



# UNIVERSITY OF DELHI

## 9. ORDINANCES

### ORDINANCE XV-B

#### Maintenance of discipline among Students of the University

- 1 All powers relating to discipline and disciplinary action are vested in the Vice-Chancellor.
- 2 The Vice-Chancellor may delegate all or such powers as he/she deems proper to the Proctor and to such other persons as he/she may specify in this behalf.
- 3 Without prejudice to the generality of power to enforce discipline under the Ordinance the following shall amount to acts of gross indiscipline:
  - a. Physical assault, or threat to use physical force, against any member of the teaching and non-teaching staff of any Institution/Department and against any student within the University of Delhi
  - b. Carrying of, use of or threat to use of any weapons
  - c. Any violation of the provisions of the Civil Rights Protection Act, 1976
  - d. Violation of the status, dignity and honour of students belonging to the scheduled castes and tribes

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For more Detail and Source, See:

<http://www.du.ac.in/admissions/2009/ug/ug09/21-40.pdf>

- e. Any practice-whether verbal or otherwise-derogatory of women
  - f. Any attempt at bribing or corruption in any manner
  - g. Willful destruction of institutional property
  - h. Creating ill-will or intolerance on religious or communal grounds
  - i. Causing disruption in any manner of the academic functioning of the University system;
  - j. Ragging as per Ordinance XV-C.
4. Without prejudice to the generality of his/her powers relating to the maintenance of discipline and taking such action in the interest of maintaining discipline as may seem to him/her appropriate, the Vice-Chancellor, may in the exercise of his/her powers aforesaid order or direct that any student or students -
- a. be expelled
  - b. be, for a stated period rusticated
  - c. be not for a stated period, admitted to a course or courses of study in a College, Department or Institution of the University
  - d. be fined with a sum of rupees that may be specified
  - e. be debarred from taking a University or College or Departmental Examination or Examinations for one or more years
  - f. the result of the student or students concerned in the Examination or Examinations in which he/she or they have appeared be cancelled.
5. The Principals of the Colleges, Heads of the Halls, Deans of Faculties, Heads of Teaching Departments in the University, the Principal, School of Open Learning and Librarians shall have the authority to exercise all such disciplinary powers over students in their respective Colleges, Institutions, Faculties and Teaching Departments in the University as may be necessary for the proper conduct of the Institutions, Halls and teaching in the concerned Departments. They may exercise their authority through, or delegate authority to such of the teachers in their Colleges, Institutions or Departments as they may specify for these purposes.
6. Without prejudice to the powers of the Vice-chancellor and the Proctor as aforesaid detailed rules of discipline and proper conduct shall be framed.

These rules may be supplemented, where necessary, by the Principals of Colleges, Heads of Halls, Deans of Faculties and Heads of Teaching Departments in this University. Each student shall be expected provide himself/herself with a copy of these rules.

At the time of admission, every student shall be required to sign a declaration that on admission he/she submits himself/herself to the disciplinary jurisdiction of the Vice-Chancellor and several authorities of the University who may be vested with the authority to exercise discipline under the Acts, the Statutes, the Ordinances and the rules that have been framed therein by the University.

#### **Prohibition and Punishment for Ragging**

In addition to the provisions of Ordinance – XV-C all other masseurs decided upon by the Hon'ble Supreme Court of India, Ministry of HRD and the UGC would be binding on the University, Colleges and the Hostels as well as the Students admitted there to.

#### **ORDINANCE – XV-C**

#### **Prohibition and Punishment for Ragging**

1. Ragging in any form is strictly prohibited, within the premises of College/Department or Institution and any part of Delhi University system as well as on public transport.
2. Any individual or collective act or practice or ragging constitutes gross indiscipline and shall be dealt with under this Ordinance.
3. Ragging for the purposes of this Ordinance, ordinarily means any act, conduct or practice by which dominant power or status of senior students is brought to bear on students freshly enrolled or students who are in any way considered junior or inferior by other students; and includes individual or collective acts or practices which -
  - a. involve physical assault or threat to use of physical force
  - b. violate the status, dignity and honour of women students
  - c. violate the status, dignity and honour of students belonging to the scheduled caste and tribe

- d. expose students to ridicule and contempt and affect their self-esteem
- e. entail verbal abuse and aggression, indecent gestures and obscene behavior.
4. The Principal of a College, the Head of the Department or an Institution, the authorities of College, or University Hostel or Halls of Residence shall take immediate action on any information of the occurrence of ragging.
  5. Notwithstanding anything in Clause (4) above, the Proctor may also suo moto enquire into any incident of ragging and make a report to the Vice-Chancellor of the identity of those who have engaged in ragging and the nature of the incident.
  6. The Proctor may also submit an initial report establishing the identity of the perpetrators of ragging and the nature of the ragging incident.
  7. If the Principal of a College or Head of the Department or Institution or the Proctor is satisfied that for some reason, to be recorded in writing, it is not reasonably practical to hold such an enquiry, he/she may so advise the Vice-Chancellor accordingly.
  8. When the Vice-Chancellor is satisfied that it is not expedient to hold such an enquiry, his/her decision shall be final.
  9. On the receipt of a report under Clause (5) or (6) or a determination by the relevant authority under clause (7) disclosing the occurrence of ragging incidents described in Clause 3(a), (b) and (c), the Vice-Chancellor shall direct or order rustication of a student or students for a specific number of years.
  10. The Vice-chancellor may in other cases of ragging order or direct that any student or students be expelled or be not for a stated period, admitted to a course of study in a college, departmental examination for one or more year or that the results of the student or students concerned in the examination or examinations in which they appeared be cancelled.
  11. In case any students who have obtained degrees or diplomas of Delhi University are found guilty; under this Ordinance, appropriate action will be taken under Statute 15 for withdrawal of degrees or diploma conferred by the University.
  12. For the purpose of this Ordinance, abetment to ragging whether by way of any act, practice incitement of ragging will also amount to ragging.
  13. All Institutions within the Delhi University system shall be obligated to carry out instructions/ directions issued under this Ordinance, and to give aid assistance to the Vice-chancellor to achieve the effective implementation of the Ordinance.

Note: Order of the Vice-Chancellor in pursuance of Ordinance XV-C:

Where incident(s) of ragging are reported to the Vice-Chancellor by any authority under this Ordinance, the students(s) involved in ragging, shall be expelled for a specified term, designated in the order, non-students involved in reports of ragging will be proceeded with under the criminal law of India; they will also be rendered ineligible for a period of five years from seeking enrolment in any of the institutions of the University of Delhi. Students against whom necessary action is taken under this note, will be given post decisional hearing, with strict adherence to the rules of natural justice.

## ORDINANCE XV-D

### Sexual Harassment

#### 1. Short Title and Extent

The present Ordinance is based on the Policy against Sexual Harassment by the Delhi University and seeks to maintain and create an academic and work environment free of sexual harassment for students, academic and non-teaching staff of the Delhi University. The Ordinance will also apply to outsiders and residents, on the Delhi University campus, to the extent specified herein these rules and procedures.

#### 2. Definition :

- i. "Students" includes regular students as well as current ex-students of Delhi University.
- ii. "Teaching Staff" include any person on the staff of the Delhi University or any colleges or institution affiliated to it, who is appointed to a teaching and/or research post, whether full time, temporary, ad-hoc, part-time, visiting, honorary, or on special duty or deputation and shall also include employees employed on a casual or project basis.

- iii. "Non-Teaching Staff" includes any person on the staff of the Delhi University or of any colleges or institutions affiliated to it, who is not included in the teaching staff. It includes employees who are full-time, temporary, ad-hoc, part-time, visiting, honorary, or on special duty or deputation, and employees employed on a casual or project basis.
- iv. "Member of the University" includes all those included in categories (i)-(iii) above.
- v. "Resident" includes any person who is a temporary or permanent resident of any of the accommodations or premises allotted to an employee by the University of Delhi or by any of its affiliated colleges or institutions.
- vi. "Outsider" includes any person who is not a member of the University or a resident. It also includes, but is not limited to, any private person offering residential, food and other facilities to students, teaching staff or non-teaching staff of the Delhi University or any college or institution affiliated to Delhi University.
- vii. "Campus" includes all places of work and residence in the Delhi University or any college or institution affiliated to the Delhi University. It includes all places of instruction, research and administration, as well as hostel, health centres, sports grounds, staff quarters and public places (including shopping centres, eating places, parks, streets and lanes) on the Delhi University campus or the campus of any college or institution affiliated to the Delhi University.
- viii. "Sexual Harassment" includes any unwelcome sexually determined behaviour, whether directly or by implication and includes physical contact and advances, a demand or request for sexual favours, sexually-coloured remarks, showing pornography or any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

**Explanation:** "Sexual Harassment" shall include, but will not be confined to the following:

- a. When submission to unwelcome sexual advances, requests for sexual favours, and verbal or physical conduct or a sexual nature are made, either implicitly or explicitly, a ground for any decision relating to employment, academic performance, extracurricular activities, or entitlement to services or opportunities at the Delhi University.
- b. When unwelcome sexual advances, and verbal, non-verbal and/or physical conduct such as loaded comments, remarks or jokes, letters, phone calls or e-mail, gestures, exhibition pornography, lurid stares, physical contact, stalking, sounds or display or a derogatory nature have the purpose and/or effect of interfering with an individual's performance or of creating an intimidating, hostile, or offensive environment.
- c. When a person uses, with a sexual purpose, the body or any part of it or any object as an extension of the body in relating to another person without the latter's consent or against the person's will, such conduct will amount to sexual assault.
- d. When deprecatory comments, conduct or any such behaviour is based on the gender identity/sexual orientation of the person and/or when the classroom or other public forum of the University is used to denigrate/discriminate against a person or create a hostile environment on the basis of a person's gender identity/sexual orientation.

### 3. SCOPE OF THE ORDINANCE:

This Ordinance shall be applicable to all complaints of sexual harassment made:

- i. By a member of the University against any other member of the University irrespective of whether the harassment is alleged to have taken place within or outside the campus.
- ii. By a resident against a member of the University or by a member against a resident irrespective of whether the sexual harassment is alleged to have taken place within or outside the campus.
- iii. By an outsider against a member of the University or by a member of the University against an outsider if the sexual harassment is alleged to have taken place within the campus.
- iv. By a member of the University, 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. Further the Committee will actively assist and provide available resources to the complainant in pursuing the complaint.

#### **Complaint Mechanism:**

Implementation of the University policy against sexual harassment shall be achieved through:

- i. The Apex Complaints Committee, which shall be an apex regulatory and appellate body of the University of Delhi for redressal and resolution of complaints.
- ii. University Units Complaints Committees, which shall be set up in clusters of University Departments/Centres as complaints and redressal bodies.
- iii. College Complaints Committees, which shall be set up in each College of the University of Delhi as complaints and redressal bodies.
- iv. Central Pool Complaints Committees, which shall be complaints and redressal bodies (one each for the North and south Campuses) for those units that are not affiliated to any College/Department/Institution and have not been included in either CCC or UUCC.

#### **4. Redressal :**

- i. UUCC/CCC/CPCC/ACC may ask the College/University to suspend the alleged harasser from an administrative post/class if his/her presence is likely to interfere with the enquiry.
- ii. The victim of sexual harassment shall have the option to seek transfer of the perpetrator or her/his own transfer where applicable.
- iii. Notwithstanding the contents of any other Ordinance relating to service conditions etc. the Head of the Institution upon receipt of the enquiry report, shall refer the same to the Governing Body/Executive Council (EC) and take disciplinary action on the basis of recommendations of the Complaint Committees provided that in the case of termination of service the existing rules of the University will also be forwarded.
- iv. The disciplinary action shall be commensurate with the nature of the violation.
  - A. In the case of University/College employees;

disciplinary action may 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. Reverting, demotion
  - x. Suspension
  - xi. Dismissal
  - xii. Any other relevant mechanism.
- B. In case of students, disciplinary action may be in the form of:
- i. Warning
  - ii. Written apology
  - iii. Bond of good behaviour
  - iv. Debarring entry into a hostel/campus
  - v. Suspension for a specified period of time
  - vi. Withholding results
  - vii. Debarring from exams
  - viii. Debarring from contesting elections
  - ix. Debarring from holding posts
  - x. Expulsion
  - xi. Denial of admission
  - xii. Declaring the harassed as "persona non grata" for a stipulated period of time.
  - xiii. Any other relevant mechanism.
- C. In the case of third party harassment, the University/College authorities shall initiate action by making a complaint with the appropriate authority.

#### **Note :**

The composition of the Committees, mode of election/nomination powers, duties and procedure to be followed is outlined in the Appendix to Ordinance XV-D in the University Booklet entitled 'Policy on Sexual Harassment', which will be read as part and parcel of Ordinance XV-D.