

**KLE ACADEMY OF HIGHER EDUCATION
& RESEARCH
NEHRU NAGAR, BELAGAVI**



**POLICY
FOR
REDRESSAL OF GRIEVANCE
&
PROHIBITION & PREVENTION
OF SEXUAL HARRASMENT AT
WORKPLACE,**

2024

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PREAMBLE

KLE Academy of Higher Education & Research (KAHER) upholds the principles of freedom of expression and association, and advocates strongly for gender equality while condemning all forms of gender discrimination and violence.

KAHER is dedicated to fostering and sustaining a campus environment where students, faculty, and staff can collaborate in a setting that is free from violence, harassment, and intimidation. This includes all forms of grievances associated with employment, gender violence, sexual harassment and discrimination on the basis of sex / gender in view of protecting human rights and thereby create a secure physical and social environment that will deter illegal and unethical acts including acts of sexual harassment.

As per the UGC (Prevention, Prohibition and redressal of sexual harassment of women employees and students in Higher educational institutions) Regulations, 2015 and the UGC (Redressal of Grievances of Students) Regulations, 2023, KAHER has constituted 3 committees at constituent units and at university level for prevention and redressal of grievances.

The supreme court of India in a land mark judgment in August 1997 (Vishaka and others v. State of Rajasthan and others) stated that sexual harassment for women has come to be widely condemned as a form of human rights violation

and as an infringement on life and liberty as defined by the Constitution of India. Sexual harassment contradicts anti-discrimination laws, specifically Article 15, which prohibits discrimination based on religion, race, caste, sex, or place of birth. Additionally, Article 19(1)(g) affirms a woman's right to freedom, including the right to practice any profession, carry on any occupation, trade, or business, without facing harassment or discrimination.

OBJECTIVES

- To fully implement the UGC (Redressal of Grievances of Students) Regulations, 2023 comprehensively.
- To comply with the Supreme Court's directive requiring all employers to establish and enforce a policy against workplace sexual harassment in accordance with the UGC (Prevention, Prohibition, and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2015.
- To evolve a permanent mechanism for the prevention and redressal of grievances, sexual harassment for women and other acts of gender based violence at KAHER.
- To ensure the full implementation of policies in letter and spirit through proper reporting of the complaints and their follow-up procedures.
- To maintain KAHER's commitment to fostering an environment free from grievances and gender-based discrimination.
- To establish a secure physical and social environment that discourages illegal and unethical behavior, including sexual harassment against women.
- To promote a social and psychological environment that will raise awareness about human rights and sexual harassment in its various forms.

DEFINITIONS

‘Campus/college’ includes all places of study, work and residence in the University or any college or institutions which is a constituent unit of KAHER. It includes all places of instruction, research and administration, as well as hostel, hospitals, sports grounds, staff quarters, public places including parks, temple, post office, bank, streets, canteens and lanes etc. on the University campus or the campus of any institution which is a constituent unit of KAHER.

“Employee” includes any person who is appointed by KAHER as teaching/ non-teaching / research post whether part time, permanent, ad-hock, full-time, visiting, honorary, deputation, special duty, probation, contract or temporary basis, which includes persons appointed on contract, casual or project basis by KAHER OR KLE SOCIETY.

“Individuals” persons other than employee or a fellow student or guardian who are engaged/associated in filing a sexual harassment charge.

“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 KAHER, but a visitor to the institution in some other capacity or for some other purpose or reason.

“Grievance” means and includes, complaint(s) made by an aggrieved person such as employees/students/individuals in respect to

- Admission: contrary to merit, irregularity in admission policy, refusal to admit.
- Publication in the prospectus which is false and misleading and not based on facts, withholding of, or refusal to return any document for whatsoever reason;
- Violation of law in regard to reservation of seats, Non-payment or delay in payment of scholarships or financial aid etc.
- Complaints of alleged discrimination of employees/students from the scheduled castes, the scheduled tribes, other backward classes, women, minorities and persons with disabilities categories.
- Harassment or victimization of a student, other than cases of harassment, as per the penal provision of any law for the time being in force.
- Any action initiated/taken contrary to the statutes, ordinances, rules, regulations, or guidelines of the institution.

“Ombudsperson” means a person who is appointed to hear and decide on appeals preferred against the decisions of the GRC’s and who shall be of the rank of retired vice chancellor having 10 years’ experience or a former judge. Ombudsperson shall be the chairman of the Apex Committee

“Student” means a person enrolled, or seeking admission to be enrolled, in any institution of KAHER, to which these regulations apply, through any mode i.e. formal/Open or Distance Learning (ODL)/Online.

“Sexual Harassment”:

- (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 implicit 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 behavior 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.

JURISDICTION

The rules and regulations outlined in this policy shall be applicable to all complaints with regard to grievances or sexual harassment made:

- I. By any employee/student of KAHER or any individual, against any other employee/student/individual in respect to any grievance regarding any of the matters associated with employment or at workplace
- II. By any aggrieved person in respect to any grievance as defined above irrespective of the place where the alleged act has taken place.
- III. By any employee/student/individual/outsider against any employee or outsider in case of sexual harassment alleged to have taken place within the campus or at workplace.
- IV. By an employee/student of KAHER against an outsider if the sexual harassment is alleged to have taken place outside the campus. In such cases the Committee shall recommend that the university/college authorities initiate action by making a complaint with the appropriate authority.

STATUS

The Internal Complaints Committees and the Apex Complaints Committee shall have statutory status and be empowered to carry out the mandate of the policy.

STRUCTURE

Implementation of the policy will be achieved through the following structures:

1. **Apex Committee** : is an apex regulatory and appellate body of KAHER for redressal and resolution of complaints.
 - (i) Grievance Redressal Committee
 - (ii) Committee for Grievances Redressal against SC/ST/OBC/Minority
 - (iii) Human Rights Club

2. **KAHER Internal Complaints Committee (KICC)**
: A complaint and redressal body of the university.
3. **Grievance Redressal Committees (GRC):** At every constituent college of KAHER.
4. **Ombudsperson:** Appeal against decisions of the GRC's/KICC.

(Note: In case of grievances of students, a representative from among students shall be included in the committee as a special invitee)

CONSTITUTION OF THE COMMITTEES

APEX COMMITTEE:

The Apex Committee has been constituted at the University level known as the “Grievance Redressal Committee and Committee for Grievances Redressal against SC/ST/OBC/ Minority-cum-Human Rights Club”. It acts as an apex regulatory and appellate body of KAHER for redressal and resolution of complaints. The constitution of the committee is:

1. Retired District Judge/ Retired Vice Chancellor Chairperson
2. Registrar Member/convener
3. One Educationalist Member
4. Chief Co-ordinator KAHER Cell for Women Member
5. One Practicing Advocate: Member
6. One/two Principal of any constituent college Members
7. Legal Officer
8. Permanent Member

(APEX Committee is a Permanent Body)

GRIEVANCE REDRESSAL COMMITTEE (GRC)

Every institution/constituent unit of KAHER has constituted a Grievance Redressal Committee with the following composition

- a. The Principal - Chairperson
- b. Four Professors/Senior faculty Members of the institution - Members
- c. One person from the non-teaching staff – Member
- d. One person from the SC/ST/OBC category (Optional)
- e. A representative from among students – Special Invitee

The term of the chairperson and members shall be for a period of two years. The term of the special invitee shall be one year which may be extended for a further period of 1 year.

The GRC shall send its report with recommendations, if any, to the Apex Committee within a period of 15 working days from the date of receipt of complaint.

Any person aggrieved by the decision of the GRC may prefer an appeal to the Apex Committee within a period of 15 days of such decision.

KAHER Internal Complaints Committee (KICC):

A complaint and redressal body for the university.

The constitution of the committee is

1. Chief Coordinator of KAHER Cell for Women Chairperson
2. Two teaching staff (preferably committed to the cause of women or who have had experience in social work or have legal knowledge) Members
3. Two non-teaching staff preferably committed to the cause

- of women or who have had experience in social work or have legal knowledge) Members One Social Worker (who works for cause of Women Empowerment Member
4. Three student representatives (UG, PG, Research Scholar) Members
- The term of the chairperson and members shall be for a period of two years which may be extended for a further period of 2 years.

Periodicity of meetings of various committees

All the Committees will meet once in every 6 months mandatorily and additional meeting may be held in case of necessity.

Procedure for Redressal of Grievances by Apex Committee, KICC, GRC, Ombudsperson

1. Any aggrieved person can make an oral/written complaint to the GRC online or personally.
2. On receipt of Complaint the committee shall fix a date within 15 days for hearing the complaint which shall be communicated to the institution and the aggrieved person.
3. The complainant may appear in person. In exceptional cases with prior permission he/she may authorize a representative.
4. The GRC after giving reasonable opportunities of being heard from the parties concerned and on the conclusion of proceedings, pass such order, with reasons as may be deemed fit to redress the grievance and provide such relief as may be appropriate to the aggrieved person.
5. Any person aggrieved by the order of the GRC can prefer an appeal to the Apex Committee. The decision of the Apex Committee shall be final.
6. Any grievance not resolved within 1 month may be referred to Ombudsperson by the university.

Process for making complaint and Procedure for conducting Inquiry in cases of sexual harassment.

PROCEDURE FOR REGISTERING COMPLAINTS

1. All complaints must be brought by the complainant in person. The exception for this will be in cases of forced confinement of the person. In such a case, if complaint is brought by another person on behalf of the complainant, the committee will examine whether an investigation, intervention or some other assistance is needed. Third party / witness complaints may be entertained. In such cases, the committee will ascertain whether the person alleged to have been harassed wishes to lodge a formal complaint. Once such a complaint is received the committee shall proceed to investigate it as per the procedure specified.
2. If the complainant wishes she/he can be accompanied by a representative.
3. Employees not covered by GRC and KICC can approach the KAHER officials directly.
4. The Vice-Chancellor can refer any complaint to any of the Committees including the Apex Committee.

ENQUIRY PROCEDURES

1. All complaints made to any committee member must be received and recorded by the member, who shall then inform the Chairperson about the complaint, who in turn shall call a meeting of the committee.
2. All meetings of the committee will be called by the Member Secretary in consultation with the Chairperson and a notice of at least 3 to 5 working days must be given.
3. In case a prima facie case is established, the KICC shall set up an enquiry committee of 3-5 members, with at least one member of the complainant's category, as well as a member from outside the University.
4. The sub-committee must inform the accused about the charges made against him/her and she/he should be given a period of five days from the date of information, to respond to the charges.
5. The committee is bound to maintain confidentiality during the time of the enquiry in order not to prejudice the proceedings.
6. After the report has been finalised, confidentiality should be maintained, if the complainant so desires, by withholding the complainant's name and other particulars that would identify him/her. Revealing the identity either in exceptional cases such as stalking may put the complainant at greater risk or as a result of social prejudices the complainant may face additional adverse effects as a result of public circulation of the finished report.
7. During an enquiry, the quorum for all committee meetings should be one-third of the total strength of constituted committee.

8. The GRC/KICC will, within ten days of the receipt of a complaint, establish a prima facie case of sexual harassment on the basis of both the definition of sexual harassment as given in this policy, and the jurisdiction of this policy. Reasons for not pursuing a complaint must be recorded in the minutes and made available to the complainant in writing.
9. In case of a complaint filed by another person on behalf of the complainant (where the complainant is in confinement) the complaint will be investigated in order to explore whether a prima facie case of sexual harassment exists and whether intervention or some other assistance is required.
10. During the enquiry procedure, the complainant and the accused will be called separately so as to ensure freedom of expression and an atmosphere free of intimidation. The complainant will be allowed to be accompanied by one representative during the enquiry
11. The sub-committee must submit its report to the larger committee not later than 15 working days. The larger committee will discuss the report and make recommendations for punitive action if required.
12. The entire process of enquiry should be completed within one month.
13. The complainant or the accused may appeal to the Apex Committee if they are dissatisfied with the decision of the GRC/KICC.

NOTE:

1. A complainant has the right to go public if she/he so desires. Going public before giving in the complaint to the committee by the complainant should not prejudice the committee members. Once a complaint has been given to the committee, the complainant should preferably not go public till the enquiry is completed unless required.
2. Filing of a grievance/complaint shall not adversely affect the complainant's status/job, salary/promotion, grades etc.
3. The GRC/KICC should make efforts to ensure that the complainants and the witnesses are not further victimized or discriminated while it is dealing with the complaint. The committee shall take action against anyone who intimidates the complainant or members of the committee, during or after the enquiry.
4. Any committee member charged with sexual harassment in a written complaint must step down as member during the enquiry into that complaint.

REDRESSAL

1. GRC/KICC can ask the College/University to suspend the alleged harasser from an administrative post/classes if his/her presence is likely to interfere with the enquiry.
2. The victim of sexual harassment as per the Supreme Court judgment, will have the option to seek transfer of job of the perpetrator or their own transfer, where applicable.
3. The Head of the institution upon receipt of the enquiry

report, shall refer the same to the KICC/Apex Body. The institute should take a disciplinary action on the basis of the recommendations of the KICC/Apex Body under the relevant service rules.

4. The disciplinary action will be commensurate with the nature of the violation.

A. In the case of **University/College employees**, disciplinary action could be in the form of:

- i. Warning
- ii. Written apology
- iii. Bond of good behaviour
- iv. Adverse remarks in the Confidential Report
- v. Debarring from supervisory duties
- vi. Denial of membership of statutory bodies
- vii. Denial of re-employment
- viii. Stopping of increments/promotion
- ix. Demotion
- x. Suspension
- xi. Dismissal
- xii. Any other relevant mechanism.

B. In case of **students**, disciplinary action could be in the form of:

1. Warning
2. Written apology
3. Bond of good behavior
4. Debarring entry into a hostel/ campus
5. Suspension for a specific period of time
6. Withholding results

7. Debarring from examinations
8. Debarring from contesting elections
9. Debarring from holding posts such as member of Committee of Courses, membership of college union, etc.
10. Expulsion
11. Declaring the harasser as “persona non grata” for a stipulated period of time
12. Any other relevant mechanism.

NOTE : The reasons for the action have to be provided to the accused. Action will be taken against person(s) who try to pressurize the complainant in any way.

C. In the case of **third party** harassment/outsider harassment, the University/College authorities shall initiate action by making a complaint with the appropriate authority.

5. Enhancement of disciplinary action by the committee could depend on factors such as the nature and extent of injury caused to the complainant, the impact of the violation on the institutions as a whole, the position of the harasser in the power hierarchy, repetition of offence etc.
6. Non-adversarial modes of redressal and resolution could also be considered in appropriate cases. Examples of this may be verbal warning, verbal apology, promise of good behaviour etc.

NETWORKING

1. Committees could work closely with the NSS, Human Rights Club and KAHER CELL FOR WOMEN.
2. If necessary, assistance may be sought from the Proctor, Dean of Faculty / Principal / Vice Principal, Director of Students welfare, Supervisors of the hostels and other similar persons in authority.
3. Full time counselors / social workers should be made available as support staff.
4. Committees should also have the referral support of empathetic legal, psycho-therapy and health experts for ready first aid, consultation and guidance.
5. They should establish networks with legal experts, legal aid centres, counseling centres, health centres, police stations, Crimes against Women cells, women's groups in the city and other organisations such as the National/State Commission for Women and National/State Human Rights Commission.
6. The GRC/AC/KICC can identify persons as volunteers in the hostels, offices, colleges, institutions to help raise awareness.

MONITORING AND REVIEW

1. The GRC and KICC will send annual reports to the Apex Committee.
2. The AC will provide a brief annual report to the Board of Management (BOM) on the cases monitored by them. In the above-mentioned reports, confidentiality of the complainants will be maintained. These reports will be

accessible to the University community and other organizations that network with the University.

3. The AC will organize a meeting twice a year to discuss any grievances received and action taken.

AMENDMENTS TO THE POLICY


On the basis of their experience of the working of the policy, the GRC and KICC will have the power to make recommendations to the AC about changes in the policy. The AC after adequate consultation with all the GRC's and KICC can make recommendations to the BOM about changes in the policy, as and when required in keeping with the preamble and objectives of the policy.



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BELAGAVI, KARNATAKA**

(Deemed-to-be-University established u/s 3 & 12 B of the UGC Act, 1956)
Accredited as **A+ Grade** by NAAC, Placed in '**A**' **Category** by MoE (Gol)

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