

CONSTITUTION OF GSCASH
GENDER SENSITISATION COMMITTEE AGAINST SEXUAL HARASSMENT
ADOPTED ON MAY 13 1999

GSCASH will have three main functions:

1. Sensitisation and awareness generation
2. Crisis mediation
3. Formal redressal and Enquiry

I. SENSITISATION AND AWARENESS GENERATION

This is the primary task of GSCASH and one that the Committee is expected to work on throughout the year.

1. Publicity of the Policy [see Appendix 1] against Sexual Harassment adopted by JNU.

- a) The Policy must be displayed prominently on all notice boards, including in residential areas, shopping centres and at all entrances to the University. The responsibility of displaying the Policy will be as follows:

Centre notice boards	Chairperson
School entrances	Dean
Administration Block	PRO to give to each Section Officer for display in each office
Library	Librarian
Hostels	Wardens
Shopping Centre, Canteens	Campus Development Committee
B&C Community Centre	Officer in charge
JNUTA Faculty Club	JNUTA
Aravali Guest House	Officer in charge
JNUSU office	JNUSU
Bus stops, Main gates etc.	Campus Development Committee

In order to ensure the permanence of the placement of the Policy, and to reduce maintenance costs, there may be several copies painted on boards for display in key areas such as the School entrances, Administration Blocks, Library, University gates and Hostels.

- b) The Policy must be included in the Admission Brochure.
- c) Each recruitment announcement must include the following line:
Jawaharlal Nehru University has a policy against sexual harassment and is committed to providing an environment free from gender discrimination and harassment.
- d) The Policy must be printed on the registration folios for the students each semester, and signed by them before submitting their folios.
- e) All new service contracts for employees at all levels must include the policy as a part of the service contract.
- f) Those already in service may be asked to sign a separate statement accepting the Policy.

2. GSCASH will perform its task of gender sensitisation of the campus through:

- a) Workshops, seminars, skits, posters, film shows, debates etc.
- b) GSCASH will conduct at least one major activity per semester which will be conducted in different areas of the campus during that semester so as to involve as large a section of the University as possible.
- c) GSCASH should enlist the help of specialised NGOs and the Gender Studies Forum, JNU to carry out various gender sensitisation programmes.

II CRISIS MEDIATION

1. The names and telephone numbers (both official and personal) of all members of GSCASH must be displayed prominently in all buildings. A copy of this list must be provided to JNU Security as well, and all security guards must have a copy of this list in cases of crisis. The responsibility of ensuring that Security is aware of and fulfils this requirement rests with the Security Officer of JNU.
2. GSCASH will identify and activate a team of volunteers from all sections of the community. The effort must be to obtain volunteers for each building on the campus.
 - a) All volunteers for GSCASH will be required to undergo an intensive training workshop (including legal and medical aspects of aid) to equip them to handle sexual harassment cases.
 - b) These volunteers will help with crisis management and mediation. Their names and contact numbers/addresses must be displayed prominently.
 - c) GSCASH will issue a circular at the beginning of every semester inviting names of volunteers, and it will be the responsibility of GSCASH to publicise these names.
3. In the event of a crisis, any of the members of GSCASH and/or the volunteers identified by GSCASH must be called immediately.

III FORMAL REDRESSAL

1. Guiding Principles:

- Everyone who is associated with redressal of sexual harassment will undergo periodic orientation and training.
- Confidentiality of both parties will be maintained.
- Third party complaints will be entertained.
- Witness complaints will be entertained.
- Filing of a grievance or complaint will not reflect upon/adversely affect the individual's or the complainant's status, future evaluation of grades, assignments, employment, promotion etc.

2. Procedure

- GSCASH will designate 3 [three] persons from amongst its members for a period of one month to look into complaints and depending on the nature of the complaint, will try and resolve it after which GSCASH must be informed. This, however, does not apply to cases where a formal enquiry committee is required.
- Complaints can be filed either through administrative channels or directly with members/volunteers of GSCASH.
- If the complaint is filed through administrative channels then the person with whom the complaint has been filed is bound to bring it to the notice of any of the members of GSCASH for action by GSCASH within the shortest possible time. Failure to do so may lead to disciplinary action.
- If the complaint is filed with a member of GSCASH then the member, must inform the 3 [three] member committee for the month.
- In case of any sexual harassment case requiring formal redressal, GSCASH will set up a committee from within itself to conduct an enquiry. The quorum of the meeting to set up and to decide the composition of the enquiry committee must comprise at least 50% members of GSCASH from within the University (i.e. 6 persons). GSCASH may, at its own discretion, co-opt any person sensitive to gender issues to be a part of the Enquiry Committee. However, the Enquiry Committee must include some members of GSCASH.
- GSCASH must ensure that JNU provide legal, medical and counselling assistance to those victims who have to take recourse to the law. However, even if the complainant has taken recourse to the law GSCASH must set up its Enquiry Committee.

3. Composition of the Enquiry Committee:

- a) It must consist of not less than three persons and not more than five persons.
- b) It must have at least 50% women.
- c) It must be chaired by a woman
- d) It must include the constituency of the complainant and the alleged offender (i.e. if the complaint is filed by a student against a Faculty member then the enquiry committee must include one student and one Faculty member)
- e) It must include one outsider, i.e. the NGO or the woman academic.
- f) GSCASH members who are union/association representatives of the parties involved should **not** be a part of the enquiry committee so as to avoid a conflict of interest. However, as members of the larger GSCASH they retain their right:

to go through the enquiry proceedings and discuss the issue with the rest of GSCASH,
to participate in the recommendations of GSCASH

4. Duties of the Enquiry Committee

The Committee must ensure that

- the enquiry is concluded within the shortest possible time so as to minimise the trauma of both sides;
- a restraining order is immediately placed on the accused aggressor and s/he is warned that any complaints of pressure or overtures from the aggressor's side towards the victim are received, then it may be used against him/her in the enquiry and immediate action will be taken for violation of the above;
- at no time will the aggressor and the victim be placed face to face or put in a situation where they may be face to face (for e.g. they must not be called at the same time and be made to wait in the same space);
- at no time will the witnesses of both parties be put in a face to face situation;
- all the proceedings of the enquiry are also taped and made available to any member of GSCASH on their written request. It is necessary to ensure that confidentiality be maintained;
- the provision of an interpreter to both sides if the need arises. The interpreter will be chosen by the affected parties themselves. However, if they do not have access to such an interpreter, the Committee must provide for the same after getting permission from the concerned parties;

5. Enquiry Procedure/Guidelines

- The Enquiry Committee must carry out the inquiry in the shortest possible time.
- It should provide adequate opportunities to both the parties to submit their statements and clarifications.
- It should have the power to call any person to appear as witness.
- After concluding its proceedings it must submit a report to GSCASH.
- GSCASH will discuss the case and recommend the action to be taken. This meeting must have a quorum of 2/3 [two thirds], 9 people. In case of a disagreement, the matter will be put to vote. In case of a tie, the matter will be put to vote for a second time and no abstentions will be allowed. In the eventuality that the Committee is still divided, the matter should be placed before all the members of GSCASH i.e. all 13 members.
- If the recommendations of disciplinary action suggested by the Committee are modified, then reasons for modification must be given and the modifications may be done only in consultation with GSCASH. Any deliberations on the recommendations of GSCASH

by other statutory bodies of the University must include members of the enquiry committee.

- Once a person has been found guilty and punitive action has been recommended and implemented by GSCASH and JNU, the aggressors identity, the act for which the aggressor has received punishment and the punishment itself must be widely publicised so as to deter such acts in future. **The identity of the victim, however, must remain confidential at all times.**
- In the event that GSCASH discovers that a false complaint has deliberately been lodged with the intention of damaging a person's reputation/career, then the strictest possible disciplinary action will be taken against the false complainant and his/her witnesses.
- The same will apply to any false testimony in any case.

6. Amendments to the Constitution

- Any amendments to the Constitution of GSCASH will require the approval of at least 2/3 [two thirds] of the Committee.

Attachments: Appendix 1 JNU's Policy Against Sexual Harassment

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