

# 10th October 2013 Letter to GB Members, BR Ambedkar College

To,  
The Members of the Governing Body,  
B.R.Ambedkar College,  
Delhi University.



[<http://www.duta-du.info/p/home.html>]

10 October 2013

Dear Members of the Governing Body,

The Delhi University Teachers Association would like to place the following facts concerning the case of Pavitra Bharadwaj before you for your consideration:

1. The tragic death of Pavitra Bharadwaj by self-immolation has exposed the complete breakdown of grievance- redressal mechanisms in Delhi University.

2. From facts available with the DUTA so far, Pavitra Bharadwaj, a lab attendant in the Geography Deptt of B.R. Ambedkar College, had been complaining of sexual harassment against the Principal G.K.Arora and another employee, since 2010. The Principal G.K.Arora, terminated her services in 2012 on flimsy grounds, and without taking it through the Governing Body. This was done despite there being no complaints by the Geography department against her work. Pavitra had lodged a complaint with several University authorities, including the Apex Committee, which referred her back to the College Complaints Committee. After the CCC dismissed her complaint reportedly without even giving Pavitra a personal hearing, the Apex Committee took it up. Two non-teaching employees, including a senior employee of the Geography Department, who deposed before the ACC in her support, were given show cause notices by the Principal subsequently, on the grounds that they had made "false" statements before the ACC and sullied the image of the college. One of them has since been demoted. The report of the ACC enquiry was not given to Pavitra. According to the members of the ACC who deposed before the NCW, the University Administration "instructed" them not to give her the report. It was however, sent to the Principal (the accused), who has not placed it before the Governing Body till date.

3. In this case, apart from serious violations of the principles of natural justice, the following violations of the Delhi University Ordinance XV(D) for Prohibition and Prevention of Sexual Harassment, have come to light:

(I) The constitution of the College Complaints Committee has to be by election from among the teachers, students and non-teaching staff of the college ( \*Pages 392, 395, 396, 400 of Delhi University Calendar i.e. Rule Book), in keeping with the principle of autonomy and independence of complaints committees from authorities. This was not done. The members of the CCC were hand-picked by the Principal, rendering its constitution illegal.

(II) In case the presence of the accused is likely to interfere with the enquiry, the CCC/ACC can ask the University/College to suspend him ( Redressal Clause 1 on page 405 of University Calendar). In this case, the Principal was most certainly in a position to influence

the enquiry, intimidate witnesses in the college etc. However, neither the CCC nor the ACC recommended to the College Governing Body that he be suspended pending the outcome of the enquiry.

(III) The CCC/ACC are enjoined to protect the services of the complainant:

“Filing of a grievance/complaint shall not adversely affect the complainant’s status/job/salary/promotion/grades etc “

and to take action against anyone who harasses or victimises the complainant during or after the enquiry:

“ The CCC/ACC should make efforts to ensure that the complainants and the witnesses are not further victimised or discriminated against 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”

(Clauses 3 and 4 of note on page 404 of University Calendar). The fact that the CCC/ACC did nothing to protect the witnesses after the enquiry, or to take/ recommend action against the Principal for doing so, amounts to subversion of the basic tenets of Ordinance XV(D).

4. The Delhi University Policy on Sexual Harassment, adopted by the Executive Council in 2004, recognizes that sexual harassment is not just an interpersonal transgression, but a public and collective violation of human rights and the right to a safe education and work environment. It recognizes sexual harassment as an act of power, and a product of unequal power relations. It has therefore enunciated as the Guiding Principle of Constitution of Committees, that complaints committees be kept autonomous of authorities and be democratically constituted for greater accountability (page 1, 2 and 5 of DU Policy 2004).

5. However, given the unequal power relations between Principals and employees in colleges, there are hardly any colleges in which the complaints committees are properly constituted or are able to function independently. This has also affected the ACC which comprises 7 members who are indirectly elected from the CCC’s, and six nominated by the VC. This situation has particularly deteriorated in the last few years when the Vice Chancellor, with the support of the Central Government, has subverted all statutory and democratic processes, in order to push through unacademic and unpopular restructuring to pave the way for privatization of higher education. He has refused to meet elected unions of teachers and karamcharis, and systematically crushed dissent at all levels through threats and intimidation. He has encouraged and protected high-handed behaviour by Principals and Heads, and willfully subverted all regular grievance redressal mechanisms for students, teachers and karamcharis. The imbalance in power relations has never been as extreme as it is today, which is greatly compounded by the refusal to make regular appointments of teachers and karamcharis. When even permanent employees are regularly threatened with suspension, wage- cut, break in service, denial of retirement benefits and other forms of victimization, what would be the fate of 4,000 plus ad-hoc teachers and 5,000 plus contractual employees ? In such a situation, exploitation and harassment of every kind, including sexual harassment, has become a frightening reality.

6. The tragic case of Pavitra Bharadwaj should be a wake-up call for all those responsible for propping up this rotten administration, whose conduct is bordering on the criminal. The situation in Delhi University is like a bomb waiting to explode. Failure to fix responsibility and take urgent systemic corrective measures can lead to an irretrievable breakdown of all that has been good about our University, and will unleash a human tragedy of unimaginable proportions.


7. In her dying declaration made before the SDM, Pavitra has accused the Principal of sexually harassment and mental torture and held him responsible for her suicide. The DUTA demands that the police arrest him immediately.

8. The DUTA also demands that the Governing Body immediately place him under suspension in order to facilitate a fair enquiry into the matter.

NANDITA NARAIN  
President, DUTA

HARISH KHANNA  
Secretary, DUTA

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