



South Asian University

An International University Established by the
Governments of SAARC Nations in 2008



No. SAU/Admin/Legal/2026/227

30-03-2026

NOTIFICATION

The President in exercise of the power conferred on him by 5.1.7 of Regulations of the University has approved the revised Bye Laws, Policy and Rules for Sexual Harassment (Prevention, Prohibition and Redressal) of Women at Workplace, attached herewith.

These bye-laws will come in force with immediate effect.

This is issued with the approval of the Competent Authority.

S. Jainth
30/3/26

(Sanjeev Jainth)
Deputy Registrar
(Policy, Legal and Admin.2)

To,

All Employees and Students (through email)

Copy to (through email):

1. PS to the President / Registrar
2. PSs/PAs to Vice Presidents/Deans/Officers
3. Director (ICT) with a request to get it uploaded on the internal website
4. Notification File/Guard File

South Asian University
New Delhi (India)

**Bye-Laws, Policy and Rules for Sexual Harassment (Prevention,
Prohibition and Redressal) of Women at Workplace**

1. SHORT TITLE, EXTENT AND COMMENCEMENT

(1) Whereas all countries within the South Asian Association for Regional Cooperation (SAARC) are parties to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), it is imperative for the South Asian University (SAU) to develop rules and procedures for gender sensitization and the redressal of complaints of sexual harassment in the workplace. These Rules are based on the initiatives for gender sensitization by SAU, and seek to maintain and create an academic and safe environment free of sexual harassment for students, faculty and administrative official of the University.

(2) These bye-laws shall apply to members of the University, on or away from campus, and outsiders on the University campus, irrespective of their gender identity, to the extent specified herein.

(3) These bye-laws affect no compromise on the freedom of thought, inquiry or debate but, in fact, ensure an environment in which education, research and discussion are not disrupted by sexual harassment.

2. DEFINITION

In these bye-laws, unless the context otherwise requires,

(a) **“Student”** includes any person who is enrolled for any course, whether full-time or part-time, in the South Asian University, New Delhi or any of its campuses and includes an undergraduate or postgraduate student, a research scholar, a visitor, and a repeater. It also includes a student of another University or college who has been placed or has opted for placement with South Asian University or for short-term courses at South Asian University.

(b) **“Faculty”** includes any person on the staff of the South Asian University, 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/lien/secondment/leave from his/her parent organization and shall also include employees employed on a casual or project basis.

(c) **“Administrative Officials”** includes any person on the staff of the South Asian University 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/lien/secondment/leave from his/her parent organization, and employees employed on a casual, outsourced or project basis. It also includes all service providers on a contractual basis of any duration or otherwise.

(d) **“Member of the University”** includes all those included in categories (a – c) above.

(e) **“Outsider”** includes any person who is not a member of the University.

(f) **“Campus”** includes all places of work and residence owned, rented or purchased by the University. It includes, but is not restricted to, all places of instruction, research and administration,

as well as students' hostels, health centres, sports grounds, recreational facilities, residential facilities allotted and administered by SAU for its employees, guest houses administered by SAU, places of worship and gardens within the premises owned, rented or purchased by the University.

(g) "NGO" includes any Non-Governmental Organization registered under the Societies' Registration Act, 1860 or comparable legislation in any of the eight South Asian countries or as a public charitable trust recognized under law in any state within South Asia. Such a society/charitable trust must not be affiliated with any political party, and should have been engaged in work for gender equality, particularly for the amelioration of the status of women, for a minimum of three years prior to the date of empanelment. Two-thirds of the registered membership of such a society or charitable trust shall be outsiders with respect to South Asian University; i.e. at least two-thirds of the membership shall not include any person who is a student, resident, service provider, or a member of the academic staff or administrative staff of South Asian University.

(h) "Sexual harassment" includes any unwelcome sexually determined behaviour or conduct, whether directly or by implication, namely:

- (i) physical contact and advances; or
- (ii) demand or request for sexual favours; or
- (iii) making sexually colored remarks; or
- (iv) showing pornography; or
- (v) any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

Explanation: - In particular, it shall include, but shall not be confined to, the following:

- A) When unwelcome sexual advances, requests for sexual favours, sexual overtures and verbal or physical conduct of a sexual nature, explicitly or implicitly through any form of communication, are made a term of condition of academic performance, extracurricular activities, instruction, employment, participation, entitlement to services or opportunities at South Asian University, or evaluation of a person's engagement in any academic or campus activity.
- B) When unwelcome sexual advances and inappropriate verbal or non-verbal conduct such as slander, remarks, jokes, gestures, physical contact or molestation, stalking, taking of photographs, letters, phone calls, e-mail, SMS messages or other forms of electronic, digital or non-electronic/digital communication, have the purpose or effect of unreasonably interfering with an individual's work or academic performance, or creating an intimidating, demeaning, degrading, hostile or otherwise offensive work or educational environment at South Asian University.
- C) When a member of the staff (teaching or administrative) requests or accepts sexual favours from or solicits a romantic or sexual relationship with any student who is enrolled in a course taught by that member or otherwise subject to that staff member's academic supervision, before a final grade on the student's supervised academic performance has been submitted to the University.

3. SCOPE OF THE RULES

(1) These bye-laws shall be applicable to all complaints of sexual harassment made:

Skainz

- (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 as defined above;
- (ii) 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;
- (iii) by a member of the university, against an outsider if the sexual harassment is alleged to have taken place outside the campus.

4. CONSTITUTION OF INTERNAL COMMITTEE (IC)

(1) Implementation and monitoring of the University's bye-laws against sexual harassment shall be achieved through the working of IC, set up for this specific purpose as described below.

(2) The University shall notify all concerned of the constitution of the IC through appropriate notifications, and shall also display the names of the members of the committee along with their respective contact details on the University website.

4.1 IC: Composition

- (a) There shall be an Internal Committee (IC), duly constituted by the President, SAU, to propose the University's policy and guidelines relating to the prevention of sexual harassment cases and other acts of gender discrimination and to inquire into and redress all complaints of sexual harassment in the first instance as per the rules described herein.
- (b) It shall be approved by the Executive Council of the South Asian University. IC will function as an apex body.
- (c) The IC shall have five members including three faculty members (one other than India) from three faculties/departments of the university, one member-secretary holding the position of Assistant Registrar/Deputy Registrar or equivalent, and one external member who shall be an academician/advocate/official who has experience/expertise in working on sexual harassment/women/gender issues or an NGO representative.
- (d) The IC shall have at least 50% of its members be women.
- (e) The IC shall be headed by a Chairperson who should be the senior woman Prof./Associate Prof (SG).
- (f) All correspondence from the IC will be sent under the signature of the chairperson.
- (g) If a complaint is filed by a student or against a student, at least one student observer will be appointed to the IC. The selection of the student-observer (s) will be made by the Chairperson or the IC, based on objective criteria. The student observer(s) shall participate in the IC deliberations solely for the said inquiry. To facilitate the appointment of student observers, a pool of 14 students will be elected/nominated directly from the student body, with 2 students from each academic Department/Faculty, of which one will be other than India. The Chairperson, IC will inform Heads of Departments and Deans of Faculties to provide the names of 2 students every year for this purpose.
- (h) For a particular inquiry, if the Chairperson, IC, is of the view that additional members need to be co-opted to assist in the inquiry process or if such co-option is in the interest of fairness and transparency, the Chairperson, IC, with the approval of the President, may co-opt not more than two members.

4.2 Term - The Chairperson and other members of the Committee shall hold office for three years.

4.3 Disqualification - Where the Chairperson or any member of the Committee:

- (i) contravenes the rules of confidentiality, or
- (ii) has been convicted for an offense or been the subject of an inquiry (i.e., pending a decision) into an offense under any law for the time being in force, or has been found guilty in any disciplinary proceeding, or a disciplinary proceeding is pending against such Chairperson or Member, or
- (iii) has so abused his/her position as to render his/her continuance in office prejudicial to public interest.

The Chairperson or Member, as the case may be, shall be removed from the Committee, and the vacancy so created shall be filled in accordance with due process.

4.4 Vacancies - In case any vacancy arises in IC due to the resignation or removal of any committee member, as an interim measure, the President may nominate such a member for residual period.

5. POWERS AND FUNCTIONS OF THE IC

(a) To deal with the overall policy of preventing cases of sexual harassment and sensitizing all stakeholders about equality and gender justice.

(b) To create and ensure a safe educational environment, regardless of gender or sexual orientation, that is free from sexual harassment.

(c) To disseminate and publicize the policy of the University against sexual harassment widely through its prospectus, notice boards, the university website, etc.

(d) To plan and carry out programmes for gender sensitization with the assistance of any other SAU bodies or departments as needed. These programs may include workshops, seminars, dialogues, drama, films, and other events/activities during university or departmental orientations when new students are admitted.

(e) To take cognizance of complaints of sexual harassment, conduct inquiries as per the procedure, provide assistance and redressal to the victims, recommend penalties and take action against the harasser, if necessary.

(f) To recommend to the concerned authorities specific follow-up action and to monitor the same.

(g) To make arrangements for appropriate psychological, emotional support (or counselling) to any of the parties involved in the dispute, if deemed appropriate or if a specific request is made.

(h) To ensure absolute confidentiality about (i) the contents of the complaint, (ii) the identity and addresses of the complainant, the alleged harasser(s) and witnesses if any, and (iii) any information relating to the settlement or the inquiry proceedings or the action taken by the University, shall not be published, communicated or made known to the public, press or media in any manner whatsoever.

(i) To ensure that the principles of natural justice are adhered to and that all parties are given an equal opportunity to be heard and present their case.

(j) To ensure that no person shall be subject to harassment, intimidation or victimization of any kind for having brought forward a good faith complaint of sexual harassment. Any such action shall constitute a separate ground for complaint, irrespective of the original sexual harassment complaint.

6. PROCEDURAL RULES

6.1 Procedure for Filing and Registering a Complaint

- (a) The complaints of sexual harassment shall be made by the victim in writing, except in case of physical or mental incapacity or death, to the Chairperson, IC or any member of IC or through mail or through the Sexual Harassment e BOX (SHe Box) against the respondent.
- (b) If the complaint is made to any member of IC (i.e., other than the Chairperson, IC) or to any other member of the University, the concerned member shall immediately refer the matter and all related material, if any, to the Chairperson of the IC.
- (c) The complainant may be accompanied by a representative.
- (d) In case of an alleged harassment against an outsider, the IC may initiate action by making a complaint with the appropriate authorities having jurisdiction over the offence or forwarding it to the other relevant IC/IC.

6.2 Inquiry Procedure for Complaints

- (a) Upon receipt of a complaint, the Chairperson, IC, shall discuss it with the members and determine whether it falls within the purview of the committee.
- (b) If the complaint does not fall within the purview of the present Rules, the Chairperson of the IC shall communicate the same in writing to the complainant along with the reasons.
- (c) Upon recommendation by the member(s) of the IC that the complaint falls within the purview of the present Rules, the Chairperson of the IC shall convene a meeting of the IC within seven working days to discuss the complaint and initiate the enquiry process as appropriate.
- (d) The meetings of the IC shall be called by the Chairperson of the IC or the Member-Secretary under instruction.
- (e) The IC shall complete the inquiry within 90 working days of its first committee meeting relating to the said complaint; in case it is not possible, the reason shall be recorded.
- (f) During the inquiry, the IC shall first call the complainant to present his/her case. The complainant's deposition shall be written down and signed by the complainant. The complainant shall share all the evidence under his/her possession with the IC. The complainant shall also name possible witnesses who may be in a position to corroborate his/her claim.
- (g) The IC shall inform the accused in writing of the charges levelled against him/her, and (s)he should be given a period of five days from the receipt of the notice to respond to the said charges in writing. A copy of the complaint, along with pertinent supporting evidence, if any, shall be given to the accused.
- (h) The IC shall call the defendant to depose before the committee to respond to the charges and evidence thereof. The deposition/response of the defendant shall be documented and signed by the defendant. The defendant shall be asked to provide

all evidence in support of the said deposition and name possible witnesses who may be in a position to corroborate the contents of the deposition.

- (i) The IC shall then share a copy of the written response of the defendant with the complainant.
- (j) The IC shall call all the witnesses named by the complainant and the defendant and, in addition, any other person(s) to appear as witness(es) if that is deemed helpful to the inquiry.
- (k) If a witness fails to appear before the IC despite being called thrice, the IC shall proceed without the statement of such witness.
- (l) All witness statements to the IC shall be documented and duly signed.
- (m) The IC shall have the right to call the respondent, complainant and witnesses as many times as required for the inquiry to be concluded.
- (n) All persons heard by the IC shall observe confidentiality about the proceedings. Any violation of this oath may invite disciplinary proceedings.
- (o) The IC shall be empowered to proceed ex parte with the complaint.
- (p) The complainant and the respondent shall have the right to examine the witnesses' statements. The complainant/defendant should inform the Chairperson, IC, specifically in writing, if they wish to exercise this right. This examination can be conducted only within the room where the inquiry is taking place, and under no circumstances may any document be removed from the room.
- (q) The complainant and the respondent shall have the right to cross-examine each other and all witnesses through the IC. For this purpose, the complainant and the respondent shall furnish written questions to the IC. The IC shall put these questions to the other party and share the responses with the concerned party. The IC may reject one or more questions if deemed irrelevant or inappropriate to the matter under inquiry. This right shall not extend to face-to-face cross-examinations of any party.
- (r) Any behaviour, verbal or otherwise, on the part of either the complainant or the defendant or their nominee(s) that is designed to intimidate or subject any of the parties involved to mental and physical trauma shall be construed as an obstruction of these proceedings.
- (s) The IC shall have the power to ask for any official University records or Documents related to the complainant as well as the defendant.
- (t) After concluding its inquiry, the IC shall submit the inquiry report with recommendations to the President. This report will include a complete, detailed date-wise account of the proceedings, along with the final findings. This report shall include all the statements of all the witnesses and all other evidence on record. It shall further record its recommendation detailing the nature of disciplinary measures to be taken in a summary report.
- (u) The Chairperson, within a period of five working days, shall share a copy of the summary report with both parties after approval of the President.

7. PROCEDURE TO FILE AN APPLICATION FOR APPEAL

(1) The complainant and the defendant shall have the right to appeal against the decision of the IC within 10 working days from the date they receive a copy of the summary report from the Chairperson, IC.

(2) If no appeal is filed within 10 working days, then the decision of the IC shall be final and binding.

Alain

- (3) All appeals should be filed with President. The appeal should be filed in writing, except in case of physical or mental incapacity or death.
- (4) The appeal can be filed against the decision of the IC or against the punishment recommended by IC, or against both.

7.1 Procedure to be followed to hear appeals

- (a) The President may constitute a committee which shall act as the appellate authority. The copy of the appeal shall be shared with the opposite party, as the case may be.
- (b) The opposite party shall be given five working days to respond to the appeal.
- (c) The Appellate authority, after carefully considering the grounds on which the appeal has been filed, shall review the report of the IC and duly examine any new evidence that any of the parties may bring forward before the Appellate authority. The Appellate authority may ask the defendant or the complainant to appear before the authority if needed.
- (d) The grounds for review shall include possible procedural lapses in the IC inquiry process or functioning, or violation of any principle of natural justice.
- (e) The Appellate authority shall prepare a report giving reasons in support of its decisions and will submit to the President.
- (f) After approval of the President, the Appellate authority shall provide a copy of the report to both the complainant and the defendant.
- (g) This report shall be final and binding on both the parties.
- (h) The appeal process shall be completed in a period not exceeding 30 working days.

7.3 Withdrawal of Complaint.

- (a) The complainant may submit a request in writing to withdraw the complaint at any time during the inquiry procedure.
- (b) The IC shall make every reasonable attempt to ascertain that such a request for withdrawal is not the consequence or effect of coercion, intimidation exerted by the defendant or any person on her/his behalf, on the complainant or any person on her/his behalf.
- (c) The committee may allow such withdrawal and record the reason for the same.

8. REDRESSAL

- (1) IC may ask the University to suspend or transfer the respondent from an administrative post/class if his/her presence is likely to interfere with the inquiry.
- (2) Formal disciplinary sanctions shall be imposed only upon clear and convincing evidence.
- (3) The disciplinary action/sanctions imposed shall be appropriate to the seriousness of the offence; the degree of intent, the degree of harm, other acts of harassment by the harasser (if any), the need for deterrence, and such other factors as reason and justice may require.
- (4) Where a person, being either a faculty or an administrative official, is found guilty of sexual harassment as defined under these rules, he/she shall be liable for any or all of the following actions against him/her:
- (i) Adverse remarks in the candidate's Personnel File at SAU, which shall remain in perpetuity.
- (ii) Debarring from supervisory duties for a specified period as recommended by the

- IC.
- (iii) Denial of membership of statutory bodies for a period of five years.
 - (iv) Suspension of increments/promotion for a period of five years.

(5) Where a person, being a student of the University, is found guilty of sexual harassment as defined under these rules, he/she shall be liable for any or all of the following actions against him/her:

- (i) Issuing a warning or reprimand.
- (ii) Bond of good behavior.
- (iii) Entry debarred into hostel/campus for a specific period of time recommended by IC.
- (iv) Suspension not exceeding five years.
- (v) Debarring from exams for a specific period of time recommended by IC.
- (vi) Debarring from contesting elections for a specific period of time recommended by IC.
- (vii) Debarring from holding executive posts for a specific period of time recommended by IC.
- (viii) Expulsion.
- (ix) Denial of admission to SAU premises for a specific period of time.
- (x) Any other relevant mechanism as decided by IC.

(6) The Chairperson, IC, shall have the power to enforce the punishments given in 8(5) (i) and (ii). The Chairperson, IC, may seek assistance from the university for this purpose, as appropriate.

(7) In the case of third-party harassment, the University authorities shall initiate action by making a complaint with the appropriate authority.

(8) Where the inquiry reveals that a member of the University or an outsider has made a false complaint, knowingly, maliciously or recklessly to the Chairperson, IC, such person shall be liable to the same sanctions as enumerated in Rules 8(4) to 8(5).

9. PROCEDURE OF AMENDMENT

(1) On the recommendation of the IC, the Executive Council (EC) of SAU may amend any part or whole of these rules and procedures.

(2) The Executive Council (EC) may establish an interim committee to look into complaints and other functions of the IC in the event of any gap in the appointment of the committees established under these rules.

[NOTE- In case any ambiguity arises in these bye-laws, the provisions of the POSH ACT, 2013 of India shall be applicable.]

Shankh
30/3/26