistical data
- vi. Computer and Printer (once in a plan period)

This Financial Assistance will be up to the end of Xth Plan period. The work undertaken by the SC/ST Cells will be reviewed at the end of Xth plan.

5. Procedure for Applying for the Scheme

The Commission will invite proposals from Institutions in the beginning of the Plan as per the prescribed proforma (Annexure-I).

6. Procedure for Approval By the UGC

The proposals received from Universities and Deemed to be Universities will be scrutinized with the help of the Committee constituted for the purpose.

7. Procedure for Release of Grants by UGC

The Commission will communicate approval for setting up SC/ST Cells to the university and first instalment of Non-Recurring Grant will be released in respect of staff salary and contingency. The grants for the second year and subsequent years will be released only on the receipt of statement of expenditure (Annexure-IV) and utilization certificate (Annexure-V) along with the report of work undertaken for the grant paid during the last year. Audited statement of expenditure may be sent immediately after the Audit is completed.

For claiming grant from the UGC for salary of the staff against the posts sanctioned for the scheme, the University should submit the following information to the U.G.C. immediately after making the appointments:

- i. State Govt.'s or university's own assurance to bear the liability towards the salary of the said post after the Commission's assistance ceases.
- ii. Name of the person appointed.
- iii. Academic qualifications and experience.
- iv. Post held by the incumbent prior to his/her appointment against the said post and the name of the Institution where he/she was working.
- v. Date of joining the new post.
- vi. Minutes of the Selection Committee.
- vii. Details of the monthly pay offered including allowances in the scale of pay.
- viii. Amount payable up to the end of the financial year.
- ix. Number of increments, if any, to be given.
- x. Whether action been taken to fill the resultant vacancy, in case the person appointed belongs to the same University.
- xi. A certificate to the effect that the appointment has been made in accordance with the procedure and norms prescribed as per University rules. (Annexure-VI).

8. Procedure for Monitoring the Progress of the Scheme

At the end of each academic year, the Coordinator / In-charge of the Special Cell, will submit an Appraisal report duly countersigned by the Liaison Officer through the Registrar, to the UGC, indicating a consolidated statement of the data, the progress achieved and the problems faced by the Cell. The action-taken by the Cell to implement the policy should be highlighted. The report on implementation of the

reservation policy in the university should indicate the percentage in admissions, appointments in teaching and non-teaching staff, allotment of staff quarters, rooms in hostels etc. together with the analysis of the report.

Advisory Committee at University level

For effective implementation of policies and programmes of the reservation policy for the Scheduled Castes and Scheduled Tribes, University should appoint a liaison officer in the rank of Professor under whom the Cell may be placed, and a Standing Committee, with the Vice-Chancellor as a Chairman. The Committee will consist of Liaison Officer, 2 to 3 Heads of Departments, 2 to 3 faculty members (Professor, Reader and Lecturer level), 3 to 4 Principals of the under-graduate/post-graduate colleges affiliated to the University and Co-ordinator of the SC/ST Cell as a Member Secretary. Some of these members should belong to the SC/ST categories. The Committee should meet twice a year to review the position and to solve the problems. The work relating to the implementation of the reservation policy may be monitored by the above stated Committee.

The Commission has constituted Standing Committee on SC/ST to over-see the implementation of reservation policy in Universities and Deemed Universities. The Standing Committee on SC/ST will visit Universities to review and monitor the work of SC/ST Cells.



ANNEXURE-I

PROFORMA FOR SUBMITTING PROPOSAL FOR SETTING UP OF SPECIAL CELL FOR THE WELFARE OF SCHEDULED CASTES AND ASCHEDULED TRIBES IN THE UNIVERSITY/DEEMED TO BE UNIVERSITY.

SECTION – 1 BASIC INFORMATION

1. Name of the University
2. Whether the university is fit to receive Central Assistance under Section 12-B of The UGC Act,1956? Yes/No
3. Whether the University is following the orders/ instructions and guidelines issued by State Govt./ Central Govt. and UGC for providing reservation To scheduled Casts/Scheduled Tribes in the matter of appointments, admissions and hostel facilities ? Yes/No
4. Whether the University has appointed a Standing Committee for the welfare of Scheduled Castes/ Scheduled Tribes in accordance with the Guidelines contained in the UGC circular letter No.2-1/88 (SCT), Dated 26-3-88 if so, the constitution thereof may be Indicated?
5. Present Status of representation of Scheduled Caste/ Scheduled Tribe in the prescribed proforma.
 - (i) Consolidated Statistical data Annexure-II
 - (ii) Detailed Statistical data Annexure-III
6. Faculty wise enrolment in degree classes during current academic year :-----
7. Faculty Strength :
Professors -----
Readers -----

Lectures
Others

Total

SECTION – II (PROPOSAL)

8. Details of posts proposed to be filled up for the Special Cell for SC/STs :

S.No.	Name of the Post	Scale of pay
1.		
2.		
3.		
4.		
5.		

9. Financial implication : (Year-wise)

10. It is certified that : -----

- (a) The University will follow the instructions and guidelines issued by the State Govt. and UGC from time to time for providing reservation in favour of Scheduled Caste/Scheduled Tribe.
- (b) Proposed Special Cell for the welfare of scheduled casts/scheduled tribe will perform the functions as prescribed by university Grants Commission.
- (c) The qualification, scales of pay and allowances for the posts in the special cell will be the same as are admissible to the corresponding posts in the university.
- (d) The University/State Govt. will maintain the Special Cell for Scheduled Caste/Scheduled Tribe on permanent basis from its resources after the ceassation of the UGC financial assistance under the scheme.
- (e) The staff as shown in col.8 above will exclusively deal with work pertaining to compliance of reservation policy for SCs and STs in all matters relating to admissions, academic appointments non-academic, employment, research scholarships, accommodation in hostels, conduct of remedial coaching and other related matters.

(Signature of the Registrar)
University Seal

Dated :-----



ANNEXURE-II

UNIVERSITY GRANTS COMMISSION
BAHADUR SHAH ZAFAR MARG
NEW DELHI-2

CONSOLIDATED STATISTICAL DATA

Information for the year : _____

Name of the University/ Affiliated College _____.

1) **Enrolment** : (UG + PG + Others)

General	Reserved Seats			Total
	SC	ST	Others	
%	%	%	%	%

2) **Teaching positions** :

Lecturer :-

General	SC	ST	Others	Vacant Posts	Total
%					

Reader :

General	SC	ST	Others	Vacant Posts	Total
%					

Professor :

General	SC	ST	Others	Vacant Posts	Total
%					

3) **Non-Teaching :**

General	SC	ST	Others	Vacant Posts	Total
Group-A					
%					
Group-B					
%					
Group-C					

%

Group-D

%

Group-E

%

- 4) Whether Liaison Officer for SC/ST
appointed, If yes, Name and designation :

Registrar/Principal



ANNEXURE-III

UNIVERSITY GRANTS COMMISSION

Detailed Statistical Data

Name of the University_____ Statistical Data for the
year_____

[illegible]

4.	Jr.Research Fellows										

D.	Staff Quarters & Hostels		Total inmates			Scheduled Castes			Scheduled Tribes		
			Male	Female	Total	Male	Female	Total	Male	Female	Total
	(a) Staff Quarters										
1	Ownership										
2	Rental										
	(b) Students Hostels										
1	Common Hostels										
2	SC/ST Hostels										
3	Women's Hostels										
E.	Services Personnel		Total Strength			Scheduled Castes			Scheduled Tribes		
			Male	Female	Total	Male	Female	Total	Male	Female	Total
	(a) Faculty										
1	Professors										
2	Readers										
3	Lecturers										
4	Demonstrator/ Sr.Tech.Asstt/ Prog.Asstt.Etc.										
	(b) Non-Teaching										
1	Category "A"										
2	Category "B"										
3	Category "C"										
4	Category "D"										

Registrar



ANNEXURE-IV

UNIVERSITY GRANTS COMMISSION

**PROFORMA FOR SUBMITTING STATEMENT OF EXPENDITURE INCURRED
UNDER SC/ST CELL FOR SCHEDULED CASTES AND SCHEDULED
TRIBES.**

1. Name of the university : _____
- 2.. No. & date of UGC's approval : No.F. _____ date _____
3. Period to which the accounts relates to : _____ to _____
4. Details of actual expenditure incurred :

S.No.	Items	Allocation Approved	Expenditure incurred
-------	-------	------------------------	-------------------------

Non Recurring

Recurring

1. Staff Salary for SC/ST Cell
(For the posts sanctioned by the UGC)
2. **Contingency:**
TA/DA for field work
Data Collection,
Analysis and Evaluation of Statistical Data

Total (Recurring) : _____

Total (Non-Recurring + Recurring) _____

(Rupees_____)

Signature
Govt. Auditor / Chartered Accountant /
Examiner Local Fund Accounts



ANNEXURE-V

UTILISATION CERTIFICATE

Certified that the grant of Rs.....
(Rupees.....)
sanctioned to..... by the University
Grants Commission vide their letter No.....
dated..... towards establishment of SC/ST Cell has been
utilized for the purpose for which it was sanctioned and in accordance
with the terms and conditions as laid down by the Commission.

It is further certified that inventories of permanent or semi-permanent assets created / acquired wholly or mainly out of the grants given by the University Grants Commission as indicated above are being maintained in the prescribed form and are being kept upto date and these assets have not been disposed of, encumbered or utilized for any other purpose.

If, as a result of check or audit objection, some irregularity is noticed at a later stage, action will be taken to refund or regularize the objected amount.

Signature :

Signature:

Registrar

Chartered Accountant/Govt. Auditor/
Examiner Local Fund Accounts

(Seal)

(Seal)



ANNEXURE-VI

PROFORMA TO BE SUBMITTED FOR GIVING DETAILS ABOUT THE POSTS FILLED AGAINST SANCTIONED POSTS FOR THE SCHEME

1		Name of the University/College				
2		Posts approved during X Plan				
3		UGC approval letter No. & date				
4		Give following details for each post separately				
	a	Name of the person appointed				
	b	Academic qualification and experience				
	c	Post held by the incumbent prior to his appointment against the post approved under the scheme, and the name of the Institute where he/she was working.				
	d	Date of Joining the post				
	e	Details of the monthly pay including allowances in the scale of pay offered.				
	f	Amount payable upto the end of the financial year.				
	g	Number of increments, if any, to be given,				

	h	Has action been taken to fill the resultant vacancy, in case the person appointed belongs to the same university? If not, the reason therefore.	
--	---	---	--

Certified that the above appointment has been made in accordance with the procedure prescribed as per University rules.

Signature of Registrar
(with seal)

Guidelines for Internal Complaint Committee



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग III—खण्ड 4

PART III—Section 4

प्राधिकार से प्रकाशित

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मानव संसाधन विकास मंत्रालय

(विश्वविद्यालय अनुदान आयोग)

अधिसूचना

नई दिल्ली, 2 मई, 2016

विश्वविद्यालय अनुदान आयोग (उच्चतर शैक्षिक संस्थानों में महिला कर्मचारियों एवं छात्रों के लैंगिक उत्पीड़न के निराकरण, निषेध एवं इसमें सुधार) विनियम 2015

मि. सं. 91-1/2013 (टी. एफ. जी. एस.—विश्वविद्यालय अनुदान आयोग अधिनियम 1956 (1956 का 3) जिसे उक्त अधिनियम के अनुच्छेद 20 के उप-अनुच्छेद (1) से संयुक्त रूप से पढ़ा जाए उस अधिनियम 26 के अनुच्छेद (1) की धारा (जी) द्वारा प्रदत्त अधिकारों के क्रियान्वयन अनुसार विश्वविद्यालय अनुदान आयोग एतद्वारा निम्न विनियम निर्मित कर रहा है, नामतः :—

1. लघु शीर्ष, अनुप्रयोग एवं समारम्भ:— (1) ये विनियम विश्वविद्यालय अनुदान आयोग (उच्चतर शैक्षिक संस्थानों में महिला कर्मचारियों एवं छात्रों के लैंगिक उत्पीड़न के निराकरण, निषेध एवं इसमें सुधार) विनियम, 2015 कहलाएंगे।

(2) ये विनियम भारत वर्ष में सभी उच्चतर शैक्षिक संस्थानों पर लागू होंगे।

(3) सरकारी राजपत्र में उनके प्रकाशन की तिथि से वे लागू माने जाएँगे।

2. परिभाषाएँ:— इन विनियमों में—बशर्ते विषयवस्तु के अन्तर्गत कुछ अन्यथा जरूरी है:—

(अ) “पीड़ित महिला” से अर्थ है किसी भी आयु वर्ग की एक ऐसी महिला—चाहे वह रोज़गार में है या नहीं, किसी कार्य स्थल में कथित तौर से प्रतिवादी द्वारा कोई लैंगिक प्रताड़ना के कार्य का शिकार बनी है;

(ब) “अधिनियम” से अर्थ है कार्य स्थल में महिलाओं का लैंगिक उत्पीड़न (निराकरण, निषेध एवं समाधान) अधिनियम, 2013 (2013 का 14);

(स) “परिसर” का अर्थ उस स्थान अथवा भूमि से है जहाँ पर उच्चतर शैक्षिक संस्थान तथा इसकी संबद्ध संस्थागत सुविधाएँ जैसे पुस्तकालय, प्रयोगशालाएँ, लेक्चर हॉल, आवास, हॉल, शौचालय, छात्र केन्द्र, छात्रावास, भोजन कक्षों, स्टेडियम, वाहन पड़ाव स्थल, उपवनों जैसे स्थल तथा अन्य कुछ सुविधाएँ जैसे स्वास्थ्य केन्द्र, कैन्टीन, बैंक पटल इत्यादि स्थित हैं तथा जिसमें छात्रों द्वारा उच्चशिक्षा के छात्र के रूप में दौरा किया जाता हो—जिस में वह परिवहन शामिल है जो उन्हें उस संस्थान से आने जाने के लिए, उस संस्थान के अलावा क्षेत्रीय भ्रमण हेतु

- (जी) यदि वह एक मानित विश्वविद्यालय संस्थान है तो केन्द्र सरकार को उस मानित विश्वविद्यालय के आहरण की अनुशंसा करना;
- (एच) यदि वह किसी राज्य अधिनियम के अन्तर्गत स्थापित अथवा नियमित विश्वविद्यालय है तो उसके इस स्तर को आहरित करने के लिए उपयुक्त राज्य सरकार को सिफारिश करना;
- (आई) जैसे कि विश्वविद्यालय अनुदान आयोग अधिनियम 1956 के अन्तर्गत प्रावधान किया जाना हो तदनुसार अपने अधिकारों के अनुसार यथोचित रूप से ऐसी समयावधि के लिए दण्ड प्रदान कर सकता है जिस समय तक वह संस्थान इन विनियमों में निर्धारित प्रावधानों का अनुपालन नहीं करता है;
- (जे) इन विनियमों के अन्तर्गत आयोग द्वारा उस समय तक कार्रवाई नहीं की जाएगी जब तक कि संस्थान को अपना पक्ष प्रस्तुत करने के लिए प्रदत्त सुअवसर के आधार पर उनकी सुनवाई कर ली गई हो;

[विज्ञापन—III/4/असा./53]

जसपाल एस. संधु, सचिव, यूजीसी

MINISTRY OF HUMAN RESOURCE DEVELOPMENT**(University Grants Commission)****NOTIFICATION**

New Delhi, the 2nd May, 2016

University Grants Commission (Prevention, prohibition and redressal of sexual harassment of women employees and students in higher educational institutions) Regulations, 2015

No. F. 91-1/2013(TFGS).—In exercise of the powers conferred by clause (g) of sub-section (1) of section 26 of the University Grants Commission Act, 1956 (3 of 1956), read with sub-section (1) of Section 20 of the said Act, the University Grants Commission hereby makes the following regulations, namely:-

1. **Short title, application and commencement.**—(1) These regulations may be called the University Grants Commission (Prevention, prohibition and redressal of sexual harassment of women employees and students in higher educational institutions) Regulations, 2015.
 - (2) They shall apply to all higher educational institutions in India.
 - (3) They shall come into force on the date of their publication in the Official Gazette.
2. **Definitions.**—In these regulations, unless the context otherwise requires,-
 - (a) "aggrieved woman" means in relation to work place, a woman of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent;
 - (b) 'Act' means the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013);
 - (c) "campus" means the location or the land on which a Higher Educational Institution and its related institutional facilities like libraries, laboratories, lecture halls, residences, halls, toilets, student centres, hostels, dining halls, stadiums, parking areas, parks-like settings and other amenities like health centres, canteens, Bank counters, etc., are situated and also includes extended campus and covers within its scope places visited as a student of the HEI including transportation provided for the purpose of commuting to and from the institution, the locations outside the institution on field trips, internships, study tours, excursions, short- term placements, places used for camps , cultural festivals, sports meets and such other activities where a person is participating in the capacity of an employee or a student of the HEI;

- (d) Commission” means the University Grants Commission established under section 4 of the University Grants Commission Act, 1956 (3 of 1956);
- (e) “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 or a fellow student or guardian of the offended person;
- (f) “employee” means a person as defined in the Act and also includes, for the purposes of these Regulations trainee, apprentice (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;
- (g) “Executive Authority” means the chief executive authority of the HEI, by whatever name called, in which the general administration of the HEI is vested. For public funded institutions the Executive Authority means the Disciplinary Authority as indicated in Central Civil Services (Classification, Control and Appeal) Rules, 1965 or its equivalent rules;
- (h) “Higher Educational Institution” (HEI) means a university within the meaning of clause (j) of section 2, a college within the meaning of clause(b) of sub-section (1) of section 12A and an institution deemed to be a University under section 3 of the University Grants Commission Act, 1956 (3 of 1956);
- (i) “Internal Complaints Committee” (ICC) means Internal Complaints Committee to be constituted by an HEI under sub regulation (1) of regulation 4 of these regulations. Any existing body already functioning with the same objective (like the Gender Sensitization Committee Against Sexual Harassment (GSCASH)) should be reconstituted as the ICC;

Provided that in the latter case the HEI shall ensure that the constitution of such a Body is as required for ICC under these regulations. Provided further that such a Body shall be bound by the provisions of these regulations;

- (j) “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 in litigation;
- (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;

- (l) “student” means a person duly admitted and pursuing a programme of study either through regular mode or distance mode, including short-term training programmes in a HEI;
 Provided that a student who is in the process of taking admission in HEIs campus, although not yet admitted, shall be treated, for the purposes of these regulations, as a student of that HEI, where any incident of sexual harassment takes place against such student;
 Provided that a student who is a participant in any of the activities in a HEI other than the HEI where such student is enrolled shall be treated, for the purposes of these regulations, as a student of that HEI where any incident of sexual harassment takes place against such student;
- (m) “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 HEI, but a visitor to the HEI in some other capacity or for some other purpose or reason;
- (n) “victimisation” means any unfavourable treatment meted out to a person with an implicit or explicit intention to obtain sexual favour;
- (o) “workplace” means the campus of a HEI including-
- (a) Any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the appropriate HEIs;
 - (b) Any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereof in HEIs;
 - (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 Executive Authority for undertaking such journey for study in HEIs.’

3. Responsibilities of the Higher Educational Institution- (1) Every HEI shall,-

- (a) Wherever required, appropriately subsume the spirit of the above definitions in its policy and regulations on prevention and prohibition of sexual harassment against the employees and the students, and modify its ordinances and rules in consonance with the requirements of the Regulations;
- (b) publicly notify the provisions against sexual harassment and ensure their wide dissemination;
- (c) organise training programmes or as the case may be, workshops for the officers, functionaries, faculty and students, as indicated in the SAKSHAM Report (Measures for Ensuring the Safety of Women and Programmes for Gender Sensitization on Campuses) of the Commission, to sensitize them and ensure knowledge and awareness of the rights, entitlements and responsibilities enshrined in the Act and under these regulations;
- (d) act decisively against all gender based violence perpetrated against employees and students of all sexes recognising that primarily women employees and students and some male students and students of the third gender are vulnerable to many forms of sexual harassment and humiliation and exploitation;
- (e) publicly commit itself to a zero tolerance policy towards sexual harassment;
- (f) reinforce its commitment to creating its campus free from discrimination, harassment, retaliation or sexual assault at all levels;
- (g) create awareness about what constitutes sexual harassment including hostile environment harassment and quid pro quo harassment;
- (h) include in its prospectus and display prominently at conspicuous places or Notice Boards the penalty and consequences of sexual harassment and make all sections of the institutional community aware of the information on the mechanism put in place for redressal of complaints pertaining to sexual

harassment, contact details of members of Internal Complaints Committee , complaints procedure and so on. Any existing body already functioning with the same objective (like the Gender Sensitization Committee Against Sexual Harassment (GSCASH)) should be reconstituted as the ICC; Provided that in the latter case the HEI shall ensure that the constitution of such a Body is as required for ICC under these regulations. Provided further that such a Body shall be bound by the provisions of these regulations;

- (i) inform employees and students of the recourse available to them if they are victims of sexual harassment;
- (j) organise regular orientation or training programmes for the members of the ICC to deal with complaints, steer the process of settlement or conciliation, etc., with sensitivity;
- (k) proactively move to curb all forms of harassment of employees and students whether it is from those in a dominant power or hierarchical relationship within HEIs or owing to intimate partner violence or from peers or from elements outside of the geographical limits of the HEI;
- (l) be responsible to bring those guilty of sexual harassment against its employees and students to book and initiate all proceedings as required by law and also put in place mechanisms and redressal systems like the ICC to curb and prevent sexual harassment on its campus;
- (m) treat sexual harassment as a misconduct under service rules and initiate action for misconduct if the perpetrator is an employee;
- (n) treat sexual harassment as a violation of the disciplinary rules (leading up to rustication and expulsion) if the perpetrator is a student;
- (o) ensure compliance with the provisions of these regulations, including appointment of ICC, within a period of sixty days from the date of publication of these regulations;
- (p) monitor the timely submission of reports by the ICC;
- (q) prepare an annual status report with details on the number of cases filed and their disposal and submit the same to the Commission.

3.2 Supportive measures.—(1) The rules, regulations or any such other instrument by which ICC shall function have to be updated and revised from time-to-time, as court judgments and other laws and rules will continue to revise the legal framework within which the Act is to be implemented.

(2) The Executive Authority of the HEIs must mandatorily extend full support to see that the recommendations of the ICC are implemented in a timely manner. All possible institutional resources must be given to the functioning of the ICC, including office and building infrastructure (computers, photocopiers, audio-video, equipment, etc.), staff (typists, counselling and legal services) as, well as a sufficient allocation of financial resources.

(3) Vulnerable groups are particularly prone to harassment and also find it more difficult to complain. Vulnerability can be socially compounded by region, class, caste, sexual orientation, minority identity and by being differently abled. Enabling committees must be sensitive to such vulnerabilities and special needs.

(4) Since research students and doctoral candidates are particularly vulnerable the HEIs must ensure that the guidelines for ethics for Research Supervision are put in place.

(5) All HEIs must conduct a regular and half yearly review of the efficacy and implementation of their anti-sexual harassment policy.

- (6) All Academic Staff Colleges (now known as Human Resource Development Centres (HRDCs) and Regional Centres for Capacity Building (RCCBs) must incorporate sessions on gender in their orientation and refresher courses. This should be across disciplines, and preferably mainstreamed using the UGC SAKSHAM Report which provides indicative modules in this regard.
- (7) Orientation courses for administrators conducted in HEIs must have a module on gender sensitization and sexual harassment issues. Regular workshops are to be conducted for all sections of the HEI community.
- (8) Counselling services must be institutionalised in all HEIs and must have well trained full-time counsellors.
- (9) Many HEIs having large campuses have a deficit in lighting and are experienced as unsafe places by the institutional community. Adequate lighting is a necessary aspect of infrastructure and maintenance.
- (10) Adequate and well trained security including a good proportion or balance of women security staff is necessary. Security staff must receive gender sensitization training as a part of conditions of appointment.
- (11) HEIs must ensure reliable public transport, especially within large campuses between different sections of the HEI, hostels, libraries, laboratories and main buildings, and especially those that do not have good access for day scholars. Lack of safety as well as harassment is exacerbated when employees and students cannot depend on safe public transport. Reliable transport may be considered by HEIs to enable employees and students to work late in libraries, laboratories and to attend programmes in the evenings.
- (12) Residential HEIs should accord priority to construction of women's hostels. For the growing population of young women wishing to access higher education, hostel accommodation is desirable in both urban and rural areas and at all levels of higher education which provides a modicum of protection from harassment of all kinds.
- (13) Concern for the safety of women students must not be cited to impose discriminatory rules for women in the hostels as compared to male students. Campus safety policies should not result in securitization, such as over monitoring or policing or curtailing the freedom of movement, especially for women employees and students.
- (14) Adequate health facilities are equally mandatory for all HEIs. In the case of women this must include gender sensitive doctors and nurses, as well as the services of a gynaecologist.
- (15) The Women's Development Cells in colleges shall be revived and funded to be able to carry out the range of activities required for gender sensitization and remain autonomous of the functioning of anti sexual harassment committees and ICCs. At the same time they shall extend their activities to include gender sensitization programmes in consultation with ICCs and help to disseminate anti-sexual harassment policies on campuses on a regular basis. The 'cultural' space and the 'formal academic space' need to collaborate to render these workshops innovative, engaging and non-mechanical.
- (16) Hostel Wardens, Provosts, Principals, Vice Chancellors, Legal Officers and other functionaries must be brought within the domain of accountability through amendments in the rules or Ordinances where necessary.

4. Grievance redressal mechanism.—(1) Every Executive Authority shall constitute an Internal Complaints Committee (ICC) with an inbuilt mechanism for gender sensitization 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 in case of a university, and not below an Associate Professor or Reader in case of a college) at the educational institution, 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);

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 organization;”

- (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, nominated by the Executive Authority;
- (c) Three students, if the matter involves students, who shall be enrolled at the undergraduate, master's, and research scholar levels respectively, elected through transparent democratic procedure;
- (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.
- (2) At least one-half of the total members of the ICC shall be women.
- (3) Persons in senior administrative positions in the HEI, such as Vice- Chancellor, Pro Vice-Chancellors, Rectors, Registrar, Deans, Heads of Departments, etc., shall not be members of ICCs in order to ensure autonomy of their functioning.
- (4) The term of office of the members of the ICC shall be for a period of three years. HEIs may also employ a system whereby one –third of the members of the ICC may change every year.
- (5) The Member appointed from amongst the non-governmental organizations or associations shall be paid such fees or allowances for holding the proceedings of the Internal Committee, by the Executive Authority as may be prescribed.
- (6) Where the Presiding Officer or any member of the Internal Committee:
- (a) contravenes the 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 him; or
 - (c) he has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or
 - (d) has so abused his position as to render his continuance in office prejudicial to the public interest,

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

- 5. Responsibilities of Internal Complaints Committee (ICC) -** The Internal Complaints Committee shall:
- (a) provide assistance if an employee or a student chooses to file a complaint with the police;

- (b) provide mechanisms of dispute redressal and dialogue to anticipate and address issues through just and fair conciliation without undermining complainant's rights, and minimize the need for purely punitive approaches that lead to further resentment, alienation or violence;
- (c) 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;
- (d) ensure that victims or witnesses are not victimised or discriminated against while dealing with complaints of sexual harassment; and
- (e) ensure prohibition of retaliation or adverse action against a covered individual because the employee or the student is engaged in protected activity.

6. The process for making complaint and conducting Inquiry – The ICC shall comply with the procedure prescribed in these Regulations and the Act, for making a complaint and inquiring into the complaint in a time bound manner. The HEI shall provide all necessary facilities to the ICC to conduct the inquiry expeditiously and with required privacy

7. Process of making complaint of sexual harassment - An aggrieved person is required to 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 date of the last incident.

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

Provided further that the ICC may, for the reasons to be accorded in the 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.”

Friends, relatives, Colleagues, Co-students, Psychologist, 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.

8. Process of conducting Inquiry- (1) The ICC shall, upon receipt of the complaint, send one copy of the complaint to the respondent within a period of seven days of such receipt.

(2) Upon receipt of the copy of the complaint, the respondent shall file his or her reply to the complaint along with the list of documents, and names and addresses of witnesses within a period of ten days.

(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 completion of the inquiry to the Executive Authority of the HEI. Copy of the findings or recommendations shall also be served on both parties to the complaint.

(4) **The Executive Authority of the HEI shall act on the recommendations of the committee within a period of thirty days from the receipt of the inquiry report, unless an appeal against the findings is filed within that time by either party.**

(5) An appeal against the findings or /recommendations of the ICC may be filed by either party before the Executive Authority of the HEI within a period of thirty days from the date of the recommendations.

(6) If the Executive Authority of the HEI 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 HEI shall proceed only after considering the reply or hearing the aggrieved person.

(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 HEI 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.

(8) The identities of the aggrieved party or victim or the witness or the offender shall not be made public or kept in the public domain especially during the process of the inquiry.

9. Interim redressal-The HEI may,

- (a) transfer the complainant or the respondent to another section or department to minimise the risks involved in contact or interaction, if such a recommendation is made by the ICC;
- (b) grant leave to the aggrieved with full protection of status and benefits for a period up to three months;
- (c) restrain the respondent from reporting on or evaluating the work or performance or tests or examinations of the complainant;
- (d) 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 the campus;
- (e) 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.

10. Punishment and compensation- (1) Anyone found guilty of sexual harassment shall be punished in accordance with the service rules of the HEI, if the offender is an employee.

(2) Where the respondent is a student, depending upon the severity of the offence, the HEI 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 counselling and, or, performance of community services.
- (3) The aggrieved person is entitled to the payment of compensation. The HEI shall issue direction for payment of the compensation recommended by the ICC and accepted by the Executive Authority, which shall be recovered from the offender. The compensation payable shall be determined on the basis of-
- (a) mental trauma, pain, suffering and distress caused to the aggrieved person;
 - (b) the loss of career opportunity due to the incident of sexual harassment;
 - (c) the medical expenses incurred by the victim for physical, 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.

11. Action against frivolous complaint.—To ensure that the provisions for the protection of employees and students from sexual harassment do not get misused, provisions against false or malicious complaints have to be made and publicised within all HEIs. 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-regulations (1) of regulations 10, if the complainant happens to be an employee and as per sub-regulation (2)

of that regulation, if the complainant happens to be 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.

12. Consequences of non-compliance.—(1) The Commission shall, in respect of any institution that will fully contravenes or repeatedly fails to comply with the obligations and duties laid out for the prevention, prohibition and redressal of sexual harassment of employees and students, take one or more of the following actions after providing due notice: -

- (a) withdrawal of declaration of fitness to receive grants under section 12B of the University Grants Commission Act, 1956.
 - (b) removing the name of the university or college from the list maintained by the Commission under clause (f) of section 2 of said Act, 1956;
 - (c) withholding any grant allocated to the institution;
 - (d) declaring the institution ineligible for consideration for any assistance under any of the general or special assistance programmes of the Commission;
 - (e) informing the general public, including potential candidates for employment or admission, through a notice displayed prominently in the newspapers or other suitable media and posted on the website of the Commission, declaring that the institution does not provide for a zero tolerance policy against sexual harassment;
 - (f) recommending the affiliating university for withdrawal of affiliation, in case of a college;
 - (g) recommending the Central Government for withdrawal of declaration as an institution deemed to be university, in case of an institution deemed to be university;
 - (h) recommending the appropriate State Government for withdrawal of status as university in case of a university established or incorporated under a State Act.
 - (i) taking such other action within its powers as it may deem fit and impose such other penalties as may be provided in the University Grants Commission Act, 1956 for such duration of time till the institution complies with the provisions of these regulations.
- (2) No action shall be taken by the Commission under these regulations unless the Institution has been given an opportunity to explain its position and an opportunity of being heard has been provided to it.

[Advt.-III/4/Exty./53]

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