

## Delhi University: Sexual Harassment Policy

### Ordinance XV(D)

S.No	Date	The Case	Comment	Link
	30.9.2003	The Executive Council of the University of Delhi promulgated Ordinance XV(D) by Resolution No.96 dated <b>30.09.2003</b>	Vishakha Compliant	
	12..1.2010	SLP(C) No.23060/2009, Bidyut Chakraborty (Prof.) v. Delhi University & Ors	Bidyut Chakraborty Case Ordinance upheld.	After hearing the learned counsel for the parties we are of the opinion that the respondents are entitled to a hearing and to cross-examine the witnesses produced by the University. We further direct that as this appears to be a case of sexual harassment the identity of the witnesses need not be revealed to the respondent or his counsel and for this purpose the respondent would be entitled to submit the questionnaire which will be put to the witnesses for their answers in writing. Mr. Rao states that the statements made by the witnesses without their names will be supplied to the respondents within two weeks from today. The said documents will also be supplied to Ms. Binu Tamta, the Advocate-Commissioner who is being appointed by this court for the purpose of getting answers to the questions to be supplied by the

				respondents. Ms. Tamta will ensure the anonymity of the witnesses. Mr.Rao, further states that the respondents would be entitled to produce their entire defence evidence in addition to the aforesaid questionnaire and that all annexures which have not been supplied with the enquiry committee will also be handed over to the respondent without revealing the identity of the witnesses.”
	2012	2012 (130) DRJ 277 (DB), B.N. Ray v. Ramjas College & Ors.,	Upheld elections and representativeness of college committees, students need to trust the committee  Male to Male quid pro Harassment Case	Cross examination and local commissioner: Even while in requiring the petitioner to submit a questionnaire containing questions to be answered by the witnesses, we have to ensure that there is no possibility of the witnesses getting influenced on account of the presence of the petitioner at the time of their cross-examination.
	9.1.2014	The Registrar of the University of Delhi issued notification dated 09.01.2014 to the effect that Ordinance XV(D) stood superseded with immediate effect.	The gender neutrality of Ordinance XV(D) expands and enhances the new Law, but in no way violates it. In fact, in the Ramjas college case, this aspect was	Notification: <a href="https://drive.google.com/file/d/0B3MPBgADjtjaSE5QMUUp1bDdHaUk/edit">https://drive.google.com/file/d/0B3MPBgADjtjaSE5QMUUp1bDdHaUk/edit</a>  DUTA Press Release <a href="http://www.duta-du.info/2014/01/press-release-">http://www.duta-du.info/2014/01/press-release-</a>

		<p>The Ordinance stood superseded by <a href="#">The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013</a> <b>wef 23 April 2013</b> and <a href="#">Rules below: Click here to read the Rules in fullscreen. wef 9 December 2013</a></p> <p>The Executive Council of the University approved the action of the Vice Chancellor to supersede the Ordinance by its resolution dated <b>06.03.2014</b>. The same was subsequently approved in the meeting of the University held on <b>23.03.2014</b></p>	<p>objected to by the accused, but the Hon'ble Supreme Court upheld its constitutionality. DUTA Press Release</p>	<p>15114.html</p>
		<p>Ongoing Inquiries under Ordinance XV(D) continued.</p>		<p>BN Ray enquiry - male to male quid pro</p> <p>BN Ray <a href="https://indiankanoon.org/doc/27340849/">https://indiankanoon.org/doc/27340849/</a> Ordinance upheld</p> <p>2017 <a href="http://indianexpress.com/article/cities/delhi/former-ramjas-v-p-b-n-ray-sexually-abused-students-panel-484716/">http://indianexpress.com/article/cities/delhi/former-ramjas-v-p-b-n-ray-sexually-abused-students-panel-484716/</a></p>
<p>April 2014 to UGC 2015</p>	<p>Following the National Legal Services Authority v. Union of India,</p>	<p>UGC Minutes on Transgender <a href="https://www.ugc.ac.in/pdfnews/3552758_503--22nd-September.-2014.pdf">https://www.ugc.ac.in/pdfnews/3552758_503--22nd-September.-2014.pdf</a></p>	<p>The university has introduced a third gender option under the Other Backward Classes category on application forms</p>	<p><a href="https://scroll.in/article/674803/is-delhi-university-really-prepared-to-enroll-transgender-students">https://scroll.in/article/674803/is-delhi-university-really-prepared-to-enroll-transgender-students</a></p>

<p>7 May 2015</p>	<p>colloquially called the NALSA judgment , the UGC mandated the inclusion of transgender in admission forms</p> <p>MHRD Press release:  <a href="http://pib.nic.in/newsite/PrintRelease.aspx?relid=121337">http://pib.nic.in/newsite/PrintRelease.aspx?relid=121337</a></p>	<p>Transgender to be included in Gender Champion  <a href="http://shekhauni.ac.in/uploadfile/document/192n.pdf">http://shekhauni.ac.in/uploadfile/document/192n.pdf</a></p> <p>UGC Notification to various Universities  <a href="https://www.dibru.ac.in/images/college_notice/CollegeNotice310315transgender_students.jpg">https://www.dibru.ac.in/images/college_notice/CollegeNotice310315transgender_students.jpg</a></p> <p><a href="http://www.visvabharati.ac.in/files/830281114_OO-Transgender-251114.pdf">http://www.visvabharati.ac.in/files/830281114_OO-Transgender-251114.pdf</a></p>	<p>for post-graduate courses. This has come four months after a Supreme Court judgement gave legal recognition to transgender people and a month after the University Grants Commission asked educational institutions to introduce a third gender option on application forms.</p> <p>Until last year, Delhi University followed its own <a href="#">Ordinance XV (D)</a> relating to the prohibition and punishment for sexual harassment on campus. In its definition of sexual harassment, this ordinance included any behaviour that discriminates against a person based on his or her “gender identity or sexual orientation”.</p> <p>Last year, however, the university adopted the provisions of the Sexual Harassment of Women at Workplace Act 2013 to deal with harassment on campus. The new act specifically describes women</p>	<p><a href="https://scroll.in/article/722761/a-year-after-delhi-university-accepted-transgender-students-protest-aims-to-highlight-lgbt-woes">https://scroll.in/article/722761/a-year-after-delhi-university-accepted-transgender-students-protest-aims-to-highlight-lgbt-woes</a></p> <p>Vulnerability of LGBT due to new SH policy - <a href="https://genderstudiesgropdu.wordpress.com/2015/07/23/new-anti-harassment-law-leaves-dus-sexual-minorities-vulnerable/">https://genderstudiesgropdu.wordpress.com/2015/07/23/new-anti-harassment-law-leaves-dus-sexual-minorities-vulnerable/</a></p> <p>Key points parcha on the new SH policy vs. ordinance <a href="https://genderstudiesgropdu.wordpress.com/2015/02/10/sexual-harassment-the-current-conjuncture-key-points-parcha/">https://genderstudiesgropdu.wordpress.com/2015/02/10/sexual-harassment-the-current-conjuncture-key-points-parcha/</a></p> <p>Harassment of gender queer people in DU <a href="https://genderstudiesgropdu.wordpress.com/2014/07/22/harassment-of-trans-and-gender-queer-people-on-campus/">https://genderstudiesgropdu.wordpress.com/2014/07/22/harassment-of-trans-and-gender-queer-people-on-campus/</a></p> <p>Sexual Harassment - <a href="https://drive.google.com/file/d/0B3P7PGFd5tSKSkh3RFFWa2dMSU0/view?usp=sharing">https://drive.google.com/file/d/0B3P7PGFd5tSKSkh3RFFWa2dMSU0/view?usp=sharing</a></p> <p>Sexual Minorities - <a href="https://drive.google.com/file/d/0B3P7PGFd5tSKRHo2RzJLZ29zQUU/view?usp=sharing">https://drive.google.com/file/d/0B3P7PGFd5tSKRHo2RzJLZ29zQUU/view?usp=sharing</a></p>
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			<p>as the victims of sexual harassment and men as the perpetrators, and makes no mention of different gender identities or sexual orientations.</p> <p>“The old ordinance was very progressive and was applicable to all genders, and DU did not apply its mind while putting it aside in favour of the new Act,” said Abha Dev Habib, a faculty member of Delhi University’s executive council.</p> <p><a href="https://scroll.in/article/674803/is-delhi-university-really-prepared-to-enroll-transgender-students">https://scroll.in/article/674803/is-delhi-university-really-prepared-to-enroll-transgender-students</a></p>	
	December 08, 2015	AMRAPALI BASUMATARY & ANR v UNION OF INDIA AND ANR.	<p>Notification challenged contending that in view of Section 28 of the Act, the provisions of the said Act are in addition and not in derogation of the provisions of any law for the time being in force and therefore, Ordinance XV(D) ought not have been superseded. It is also contended that Ordinance XV(D) is gender neutral since it</p>	<p>DHC held: Ordinance XV(D) that was made by the University of Delhi in terms of the direction in Vishaka (supra) for implementation of the guidelines laid down by the Supreme Court cannot be treated as law for the time being in force since it was made clear by the Supreme Court that the guidelines laid down therein would be enforceable in law until su</p>

			<p>includes the victims of sexual harassment both men and women. That apart, the Ordinance is not limited to employees, but covers incidents of sexual harassment committed against any person including members of University, residents as well as outsiders. Thus, it is sought to be contended that Ordinance XV(D), which was drafted after wide range discussions and broad consultation involving all the stakeholders of the University provides For elaborate and <b>independent</b> methodology of inquiry apart from being <b>more accessible</b> to the victims of sexual harassment.</p>	<p>itable legislation is enacted to occupy the field.</p> <p>In fact, the Act and the Rules made therein contained detailed procedure to be followed by the Complaint Committee and some of the provisions specifically addressed students in educational institutions also. Hence, the contention that the Act is not gender n eutral cannot be accepted (para 11).</p> <p><a href="http://lobis.nic.in/d_dir/dh_c/GRO/judgement/10-12-2015/GRO08122015CW35732014.pdf">http://lobis.nic.in/d_dir/dh_c/GRO/judgement/10-12-2015/GRO08122015CW35732014.pdf</a></p>
1.	7 Oct. 2014	<p>Ordinance watered down. Pavitra Bhardwaj a lab assistant set herself ablaze and died on 7 October 2014 following lack of redressal of allegation of sexual harassment against BR Ambedkar's principal G K Arora and one other.</p>		<p><a href="http://archive.indianexpress.com/news/pavitra-bhardwaj-death-abetment-to-suicide-added-to-file/1183566/">http://archive.indianexpress.com/news/pavitra-bhardwaj-death-abetment-to-suicide-added-to-file/1183566/</a></p> <p><a href="http://dubeat.com/2016/01/delhi-commission-for-women-issues-notices-to-du/">http://dubeat.com/2016/01/delhi-commission-for-women-issues-notices-to-du/</a></p> <p><a href="http://www.duta-du.">http://www.duta-du.</a></p>

		<p>An FIR of abetment of suicide was finally lodged</p> <p>Principal reinstated after 10 months</p> <p>Principal constituted ICC</p> <p>DCW issued notice in 2016</p>		<p><a href="http://www.duta-du.info/2013/10/letter-to-chairperson-br-ambedkar.html">http://www.duta-du.info/2013/10/letter-to-chairperson-br-ambedkar.html</a></p> <p><a href="http://www.duta-du.info/2013/10/letter-to-gb-members-br-ambedkar-college.html">http://www.duta-du.info/2013/10/letter-to-gb-members-br-ambedkar-college.html</a></p> <p><a href="http://www.duta-du.info/2014/05/duta-press-release-6-may-2013.html">http://www.duta-du.info/2014/05/duta-press-release-6-may-2013.html</a></p> <p><a href="http://www.thehindu.com/news/cities/Delhi/abetment-of-suicide-delhi-university-college-principal-summoned-as-accused/article6431492.ece">http://www.thehindu.com/news/cities/Delhi/abetment-of-suicide-delhi-university-college-principal-summoned-as-accused/article6431492.ece</a></p> <p><a href="http://www.dnaindia.com/india/report-suicide-abetment-case-high-court-notice-to-delhi-university-college-principal-2026756">http://www.dnaindia.com/india/report-suicide-abetment-case-high-court-notice-to-delhi-university-college-principal-2026756</a></p> <p><a href="http://www.dailymail.co.uk/indiahome/indianews/article-2664053/Those-power-easily-away-Current-rules-Delhi-University-not-sufficient-protecting-students-staff-sexual-harassment.html">http://www.dailymail.co.uk/indiahome/indianews/article-2664053/Those-power-easily-away-Current-rules-Delhi-University-not-sufficient-protecting-students-staff-sexual-harassment.html</a></p>
				<p><a href="https://genderstudiesgroupdu.wordpress.com/2015/02/10/sexual-harassment-the-current-conjuncture-key-points-parc ha/">https://genderstudiesgroupdu.wordpress.com/2015/02/10/sexual-harassment-the-current-conjuncture-key-points-parc ha/</a></p>

	31 May 2017	Ashok Kumar Singh v University of Delhi	<p>Dayal Singh College Case Guidelines for ICC Right to appeal Cross Examination Delay</p> <p>20. We may also note hereby that Mr. Rajiv B. Samaiyan, learned counsel appearing for respondent no.2 has handed over a copy of the order dated 9th May, 2017 which has been passed by Dr. D.K. Sharma, Principal of the Dyal Singh Evening College in supersession of the previous order dated 27th April, 2017 stating that the Chairman of the Governing Body of the College has constituted an Internal Complaining Committee afresh for a tenure of one year with effect from 27th April, 2017 in accordance with the requirements of the <b>University Grants Commission Act.</b></p>	<a href="http://www.livelaw.in/conduct-inquiry-sexual-harassment-work-place-complaints-delhi-hc-explains-read-judgment/">http://www.livelaw.in/conduct-inquiry-sexual-harassment-work-place-complaints-delhi-hc-explains-read-judgment/</a>
