

## Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions and Sexual Harassment Prevention Week

Dr. D. Maheswari, Editor, International Journal of Tamil Language and Literary Studies, Virudhunagar, Tamil Nadu, India.

ORCID: <https://orcid.org/0000-0002-4187-0120>

DOI: 10.5281/zenodo.19634885

### Abstract

*The study examines the regulatory and proactive frameworks established by the UGC to address gender-based violence and discrimination within Higher Education Institutions (HEIs) in India. The study centres on the UGC rules on the Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions as per the UGC 2015 Regulations. The analysis explores the transition from advisory guidelines to a mandatory legal apparatus aligned with the POSH Act (2013) to be followed in the HEIs. The key institutional mandates are discussed in the study, and they include the broad definition of 'campus geography,' which is the multi-stakeholder composition of Internal Complaints Committees (ICC), the enforcement of strict punishments and time-bound grievance redressal mechanisms in HEIs. Moreover, the paper evaluates the "Sexual Harassment Prevention Week" (December 9–15) as a strategic administrative tool designed to move institutions beyond passive compliance toward a proactive "culture of safety. By integrating the mandatory awareness campaigns evinced by UGC, sensitisation workshops, and standardised reporting through the SAKSHAM portal, the problems in HEIs can be solved. The study aims to dismantle the culture of silence and to overcome harassment through bold activities of raising awareness among women in academia. The findings of the study conclude that the combination of legal accountability and recurring commemorative activism is essential for fostering an equitable, dignified, and safe environment for women in the Indian academic environment.*

**Keywords:** UGC Regulations 2015, POSH Act 2013, Internal Complaints Committee (ICC), Higher Education Institutions (HEIs), Gender Sensitization, Sexual Harassment Prevention, Indian Academia.

### Introduction

The University Grants Commission drafted rules on prevention, prohibition and redressal of sexual harassment of women employees and students in higher educational institutions as part of the regulations released in 2015. It serves as the definitive legal framework for ensuring gender safety in Indian academia. The regulations were framed to align Higher Educational Institutions (HEIs) with the statutory requirements of the sexual harassment of women at the workplace and derive the prevention, prohibition and redressal Act, 2013. It is commonly known as the POSH Act. The following study extracts and synthesises the core details of these regulations, focusing on their scope, institutional mandates, and the mechanisms for redressal.

### Objectives

- To estimate the shift from "formal" to "substantive" gender equality in HEIs.
- To assess institutional compliance with the POSH Act 2013 in HEIs.

- To measure the efficacy of Internal Complaints Committees (ICCs) in HEIs
- To analyse the impact of periodic awareness campaigns (Prevention Week) on reducing the "culture of silence" in HEIs

### **Review of Literature**

The following reviews will give the ideas on the abolishing gender discrimination and harassment in HEIs. It gives chance to understand the gap and to fulfill it with proper measures to abolish gender discrimination and harassment in HEIs.

Disha Pathak. (2022) evaluated the effective role of Anti-Sexual Harassment (ASH) policies in Indian HEIs by reviewing the UGC Regulation 2015 and the 2013 submission of the Saksham Report. The analysis revealed critical shortcomings in HEIs' handling of these issues. It highlighted the gaps in procedures in the appointment and qualification of Internal Complaints Committee members, with a significant lack of representation for sexual minorities within the ICC members and broader campus gender programs.

Government of India (2013) quotes on the Sexual Harassment of Women at Workplace in the mandate *Prevention, Prohibition and Redressal Act, 2013*. Act No. 14 of 2013, Ministry of Law and Justice. The mandate evinces of the "POSH Act" that serves as the parent legislation for the UGC regulations.

Ministry of Women and Child Development (2015) released a *Handbook on Sexual Harassment of Women at Workplace*. Government of India. It provides the official "best practices" and procedural guidance for ICC members.

National Commission for Women (NCW), India, released an Annual Report on the Implementation of the Sexual Harassment Act. It is useful for citing statistics and the success rate of the Zero Tolerance policies in Sexual Harassment.

Rachan Sareen, Surabhi Dhingra (2024) examined the POSH Act's concrete, actionable improvements to more effectively combat workplace sexual harassment. These solutions are deeply grounded in reality, drawing upon a decade of hands-on experience acting as employee awareness trainers and external Internal Complaints Committee (ICC) members across various organisations.

University Grants Commission (2016) addresses very seriously on the Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions in Regulations, 2015. It can be seen in the Gazette of India: Extraordinary, Part III-Sec. 4. It is the definitive source for the rules you outlined, providing the legal definitions and ICC mandates for HEI's.

University Grants Commission (2023) rendered a Public Notice in compliance to the UGC Regulations at HEI's on the Prevention, Prohibition and Redressal of Sexual Harassment as quoted in UGC-F.No.1-15/2009(ARC)Pt.III. It is a notification that reinforces the reporting mandates via the SAKSHAM portal.

University Grants Commission (n.d.) drafted a mandate entitled *SAKSHAM: Measures for Ensuring the Safety of Women and Programmes for Gender Sensitization on Campuses*. UGC Saksham Portal. This is the official portal mentioned in for reporting and compliance tracking related to the Safety of Women and to the conduct of Programmes for Gender Sensitization on HEI Campuses.

### **Methods and Approach**

The study involves a descriptive and quantitative analysis of data from the UGC and SAKSHAM portals to examine norms and conduct a thematic analysis of institutional sensitisation workshops. A Top-Down Regulatory Approach to ensure standardised protection of women academics across diverse geographical locations.

**Theoretical Framework:** The research study is based on Feminist Legal Theory and Social Cognitive Theory. It shows how the legal structures dismantle patriarchal "Hostile Work Environments" and how observational learning through campus sensitisation on harassment atrocities will shape gender-sensitive behaviour among the students and the faculty members.

### **Scope and Applicability of UGC Regulations**

The present UGC regulations apply to all higher educational institutions in India. It includes HEIs like universities, colleges, and research institutes. Particularly, the definition of 'campus' is broad in an academic sense; it encompasses not only the physical classroom but also places such as libraries, laboratories, hostels, canteens, and even outer extended spaces, such as field trips, internships, and transportation provided by the HEI. So, the regulations have to protect "aggrieved women" of any age, whether they are regular employees, temporary staff, students, or even visitors to the HEI campus.

### **Definition of Sexual Harassment**

The regulations define sexual harassment towards women as an offensive act or criminal behaviour (whether directly or by implication) of a sexual nature. It includes the following matters:

- Physical contact and advances on women.
- Demands or requests for sexual favours from women.
- Making sexually colored remarks or jokes to women.
- Showing pornography or explicit material to women.
- Any offensive physical, verbal, or non-verbal conduct with women.

The framework also recognises *Quid Pro Quo*, which is harassment in exchange for benefits, and Hostile Work Environment, a form of misconduct that creates an offensive atmosphere as specific forms of harassment in HEIs.

### **The Internal Complaints Committee (ICC)**

The foundation of the UGC regulation is the vital establishment of the Internal Complaints Committee at every Higher Educational Institution. The ICC has a specific composition to ensure neutrality and gender sensitivity at HEIs with effective parameters. The ICC should contain:

- **Presiding Officer:** A woman faculty member employed at a senior level.
- **Members:** At least two faculty members and two non-teaching employees committed to the cause of women's rights.
- **Student Representatives:** Three students (if the matter involves students).
- **External Member:** One person from a Non-Governmental Organisation or a social association that is committed to the benefit of women, or a woman who has endured such issues related to sexual harassment.
- **Gender Balance:** At least one-half of the ICC members must be women.

### **Redressal Mechanism and Timelines**

The redressal mechanism and timelines are based on regulations that set strict timelines to ensure that justice is not delayed and given at the correct time. It consists of:

- **Filing a Complaint:** A person who suffers harassment has to submit a written complaint within three months of the incident to the ICC. In exceptional cases, the ICC can extend this deadline in an HEI.
- **Conciliation:** Before starting an inquiry, the ICC may request that the complainant take steps to settle the matter through conciliation. No monetary settlement is allowed.
- **Inquiry:** If conciliation is not sought or fails, the ICC must complete its formal inquiry within ninety days.

- **Reporting:** The ICC must provide the original findings and recommendations to the higher Executive Authority of the Higher Educational institution within ten days of the completion of the inquiry.
- **Action:** The institution is mandated to act upon the ICC's recommendations within thirty days.

### Support and Protection Measures

During an inquiry, the ICC can recommend interim relief to protect the complainant. It may be by transferring the complainant or the respondent to another department. The committee may grant leave to the aggrieved woman for three months. They can restrain the respondent from reporting on the complainant's work or academic performance. Such regulations also emphasise confidentiality in this matter. Disclosing the identity of the complainant, the respondent (The wrongdoer), or the witnesses is a punishable offence under the POSH Act. There are certain institutional responsibilities that the HEI should follow. HEIs are not expected to respond to complaints, but should be proactive in preventing harassment on the campus. Their responsibilities include publicly implementing the Zero Tolerance policy against sexual harassment on campus. Sensitisation among faculty members is very important. They have to organise regular workshops and awareness programs for students, faculty and non-faculty members to foster a gender-sensitive environment on campus. Annual reporting on the matter is very important. The HEI must submit an annual report to the UGC detailing the number of harassment cases filed and their resolution status. There are severe consequences for non-compliance with these UGC regulations. UGC may impose severe penalties on the institution. The UGC may withdraw grants or financial assistance to the HEI. UGC may declare the institution ineligible for any UGC funded assistance schemes. It may also recommend the withdrawal of 'University Status' or the de-recognition of the institution forever.

### UGC regarding Sexual Harassment Prevention Week at HEIs

UGC's stand on sexual harassment of women in a HEI is a strategic directive aimed at reinforcing the legal and ethical framework of the POSH Act -2013. So, UGC has drafted key mandates, objectives, and implementation strategies detailed in this directive. One of the important purposes and strategic objectives of the "Sexual Harassment Prevention Week" (SHPW) is to commemorate the notification of the sexual harassment of women at the workplace to the prevention, prohibition and redressal of the POSH Act - 2013. The UGC utilises this SHP week as a central point to move beyond mere legal compliance toward creating a 'culture of safety.' By dedicating a specific week to these activities, the UGC ensures that the discourse on gender-based violence remains active and high-priority in the academic calendar. The timeline of the SHP week is from 9 December to 15 December. It corresponds to the anniversary of the POSH Act's notification as the period for intensified awareness. The scope of this directive extends to all central, state, and private universities, affiliated colleges and autonomous institutions. Both academic and administrative staff, as well as the student body, have to participate in the HEI.

There are some mandatory institutional actions to follow during this week. The HEIs are requested to execute several specific administrative and awareness-based tasks. They have to give a status review of ICCs. The Institutions must verify that their Internal Complaints Committees (ICC) are properly constituted and functional in accordance with the 2015 UGC Regulations. The publicity and visibility of the detailed information, including the names and contact numbers of ICC members, must be displayed on campus notice boards and official websites. Educational campaigns must be conducted properly in the HEI. The UGC

mandates the display of banners and posters in conspicuous places to educate employees and students on what constitutes sexual harassment and the specific procedure for filing a complaint with the ICC. There are some recommended activities and engagement to activate programs. The UGC encourages interactive programs to maximise the impact of the SHP week. Sensitisation workshops and hands-on training sessions can be provided to faculty and staff on gender sensitivity and legal literacy. Student-led initiatives such as poster-making, poetry writing, film screenings, and critical debates focused on gender equality can be given as activities. Digital outreach is very important to leverage social media and campus portals to disseminate information about the POSH Act and the institution's Zero Tolerance Policy on sexual harassment of women. The compliance and reporting mechanism is directive, not mere advice. It carries a reporting mandate from the HEI. HEIs are required to submit progress reports to the UGC every year. A summary of the activities conducted during the SHP week to the UGC via the SAKSHAM portal. This annual week serves as a deadline to ensure all annual submissions of records regarding sexual harassment cases against women for the preceding year that have been compiled and submitted to the UGC.

### Conclusion

The POSH Act – 2013, the UGC Regulations – 2015 and the SHPW transform the campus from a mere academic place into an academic and legally responsible environment. By mandating the ICC and establishing clear timelines, the UGC regulations on the POSH Act seek to dismantle the 'culture of silence' that often surrounds sexual harassment in HEI educational settings. They represent a full commitment to ensure that every woman in higher education can pursue her goals with dignity and safety. Then, the Sexual Harassment Prevention Week (SHPW) serves as an annual call to action for Indian HEIs to ensure the safety of women. It serves as an optimistic reminder that the safety of women on campus is an institutional responsibility in Indian academia. By regulating these activities across the nation, the University Grants Commission seeks to ensure that every student and employee is safe regardless of their geographical location and is aware of their basic human rights and the protections afforded to them under law in the Higher Educational setting.

### References

- [1] Disha Pathak. (2022). "Evaluating the Effectiveness of UGC's Policy to Prevent Sexual Harassment: A Systematic Review." *Artha - Journal of Social Sciences*, Vol. 21, No. 1, 43-68, <http://doi:10.12724/ajss.60.3>
- [2] Government of India (2013). *The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013*. Act No. 14 of 2013. Ministry of Law and Justice.
- [3] Ministry of Women and Child Development (2015). *Handbook on Sexual Harassment of Women at Workplace*. Government of India.
- [4] National Commission for Women (NCW). *Annual Report on the Implementation of the Sexual Harassment Act*. NCW India.
- [5] Rachan Sareen, Surabhi Dhingra. (2024) "The POSH Act in India: Progress, Shortcomings, and the Path Forward." *International Journal of Advances in Social Sciences*. 12(2):47-2. doi: 10.52711/2454-2679.2024.00009
- [6] University Grants Commission (2016). *University Grants Commission (Prevention, Prohibition and Redressal of Sexual Harassment of Women Employees and Students in Higher Educational Institutions) Regulations, 2015*. The Gazette of India: Extraordinary, Part III-Sec. 4. [Available at: [ugc.ac.in](http://ugc.ac.in)]

- [7] University Grants Commission (2023). *Public Notice: Compliance of UGC Regulations on Prevention, Prohibition and Redressal of Sexual Harassment*. F.No.1-15/2009(ARC)Pt.III.
- [8] University Grants Commission (n.d.). *SAKSHAM: Measures for Ensuring the Safety of Women and Programmes for Gender Sensitization on Campuses*. UGC Saksham Portal.

**Author Contribution Statement:** NIL

**Author Acknowledgement:** Nil

**Author Declaration:** I declare that there is no competing interest in the content and authorship of this scholarly work.



The content of the article is licensed under [Creative Commons Attribution4.0](https://creativecommons.org/licenses/by/4.0/) International License.