

***Gender Sensitization Committee
Against Sexual Harassment
(GSCASH)***



Jawaharlal Nehru University

Annual Report 2009- 2010

February 2009 –April 2010

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Acknowledgement

I am grateful to the JNU community for their trust, cooperation, support and assistance extended to me in discharging the responsibilities in GSCASH as Chairperson. The success and efficiency of the functioning of GSCASH is mainly due to the commitment and accountability shown by GSCASH members themselves and the team work, cooperation and initiative that all members provided for various GSCASH responsibilities. I would like to extend my deep gratitude to all the GSCASH members who took time out of their busy schedule for GSCASH activities. Besides, several concerned individuals from the faculty, staff, officers and student community, who were very generous with their time and energy, came forward to support GSCASH in various ways. Among them Prof. Nivedita Menon, Prof. Rupamanjari Ghosh, Prof. Sonajharia Minz, Mr. H.M.K. Moodgal, Dr. Sujata, Dr. Pratiksha Baxi, Prof. Janaki Abraham, Dr. Jaivir Singh, Prof. Mondira Dutta, Prof. Aiyasha Kidwai, Ms. Parvathy Poornima, Ms. Deepa V. K, Ms. Rabeca John, Mr. Vikas, Ms. Sini Thomas, Ms. Ahalya Sial and Ms. Sweta Anand deserve special mention. It is a pleasure to thank all of them for their kind cooperation and support for GSCASH. I also thank Dr. Rajat Mitra, Prof. Mary John, Ms. Sreerekha, Ms. Shreemoyi Nadini Ghosh (Advocate), Prof. Partha Ghosh, Ms. Fatima Rashid Hassan (Advocate, Bangladesh) among others for making the national seminar a successful event by their valuable contributions. My sincere thanks are to *Mirrors*, the Dramatics Society of Deshbandu College, Delhi University for presenting the stage play “Silence the Court is in Session” by Vijay Tendulkar for GSCASH on the occasion of women’s day celebration on 8th March 2010. Thanks are also due to the support of GSCASH office staff, Ms. Neelam Negi and Ms. R. Jaya.

K. B. Usha

GSCASH: A Decade of Dedication, Commitment and Progress

GSCASH evolved in today's shape as a full-fledged institution for imparting gender justice as a result of the dedication and commitment of the all those who worked for the cause of preventing sexual harassment and gender discrimination in the campus. Following the guidelines on the prevention and deterrence of sexual harassment in the workplace laid down by the Supreme Court of India in its 13 August 1997 judgment on the Writ Petition (Criminal) of Vishaka vs State of Rajasthan, the Vice-Chancellor of JNU appointed a Working Group on Sexual Harassment headed by Professor Karuna Chanana on 5 September 1997. During this period, Vice Chancellor, by virtue of the authority vested in him by the Executive Council and in conformity with the directive from the Ministry of Human Resource Development /University Grants Commission, established a Sexual Harassment Committee (SHC) w.e.f 8 August 1998 headed by Prof. Sudesh Nangia, a faculty in School of Social Sciences, as Chairperson. Other members in the SHC were Prof. Shipra Guha Mukherjee (School of Life sciences), Dean of Students Welfare (or his nominee), Ms. Farah Farooqi, M.Phil/PhD scholar (School of Social Sciences) and Mr. Nikhilesh Mishra, MSc. (School of Life sciences). One representative of JNUTA and JNUSU each also were to be nominated to SHC by the respective organizations.

The SHC was responsible to receive complaints, hear witnesses, examine evidence and make an appropriate recommendation for action to the Vice Chancellor. The SHC was empowered to seek assistance from the criminal justice system, including lodging an FIR, etc, in cases of gross sexual harassment tantamount to an offence defined in the Indian Penal Code. The SHC was also entrusted with the responsibility to take measures for promoting gender sensitivity amongst all sections of the whole JNU community through workshops, seminars, and so on, involving experts, social workers, NGOs and other professional groups such as lawyers, medical professionals, etc. The SHC was also supposed to consider and adopt the other measures proposed by the Working Group on Sexual Harassment chaired by Prof. Karuna Chanana.

The Report of the Working Group was accepted by the Executive Council of JNU on 6 May 1998. The JNU Policy against Sexual Harassment was announced in a circular dated 25 February 1999, and the Gender Sensitization Committee Against Sexual Harassment

(GSCASH) was set up vide a Jawaharlal Nehru University notification dated 16 April 1999. The Rules and Procedures of the GSCASH were approved in principle by the JNU Executive Council (Resolution 6.7) on 28 September 2001. The GSCASH has three major functions: 1. Gender Sensitization and Orientation, 2. Crisis Management and Mediation, and 3. Formal Enquiry and Redressal of Complaints.

The JNU model became a standard for other educational institutions of the country to follow. The minutes of a high-level meeting held under the chairpersonship of Justice Shri J.S. Verma, Hon'ble Chairperson, National Human Rights Commission, on 25 April 2001 to discuss the Role of Universities and Educational Institutions in Implementing the Supreme Court Guidelines, state under item (5), "The UGC should procure from the Jawaharlal Nehru University a copy of the guidelines which they had prepared in connection with combating the problem of sexual harassment in their University and examine whether the same could be replicated in other Universities as well".

In order to incorporate the suggestions of the University lawyers as well as the experience gained during this period by the functioning of GSCASH, a revised draft of the Rules and Procedures was submitted by a committee chaired by Dr. Rupamanjari Ghosh set up for this purpose. These Rules and Procedures were further amended by a two-member committee headed by Prof. Ashok Mathur and submitted to the Executive Council on 30 May 2003. In its meeting on 11 November 2004, the Executive Council suggested that further amendments be made in accordance with a communication received by the University from the Ministry of Human Resource and Development, Government of India. The Mathur Committee, therefore, submitted a revised and amended set of Rules and Procedures which were ratified by the EC on 2 June 2005.

However, these new Rules and Procedures drew widespread criticism from the University community. In its meeting on 5 December 2005 the EC suggested that the Vice Chancellor constitute a Review Committee to analyze the responses received from different sections of the JNU community and to suggest amendments, if any, to the Rules and Procedures. The Vice-Chancellor constituted a Review Committee (vide Notification No.Acad.II/U/6(73) dated 24 February 2006) headed by Prof. Rupamanjari Ghosh with this mandate. After widespread consultations with the University community, this Committee made its recommendations. The recommendations were incorporated and the

new Rules and Procedures of GSCASH were ratified by the EC during a meeting on 11 April 2007 (Resolution no. 6.14), as per University notification dated 9 May 2007.

GSCASH has now completed a decade since its establishment in 1999. The GSCASH has started functioning from its present office space since October 2001. It has grown as a full-fledged and active institution, which has the potential to address matters pertaining to gender insensitivity, prevention, prohibition and redressal of sexual harassment issues positively; and help to cultivate an environment free of hostility, gender discrimination and inequality. Over the years, the number of complaints filed in GSCASH has increased. Thirty nine (39) complaints have been filed in GSCASH during the year 2009-2010. On an average GSCASH is dealing with 2-3 cases in a month. This indicates the significance of GSCASH and the increased public trust and awareness about the functioning of GSCASH in the Campus. Needless to say, the present standing acquired by the GSCASH has been mainly through the untiring efforts of its former Chairpersons and Committee Members.

Former GSCASH Chairpersons

Name	Tenure	Year
Rekha Vaidyarajan	March 1999- November 1999	1999
Anuradha M. Chenoy	December 1999- November 2000	1999-2000
Ayesha Kidwai & Rupamanjari Ghosh	December 2000-August 2001 & August 2001- November 2001	2000-2001
Madhu Sahni	December 2001- November 2002	2001-2002
R Mahalakshmi	December 2002- November 2003	2002-2003
Kumkum Roy	December 2003-January 2004	2003-2004
Vidhu Verma	January 2004- December 2005	2004-2005
Sneha Sudha Komath	December 2005-December 2006	2005-2006
Parnal Chirmuley	December 2006 - December 2007	2006-2007
Mondira Dutta	January 2008- January 2009	2007-2009

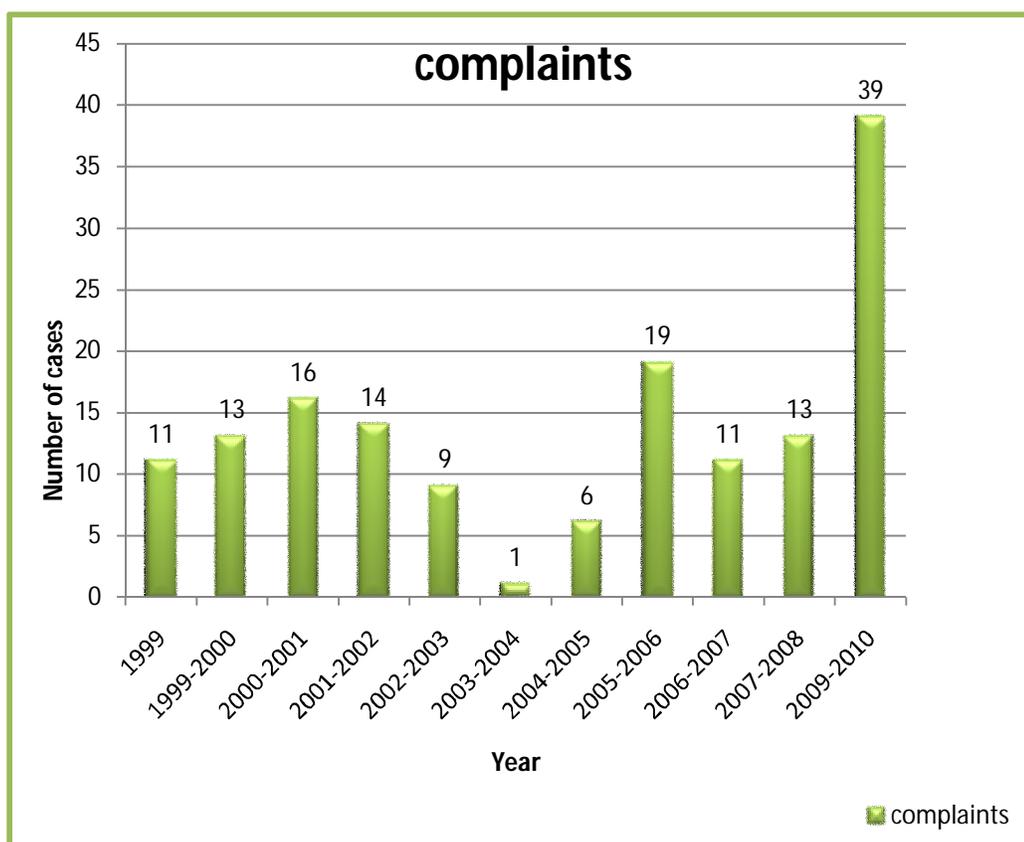
Members representing faculty, staff, officer and students of the JNU community as well as eminent women academicians and NGO representatives to GSCASH have also contributed their valuable time and energy in developing GSCASH as an effective institution for imparting gender justice and implementing JNU policy against sexual harassment. Some of the names as we dug out from the past records are: Neera Chandhoke, Mrs. Swaran Saxena, Ms. Seema, Dr. Himanshu Roy, Ms. Priya Narula, Ms.

Geeta Potsangbam, Prof. Anand Kumar, Mr. Sumit Kumar, Ms. Albeena Shakil, Ms. Bhampriya Rao, Prof. Shankar Basu, Dr. Farida Khan, Dr. Sadhna Nathani, Dr. Bhaswati Sarkar, Rohit, Prof. Ajay Patnaik, Dr. Madhu Sahani, Ayesha Kidwai, Rosmin Mathew, Gajendra Nath Dubey, Ritu Priya Mehrotra, Dr. Praveen Jha Mr. B.A Khan, Ms. Ena Panda, Mr. P.S. Chahar, Dr. Ehwaja Ekramuddin, Dr. Malavika Chauhan, Prof. Patricia Uberoi, Ms. Urvashi Butalia (Eminent Women Academics), Mr. S. Easwar, Prof. Ritoo Jerath, Prof. Rama Baru, Dr. Kumkum Roy, Dr. R. Mahalakshmi (Chairperson), Dr. Sonajharia Minz, Dr. Hemant Adlakha, Mr. Mahesh Gopalan, Ms. Rashmi Dastidar, Ms. Seemantini Mukherjee, Raman P. Sinha, Dr. Rizwan ur Rahman, Mr. Krishan Gopal, Dr. Vidhu Verma, Dr. Jaivir Singh, Ms. Rohini Muthuswami, Dr. Baswati Sarkar, Dr. Atul Johari, Mr. Sohan Lal, Ms. Usha Kaushik, Ms. Esther S. Narjinari, Ms. Kanika Singh, Ms. Sona Mitra, Ms. Sneha Sudha Komath, Dr. Harish Naraindas, Dr. V. Sujatha, Dr. Najaf Haider, Ms. Sulochana Meshram, Ms. Renu Singh, Ms. Sejuti Das Gupta, Ms. Arani Sinha, Dr. Parnal Chirmuley, Dr. Alpana Daya Sagar, Dr. Charanjit Singh, Dr. Sunitha Reddy, Ms. Pooja Shah Prashant, Dr. Kalyani Menon-Sen, Ms. Shyamla Murthi, Ms. Neena Kapoor, Dr. Sagar, Prof. Saraswati Raju, Dr. Mondira Dutta, Dr. Chintamani Mahapatra, Dr. Sangeeta Dasgupta, Dr. Sunil Kumar, Mr. H K Moodgal, Ms. Abha Yadav, Mr. Rajkumar, Ms. Sharda Vishwanathan and so on. There may be many more others.

Over the years, the outreach of GSCASH has grown very wide both at the national and international levels. Research scholars (foreign and Indian) have sought permission to consult Annual Reports of GSCASH for the purpose of research study. Other Universities in India and in the Indian subcontinent (Bangladesh) have adopted the GSCASH, JNU as a model for implementing sexual harassment prohibition policies in their respective universities. In 2009, on the request of Sikkim University, GSCASH sent its rules and procedures. Delegates from Columbia and Princeton University in their interaction with GSCASH in December 2009 greatly appreciated the functioning of GSCASH as an effective gender justice mechanism.

No. of Complaints filed in GSCASH during 1999-2010

Year	No. of Complaints
1999	11
1999-2000	13
2000-2001	16
2001-2002	14
2002-2003	9
2003-2004	1
2004-2005	6
2005-2006	19
2006-2007	11
2007-2008	13
2009-2010	39
Total	152



The above data shows the increasing number of complaints filed in GSCASH.

A Profile of Complaints filed in GSCASH during 1999-2008 (Number and Percentage)

Year	S(F) Vs S(M)	S (M) Vs S (M)	S Vs Sf	Fy Vs S	S Vs fy	Fy Vs Sf	S Vs O	Sf Vs S	O Vs Fy	Sf Vs Sf	S Vs SP	SP Vs S	DV	Ot	TI
1999	5 (45.45)	0	1 (9.09)	0	0	0	0	1 (9.09)	0	2 (18.18)	0	0	0	2 (18.18)	11
1999-2000	9 (69.23)	0	0	0	1 (7.69)	0	0	0	0	1 (7.69)	0	0	0	2 (15.38)	13
2000-2001	10 (62.5)	0	0	0	1 (6.25)	0	0	1 (6.25)	0	0	0	0	0	4 (25)	16
2001-2002	4 (28.57)	1 (7.14)	2 (14.29)	2 (14.29)	1 (7.14)	1 (7.14)	1 (7.14)	0	1 (7.14)	1 (7.14)	0	0	0	0	14
2002-2003	5 (55.56)	0	2 (22.22)	0	0	1 (11.11)	0	0	0	0	1 (11.11)	0	0	0	9
2003-2004	1 (100)	0	0	0	0	0	0	0	0	0	0	0	0	0	1
2004-2005	4 (66.67)	0	0	0	0	0	0	0	0	0	1 (16.67)	1 (16.67)	0	0	6
2005-2006	17 (89.47)	0	0	0	0	0	1 (5.26)	0	0	0	1 (5.26)	0	0	0	19
2006-2007	9 (81.82)	0	0	0	1 (9.09)	0	1 (9.09)	0	0	0	0	0	0	0	11
2007-2008	9 (69.23)	0	0	0	1 (7.69)	1 (7.69)	1 (7.69)	0	0	0	0	0	1 (7.69)	0	13
Total	73 (64.60)	1 (0.88)	5 (4.42)	2 (1.77)	5 (4.42)	3 (2.65)	4 (3.54)	2 (1.77)	1 (0.88)	4 (3.54)	3 (2.65)	1 (0.88)	1 (0.88)	8 (7.08)	113

S: student; F: female; M: Male; Sf: Staff; Fy: Faculty; O: outsider; SP: Service Provider; DV: Domestic Violence; Ot: Other; TI: Total

As depicted in the above table, the majority of complaints filed in GSCASH during 1999-2008 related to students, i.e., female students complained against male students. Out of total 113 complaints, 73, i.e., 64.60% of complaints belonged to this category. Students against staff and students against faculty were other category of complaints. These constitute 4.42% of the total complaints. Students against outsiders (3.54%) and faculty against staff (2.65%) were also an important category of complaints filed in GSCASH during this period. Student against service providers (2.65%) was another category. Other complaints such as cyber sexual harassment, domestic violence related altogether form 7.08 per cent.

GSCASH in 2009- 2010

The tenure of new team of GSCASH is from February 2009 to April 2010

Composition of the Committee

1. Dr. K. B. Usha (Chairperson, since 7 February 2009 continuing)*
2. Dr. Akhlaque Ahmad 'Ahan' (JNUTA Representative, since 23 February 2009 continuing)**
3. Prof. A.K. Ramakrishnan (Faculty Representative, 13 June 2009 to 12 June 2010)
4. Dr. Sangeeta Dasgupta (Warden Representative, September 2008 to September 2009)
5. Dr. Archana Upadhyay (Warden Representative, 17 September 2009 to 16 September 2010)
6. Dr. A. P. Dimri (Warden Representative, from 4 March 2009 to 3 March 2010)
7. Dr. D. K. Lobiyal (Warden Representative, August-October 2009 on Leave vacancy of A. P Dimri)
8. Mr. Jagdish Singh (JNUOA Representative, from 12 March 2009 to 11th March 2010)
9. Mr. J. P. Maurya (JNUSA Representative, from 12 March 2009 to 11 March 2010)
10. Ms. Pallavi Deka (JNUSU Representative, since 2007 continuing)
11. Ms. Sharda Viswanathan (Student Representative, from 2007 to July 2009)
12. Ms. Sucheta De (Student Representative, since August 2009 continuing)
13. Ms. Akanksha Kumar (Student Representative, since 2007 continuing)

* Given the delay in filling the vacant positions of faculty representatives, GSCASH requested Dr. K. B. Usha, the current chairperson to continue as Chairperson until another person takes charge of the office in order to keep the office functional.

** As Dr. Meenakshi Sundriyal expressed her inability to join GSCASH before mid July 2010. GSCASH requested Dr. Akhlaque Ahmad to continue till she joins.

Woman Counselor

14. Ms. Pubalin Dash (Counselor , Swanchetan, Vasant Kunj, New Delhi, since December 2009)

NGO Panel

15. Dr. Kalyani Menon Sen (JAGORI, New Delhi, since 2000)

16. Adv. Savita Singh (Centre for Legal Research and Advocacy, New Delhi, till 2 March 2010)

17. Ms. Sreerekha (SAHELI, New Delhi, since March 2010)

Office Assistance

1. Ms. Neelam Negi, Computer Operator

2. Ms. R. Jaya, Office Attendant

I. Gender Sensitization and Orientation Programmes

a. Public Meetings

Student representatives organized public meetings in various hostels in the Campus to debate issues pertaining to sexual harassment and gender sensitivity. Public Meeting was called by GSCASH student representatives in the light of an incident that took place related to a hostel night celebration in the campus.

b. Workshop

A Workshop for hostel residents was conducted in Koyna Hostel by GSCASH student representatives to discuss various issues related to combating sexual harassment in the campus. The hostel residents discussed about the definition of sexual harassment, different aspects of sexuality and related issues and the legal protection for the victims of sexual harassment within and outside campus. The participants expressed concern about the delay in GSCASH enquiry proceedings. They asserted that there should be more activity for publicizing and strengthening GSCASH itself as an institution for imparting gender justice and bringing gender equality.

c. Preparation and Distribution of Hand-Outs for Gender Sensitization

GSCASH prepared two types of hand-outs for sensitizing students and other sections of the JNU community regarding GSCASH and its activities. The hand-outs has been distributed in many Centers of various Schools and in hostels, shops, canteens, etc. The following are the text of hand-outs:

c. 1. Handout for New Students:

GSCASH

GENDER SENSITIZATION COMMITTEE AGAINST SEXUAL HARASSMENT

Welcome to the Monsoon Semester of 2009, JNUites.

Let us all contribute to making JNU culture a living reality!

Fresh entrants, you have come from different parts of India and the world, and will make your distinctive contributions to our campus. You have a variety of cultural and political experiences ahead of you, new friendships to make, new lives to begin.

Returning students are already familiar with a common term on the JNU campus – “JNU culture”. In some way every one of us contributes to this culture and has a responsibility to keeping it going.

Whether it actually exists at all times and in all parts of JNU or not, what “JNU culture” implies is an aspiration – an aspiration that we will be open towards the new and the unfamiliar and that we are committed to continuous dialogue. Since you come from so many different backgrounds, only a great deal of mutual understanding and mutual respect can ease the process of settling in.

One of the features of the JNU campus that we are proud of is the freedom, ease and safety that students, especially women students, have come to expect as a matter of right.

Every student has the right to expect that s/he has the full freedom to her or his sense of who s/he is, how s/he wants to live, dress, intermingle, make friends with whom they desire, not make friends with whom they do not wish to do so.

Every student has the right to point out behaviour that is offensive, and it is expected that if such behaviour has taken place unknowingly, that the perpetrator will take the objection with seriousness, without rancor, and modify their behavior accordingly.

JNU culture is intolerant only towards one thing – intolerance itself, and to behaviour intended to attack the dignity and autonomy of any person on any ground whatsoever. Such a culture implies zero tolerance towards sexual harassment. We respect equal and just space for every gender. Inside the class rooms, at dhabas, at PSR, in seminar rooms, at late night chatting and at fresher welcome parties, we stand for gender equality. Sexual harassment is an act of gender discrimination. It violates the right of the women students to a comfortable, secure and hostile free environment in the campus.

What is Sexual harassment?

- Any unwelcome sexual advances verbal, non-verbal.
- Physical conduct such as loaded comments, slander, remarks or jokes, letters, phone calls or e-mail, gestures, showing of pornography.
- Lurid stares, physical contact or molestation, stalking.
- Sounds or display of a derogatory nature have the purpose or effect of interfering with an individual's performance or of creating an intimidating, hostile or offensive campus environment.

What to do if you are being harassed?

Know your rights – Sexual harassment is illegal; both the law of the land and JNU prohibit sexual harassment.

Speak up – If you can, tell the person to stop. State clearly and firmly that you want a particular behaviour to cease.

Get information and support – If you feel you cannot speak up, ask your friends to help you and bring it to the notice of the University. Keep records that might be useful for pursuing the case.

What not to do

Do not blame yourself. Sexual harassment is not something one brings on oneself. It is not a consequence of certain ways of dressing or acting. It is a violation of an individual's right to live with dignity.

Do not ignore it. Ignoring sexual harassment does not make it go away. The harasser may misinterpret a lack of response as approval of the behaviour.

Do not delay. Delay in action increases the probability that unwanted behaviour will continue or escalate.

Do not hesitate to ask for help. Speaking up may prevent others from being harmed as well.

Gender Sensitization Committee against Sexual Harassment (GSCASH) is an institution of the University with representation from all sections of JNU community. This body works for gender sensitization, crisis management and complaint redressal. Members of the JNU community have always stood with GSCASH to ensure a gender sensitive environment in the campus and to deliver justice against any type of gender discrimination. GSCASH urges the students to feel free to approach us at any time:-

Ms. Akanksha Kumar, Ms. Sucheta De: *Student representatives to GSCASH*

Dr. K.B. Usha: *Chairperson, GSCASH*

GSCASH office: Room No. 114, Administrative Building, Phone No. 011-26704068

Acknowledgement: Prof. Nivedita Menon, Prof. Rupmanjari Ghosh, Prof. Sonajharia Minz, Prof. A. K. Ramakrishnan, Dr. Rajan Kumar and GSCASH members

c. 2. Handout for JNU Community in General:

GSCASH

GENDER SENSITIZATION COMMITTEE AGAINST SEXUAL HARASSMENT

Dear Colleagues and Friends,

Welcome to GSCASH and its activities for Creating a Harassment-Free, Non-Hostile, Secure and Pleasant Workplace and Educational Environment

GSCASH solicits the cooperation of campus community in its various efforts for making the campus environment free from gender discrimination, harassment, hostility and violence.

As you all know sexual harassment is illegal and a punishable offense now. The guidelines of Hon'ble Supreme Court based on the Vishakha Vs State of Rajasthan

judgment, prohibit sexual harassment at workplaces. Why sexual harassment is a serious issue at workplaces? Because, it is a form of violence, quite often perpetrated against and faced by women in our socio-cultural setting. In most cases the victim feels guilty and fearful to report in the first instance and therefore ignore the harassment they faced. Sexual harassment is a taboo subject. Therefore even educated women avoid discussing this issue out of fear of ill reputation. A person who is subjected to sexual harassment experience a wide range of psychological trauma and even physical problems. It has adverse impact on the victim's mental well being, work efficiency, mobility, productivity, work ethics etc. Hence it is also an issue of equality and dignity, and occupational safety and health. Therefore, there is a need to work towards materializing the understanding that in any civilized society, especially in a place like University Campus which is supposed to be a place of knowledge creation, research and teaching aimed at developing students/scholars as responsible citizens in terms of information and awareness, knowledge, standards of ethics, character and conduct, it is the fundamental right of citizens to be able to lead their lives with dignity, free from fear, mental or physical torture and distress.

Although the recognition of the right to protection against sexual harassment is an essential component of the protection of women's human rights, the legal provisions alone are simply inadequate. Sexual harassment exists in our society as the most widespread, trivialized and culturally accepted form of violence. No woman will be there who has not experienced this violence at least once in her lifetime. It is because women are treated as inferior humans. Despite several advancement women have achieved in education, employment and in political participation, they are still treated as more like commodities than people and are subjected to different kinds of exploitation. Sexual harassment is a kind of exploitation. It is a paradigm of patriarchal oppression. In order to materialize the constitutional rights of women, sexual harassment in workplaces remains a central concern of women's rights movements in India. Because of the pressure of women's movement, Government of India has taken steps to combat sexual harassment in workplaces, as a step towards ensuring women's independence, equality of opportunity and the right to work with dignity. Hon'ble Supreme Court Judgment on sexual harassment made it mandatory for every institution to implement policy against sexual harassment at work place.

As required by the Judgment of Hon'ble Supreme Court, Jawaharlal Nehru University formulated a very strong and comprehensive policy against sexual harassment with components of gender sensitization and orientation, crisis management and mediation, and redressal of complaints. JNU has zero tolerance towards the offense of sexual harassment. GSCASH is the institution responsible for implementing the JNU policy against sexual harassment. GSCASH works for the benefit of both men and women of the JNU community.

Myths Vs Facts about Sexual Harassment

Myth: Sexual harassment is a trivial issue and has to be ignored

Fact: It is not so. It is illegal. It is a harmful issue which causes serious and lasting emotional and psychological problems/scars for the victims

Myth: Sexual harassment happens to women who wear provocative dress and who are flirts possessing deviated character

Fact: Sexual harassment is not the outcome of any of the above.

Myth: Anyone who complains is a radical feminist who is anti-men and cannot enjoy fun

Fact: Sexual harassment is not a fun and those who are aware of their rights come forward to complain. It is unnecessary to brand them as radical feminists or anti-men for being aware of their basic human rights.

Myth: One should always keep oneself away from GSCASH

Fact: It can be considered as an expression of false prestige/morality/pride

Myth: GSCASH is only for women

Fact: GSACSH works for the benefit of both men and women and also recognizes multiplicity of sexuality

Myth: GSCASH terrorizes men in the campus

Fact: GSCASH has no such goals. The guilty (men/women/others) will be punished and there is zero tolerance of harassers and harassment.

Myth: One should not complain to GSCASH because it will destroy one's career

Fact: Only guilty will be punished with disciplinary action

Myth: GSCASH keeps bias towards men and their complaints

Fact: It has no bias towards anybody and complaint redressal procedures ensures natural principles of justice and gender sensitivity

Myth: Men cannot file complaint in GSCASH

Fact: Men can file complaint in GSCASH. It does not ignore the possibility of harassment of man by woman/man

Myth: Collective and joint complaints cannot be filed in GSCASH

Fact: Such complaints can be filed in GSCASH

Myth: Outsiders do not come under the purview of GSCASH

Fact: The provisions of GSCASH Rules and Procedures clearly state that its rules “shall apply to all students, academic staff, and non-teaching staff on active rolls of the Jawaharlal Nehru University, New Delhi, as also to residents, service provider, and outsiders who may be within the territory of JNU at the time of the commission of the act attracting GSCASH Rules, on the Jawaharlal Nehru University Campus, to the extent specified in these Rules and Procedures.’

Myth: GSCASH is an unnecessary institution which is a trouble maker and creates gender antagonism.

Fact: GSCASH is a very effective justice mechanism that will help to bring order in the social environment of the campus. It is a body that provides value based social education to all.

JNU Policy against Sexual Harassment

Jawaharlal Nehru University has a policy against sexual harassment and is committed to providing an environment free from discrimination and harassment.

What is Sexual harassment?

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, and other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

What to do if you are being harassed?

Know your rights – Sexual harassment is illegal; both the law of the land and JNU prohibit sexual harassment.

Speak up – If you can, tell the person to stop. State clearly and firmly that you want a particular behaviour to cease.

Get information and support – If you feel you cannot speak up, ask your friends to help you and bring it to the notice of the University. Keep records that might be useful for pursuing the case.

What not to do

Do not blame yourself. Sexual harassment is not something one brings on oneself. It is not a consequence of certain ways of dressing or acting. It is a violation of an individual's right to live with dignity

Do not ignore it. Ignoring sexual harassment does not make it go away. The harasser may misinterpret a lack of response as approval of the behavior.

Do not delay. Delay in action increases the probability that unwanted behaviour will continue or escalate.

Do not hesitate to ask for help. Speaking up may prevent others from being harmed as well.

Gender Sensitization Committee against Sexual Harassment (GSCASH) is an institution of the University with representation from all sections of JNU community. This body works for gender sensitization, crisis management and complaint redressal. Members of the JNU community have always stood with GSCASH to ensure a gender sensitive environment in the campus and to deliver justice against any type of gender discrimination. GSCASH urges the JNU community to feel free to approach us at any time:-

Prof. A. K. Ramakrishnan, Dr. Akhlaq Ahmad Ahan, Dr. D. K. Lobiyal, Dr. A. P. Dimri, Dr. Archana Upadhyaya, Mr. Jagdish Singh and Mr. J. P. Maurya
(Faculty, Warden, Officer and Staff representatives of GSCASH)

Dr. K.B. Usha: Chairperson, GSCASH

GSCASH office: Room No. 114, Administrative Building, Phone No. 011-26704068

Acknowledgement: Prof. Nivedita Menon, Prof. Sonajharia Minz, Prof. V. Sujata & Mr.
H. M. K. Moodgal

Emergency Contact No.: - North Gate 26704752; 26741259

d. Sensitization Posters

In order to disseminate the message “zero tolerance of sexual harassment; work for a harassment-free, non-hostile, secure and pleasant environment at study and work place” and also to publicize the institution of GSCASH among the JNU community, various kinds of posters were distributed at various places in the campus. (Various posters are attached as **Appendix-2**)

e. Essay and Poster Competition for Students

GSCASH conducted essay and poster competition for students in the month of October 2009. The themes were the following:

1. For poster competition ‘Gender Equality and Sexual Harassment’
2. For Essay competition ‘Increasing prevalence of Sexual harassment cases in campuses: prevention and prohibition’ or ‘ Gender sensitization against Sexual harassment in campuses: Role of student community’

Winners of GSCASH Essay and Poster Competitions

Essay Competition

PhD Scholars Category

Mr. Vikas, PhD scholar, CR&CAS, SIS, JNU (Prize: Rs.4000/- & Certificate)

M.Phil Student Category

Noklenyangla, M.Phil student, CSSP, SSS, JNU (Rs.4000/-& Certificate)

M. A. Students Category

Ms. Shipra Sagarika, III Semester, M.A Sociology, CSSS, SSS (Rs.3000/- & Certificate)

B. A. Student’s Category

No entry was received

Poster/Painting Competition

Three best entries as two entries scored equal marks.

1. **Mr. Shakti Prasad Srichandan**, PhD scholar, Centre for European Studies, SIS (Rs. 2000/- & Certificate)
2. **Mr. Saurabh Nath Singh**, PhD Scholar, CSRD, SSS (Rs.2000/- & Certificate)
3. **Ms. Reeta Suchita Tigga**, B.A student, Centre for Russian Studies, School of Language Literature and Culture Studies (Rs. 2000/- & Certificate)

f. National Seminar

A Brief Report

GSCASH conducted a National Seminar on the theme entitled *Sexual Harassment in Academic Places: Socio-Cultural, Legal and Ethical Issues* on November 2009. The seminar was attended by more than eighty people. There were good presentations from eminent people. Dr. Rajat Mitra, a clinical Psychologist, Director of Swanchetan an NGO working with Delhi Police in addressing issues of sexual crimes spoke about *Psychological issues related to sexuality and sexual harassment*. According to him the victim's trauma should be taken into consideration in cases of sexual harassment and the intuition of woman should be trusted. The victim feels dehumanization, loss of meaning, shame, sense of humiliation and loss of dignity. These feelings have a long term impact on the life of the victim. Prof. Mary John spoke about *questions of sexual harassment and power*. She spoke that the Vishakaha judgment made certain unwanted sexualized behaviour in the work place as sexual harassment. Now it has been extended to educational institutions and Universities. University is very complex workplace where many people live, it's a space composed of homes, or hostels as much as administrative block and classrooms. That is very significant as most of these places are included according to the guidelines on what counts as a space of violation. It also space of "learning" of pedagogy and very unlike most other work places that one could think of, office or factory is not thought of at all in these terms. So what difference does it make when we want to try and the address the issue of sexual harassment in this kind of space which is both space of work, space of learning and space of where many members may live in fact? The institutions have a great role to play in preventing issues of sexual harassment to occur. GSCASH in JNU is a gain in preventing and fighting against the issue of sexual harassment. Everything doesn't necessary have to come to GSCASH.

Many of the issues could, privately be taken care of, at that very place and time by fighting back. These might be some of the ways in which the question of empowerment and learning and so on that belongs to this larger terrain could perhaps be tackled. It is our birth right to actually be in an atmosphere that is free of sexual harassment and should be part of struggle against sexual harassment. Ms. Shrimoyee Nandini Ghosh spoke about *Sexuality, Discrimination and Sexual Harassment after the Naz Foundation Judgment*. She spoke that even though there are provisions in the constitution that ensures equality; discrimination exists based on many grounds. There are different dimensions and perceptions on sexuality. The Naz foundation judgment gave the queer persons legal acceptance as other citizens enjoy. Prof. Nivediata Menon spoke on *Feminist Politics and Sexual Harassment*. She focused on her experience of handling sexual harassment issues in Delhi University and the problems of men. She also addressed the limitations of policy against sexual harassment and pointed out about the importance of a democratic political space in evolving a policy. She also addressed the limitations of the functioning of committees. Adv. Fatima Rashid Hassan discussed about how serious the issue of sexual harassment was in university campuses in Bangladesh. She spoke on *Sexual Harassment: Student's Views and Possible Way Forward*. She said the students think that the reason for sexual harassment is due to male dominance and most of the women in the society have to accept sexual harassment as part of daily life. Many women face huddles in the form of unwelcome sexual advances from the students and even teachers. Unwanted sexual remarks, jokes, forced sexual contact and similar such experiences cause female students to feel insulted, uncomfortable and disappointed in their academic life. In response students avoid places, campuses, dump classes and finally discontinue with higher education. Ms. Sreerekha spoke on *Sexual Harassment: Ground Realities*. She pointed out that though there is the Vishakha judgement and a policy against sexual harassment, the ground reality is that the issue still exists. Gender sensitization and creating awareness are important aspect of combating sexual harassment in campuses. Mr. Vikas, a PhD scholar expressed his opinion that the **role of student community** in gender sensitization against sexual harassment, its prevention and prohibition is crucial. Without the active participation of the students no formal mechanism can succeed in any democracy or campus administration. Prevention, prohibition and sensitization can be fully achieved only through the regular unstinting

cooperation and support of the student community. The administration of various university campuses cannot ignore 'the student factor' while making policies and the students cannot ignore their role in common community welfare. An attentive and careful student community is the most effective antidote against sexual harassment (**The proceedings of seminar has been published separately**). Approximately 100 people participated in the seminar

g. Stage Play

GSCASH organized a stage play on the occasion of Women's Day on 8th March 2010. The play *Silence! The Court is in Session* written by Vijay Tendulkar was performed by *Mirrors*, the Dramatics Society of Deshbandu College, University of Delhi. The theme of the play is all about the treatment of women by the middle class Indian society, that is, the prejudices the society carries against women. It is about gender discrimination and feminism. The play is a satire on the unjust male dominating society and on the working of the court as well as the social and legal justice. The central character of the play Ms. Leela Banare is the victim of the male chauvinism and lust. She represents all the women in India who are oppressed, suppressed, subjugated and marginalized. While performing a character in the mock trial she identifies that the story of the character in the play is similar to her own. Then she breaks down. The play shows as per the middle class morality people have all the rights to pass judgments, but silence is the only recourse set to the complainant. However, Banare disobeys and neglects culture and tradition with a rebellious voice. Then "Women are not fit to be independent was the judgment". In the climax, Ms. Banare delivers a monologue. This is meant as a profound statement for women who are betrayed, abused and blamed by the society for their "unwomanly" conduct. Approximately more than sixty people came to watch the play. There was a good response from the student community who appreciated the play.

h. Women's Day March

GSCASH student representatives organized a women's day march for students to disseminate the message of empowerment of women. (Poster is attached as annexure). The March called for ensuring women's empowerment, gender equality and opportunity independence; ending gender discrimination, sexual harassment, violence and hostility

and protecting women's human rights, dignity and safety. A large number of students participated in the Women's Day March.

II. Crisis Management and Mediation

Besides these activities, student representatives were actively involved in various mediation activities like volunteer registration and meeting with volunteers, addressing collective complaints, etc. The student representatives have been active in publicizing GSCASH activities, organizing programmes like stage play, Women's Day March, distribution of GSCASH sensitization hand outs at various places in the campus and so on. The details of the programs/activities are attached as appendix – 1. The above programs, organized by GSCASH student representatives- Ms. Sharda Viswanathan, Ms. Akanksha Kumar, Ms. Pallavi Deka and Ms. Sucheta De- were part of a collective effort to maintain the campus environment gender sensitive, non-hostile, secure and harassment-free.

GSCASH in coordination with the Security Department of JNU gets involved in times of crisis emanating from gender insensitivity, to resolve the situation through crisis management and mediation strategies. GSCASH also assists the complainants to reach the appropriate justice mechanism if the complaint is outside the purview of GSCASH. It also gives training to volunteers to inform and involve in crisis situations.

1.	26/02/2009	Objectionable posters by students brought to GSCASH notice by GSCASH Volunteer	Poster campaign against a social issue	Completed	Mediation
2.	23/03/2009	Incident of gender insensitivity related to Hostel Night	Suo Moto notice by GSCASH	Completed	Mediation
3.	11/05/2009	Staff (female) against Student (male)	Case of Cheating and sexual exploitation by giving forged marriage certificate to the illiterate victim, referred to JAGORI (GSCASH member)	Completed	Mediation
4.	19/07/2009	Collective complaint from JNU students	Against presence of outsiders in library reading room at night	Completed	Mediation
5.	28/11/2009	Wife against Husband about Domestic Violence	Referred to YWCA through JAGORI	Completed	Mediation

Meeting with Volunteers

GSCASH invited volunteers to register with it in assisting gender sensitization activities. More than twenty Five students registered as volunteers. It has called a meeting of volunteers and sought the opinion of them to impart awareness and sensitization programmes and publicizing GSCASH and JNU policy against sexual harassment. Many of the volunteers actively participated in various GSCASH programmes like seminars, workshops, etc, Certificates have been distributed to them by GSCASH office.

III. Formal Enquiry and Complaint Redressal

Complaints Filed In GSCASH between February 2009 and April 2010

Sl. No	Parties involved	Date of complaint filing	Nature of complaint/ allegation	Complaint Screening	Enquiry	Current status of complaint	Action of University Authorities
1.	Student (female)Vs Faculty (male)	27-06-2008	Sexual harassment and exploitation	Completed	Completed	completed	Action taken
2.	Student (female) Vs Student (male)	06-08-2008	Physical abuse publically humiliation	Completed	Completed	Completed	No Action recommended as Studentship ended and both left JNU
3.	Student (female)Vs Student (male)	15-08-2008	Abusive remarks written for her though accused Orkut account	Completed	No enquiry recommended	Completed	written apology
4.	Faculty (female)Vs Staff (male)	29-09-2008	Sexual harassment	Completed	Completed	Completed	Action awaited
5.	Student (female)Vs Student (male)	02-02-2009	Spreading rumors Physical assault	Completed	No enquiry recommended	Completed	No prima facie evidence of sexual harassment found
6.	Collective complaint	26-02-2009	Obscene language in a poster appeared in the campus	Discussed in GSCASH Meeting	GSCASH decided to issue a caution notice	Completed	Mediation

7.	Student (female)Vs Student (male)	02-03-2009	Passing gender insensitive remarks & making lewd gestures.	Completed	No enquiry recommended	Completed	Accused was advised by GSCASH as desired by the complainant
8.	Student (male)Vs Student (male)	02-03-2009	Slapping on cheeks	Does not come under the purview of GSCASH	Recommended to Forward to Chief Proctor's Office	Completed	Forwarded to Chief Proctor's Office
9.	Student (female)Vs Student (male)	07-03-2009	Staring, abusive language, misconduct	Completed	No enquiry recommended	Completed	The accused was sent to his house for medical treatment
10.	Student (male)Vs 2 Students (female)	20-03-2009	Bullying, using slang language, constant threat.	Does not come under the purview of GSCASH	Recommended to Forward to Chief Proctor's Office	Completed	Forwarded to Chief Proctor's Office
11.	Student (male)Vs 2 Students (female)	20-03-2009	-do-	Does not come under the purview of GSCASH	Recommended to Forward to Chief Proctor's Office	Completed	Forwarded to Chief Proctor's Office
12.	Student (male)Vs Student (female)	20-03-2009	Feeling uncomfortable due to the conduct of the girl.	Does not come under the purview of GSCASH	Recommended to Forward to Chief Proctor's Office	Completed	Forwarded to Chief Proctor's Office
13.	Student (male)Vs 2 Students (female)	20-03-2009	Bullying and gender insensitive behaviors	Does not come under the purview of GSCASH	Recommended to Forward to Chief Proctor's Office	Completed	Forwarded to Chief Proctor's Office
14.	Student (male)Vs 2 Students (female)	20-03-2009	Bullying	Does not come under the purview of GSCASH	Recommended to Forward to Chief Proctor's Office	Completed	Forwarded to Chief Proctor's Office
15.	Collective complaint	23-03-2009	GSCASH Suo moto notice of gender insensitive incident	GSCASH sent appeal note to all hostel presidents to keep away from indulging into any kind of gender insensitive act.	Completed	Completed	Mediation
16.	2 Students (female)Vs 2 Students (male)	25-03-2009	Sexual harassment and eve teasing	Completed	Completed	Completed	Report submitted

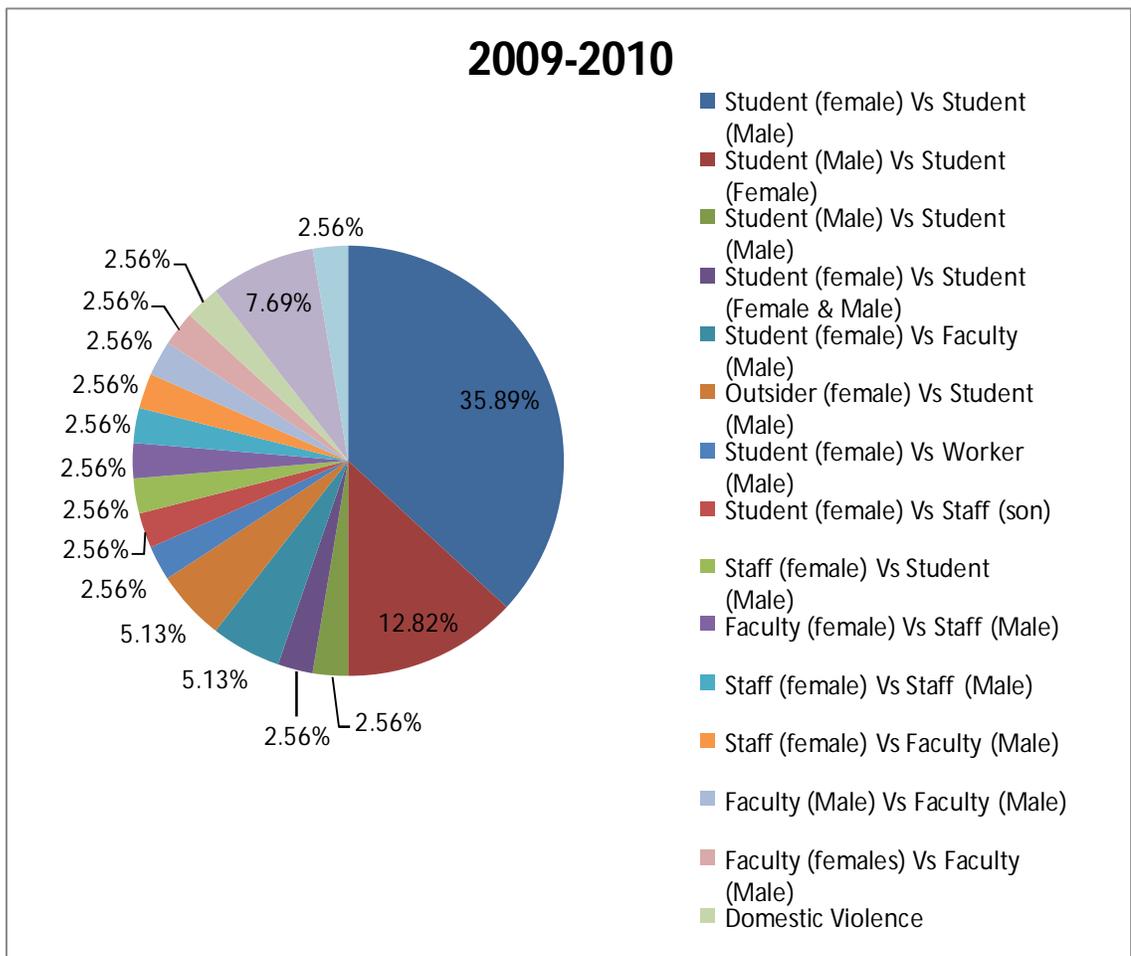
17.	Student (female)Vs 2 Students (male)	25-03-2009	Mental harassment due to staring and eve-teasing by the accused.	Completed	Completed	Completed	Report submitted
18.	2 Students (female)Vs 2 Students (male)	04-05-2009	Sexual Harassment and Gender insensitive behavior.	Completed	Completed	Completed	Report under preparation
19.	Student (female)Vs students(male & females)	08-05-2009	Sexual Harassment and character assassination	Under Screening	-	Under process	
20.	Student (female)Vs Student (male)	08-05-2009	Sexual Harassment	Completed	Completed	Completed	Written Apology
21.	Staff (female)Vs Student (male)	11-05-2009	Sexual and monetary exploitation cheating, forced marriage, etc	Beyond the purview of GSCASH	Referred to member NGO	Completed	Mediation
22.	Collective complaint	19-07-2009	Illegal presence of outsiders in library reading room. (Dhaulpur)	Public caution notice issued by GSCASH	-	Completed	Mediation
23.	Faculty (male) Vs University Authority	04-08-2009	Threat of framing in sexual harassment case	Completed	No enquiry recommended	Completed	Complaint found invalid as per rules and therefore dismissed by GSCASH
24.	2 faculty (female) Vs Faculty (male)	04-08-2009	Harassment and misconduct, misbehavior with female faculty members.	Completed	Completed	Completed	Action awaited
25.	Staff (Female) Vs Faculty (male)	07-08-2009	Harassment, humiliation and torture.	Completed	Completed	Completed	Action awaited
26.	Student (female) Vs Student (male)	13-08-2009	Unwelcome sexual harassment	Completed	Completed	Completed	Written apology
27.	Student (female)Vs Staff (male)	09-11-2009	Discussing her illness to others.	Completed	Completed	Completed	Written apology
28.	Student (female)Vs Student (male)	17-11-2009	Using abusive language	Completed	Completed	Completed	Complaint withdrawn (false complaint)

29.	Domestic Violence	28-11-2009	Battering by in-laws and husband (domestic violence)	Referred to YWCA through member NGO	Completed	Completed	Mediation
30.	Student (female) Vs email from unknown sources	30-11-2009	An obscene e-mail from unknown sources. (Cyber sexual harassment)	Sent to Cyber Crime Delhi Police	Under enquiry		Cyber crime report awaited
31.	Student (female) Vs 2 Students (male)	18-01-2010	Passed lewd comments, sexual harassment (staring) leading to physical assault	Completed	Under Enquiry		
32.	Staff (Female) Vs Staff (male)	22-02-2010	Harassing continuously by writing objectionable e-mails	Completed	Under enquiry		
33.	Student (female) Vs Student (Male & Female)	24-02-2010	Sexual colored comments & slander	Under screening	-		
34.	Student (Female) Vs Staff Son (Male)	25-02-2010	Sexual harassment	Under screening	-		
35.	Outsider (Female) Vs Student (Male)	25-02-2010	Physical assault and verbally abuse	Under screening	-		
36.	Outsider (Female) Vs Student (Male)	17-03-2010	Sexual and physical assault	Under screening	-		
37.	Student (Female) Vs Student (Male)	29-03-2010	Harassment	Under screening	-		
38.	Student (Female) Vs Student (Male)	29-03-2010	Sexual harassment	Completed	Under enquiry		
39.	Student (Female) Vs Faculty (Male)	26-03-2010	Making sexual advances towards complainant	Completed	Under Enquiry		

Category of Complaints during 2009-2010

Sl. No	Student (female) Vs Student (Male)	Student (Male) Vs Student (Female)	Student (Male) Vs Student (Male)	Student (female) Vs Student (Female & Male)	Student (female) Vs Faculty (Male)	Outsider (Female) Vs Student (Male)	Student (female) Vs Worker (male)	Student (female) Vs Staff's Son	Staff (female) Vs Student (Male)
2009-2010	14	5	1	2	2	2	1	1	1
Percentage	35.89	12.82	2.56	5.13	5.13	5.13	2.56	2.56	2.56

Sl. No	Faculty (female) Vs Staff (Male)	Staff (female) Vs Staff (Male)	Faculty (Male) Vs Faculty (Male)	Faculty (Females) Vs Faculty (Male)	Staff (Female) Vs Faculty (Male)	Domestic Violence	Public Cases/ Collective complaint	Student (female) Vs e-mail (cyber related complaint)
2009-2010	1	1	1	1	1	1	3	1
Percentage	2.56	2.56	2.56	2.56	2.56	2.56	7.69	2.56



Nature of Complaints

Following are the nature of allegations found in various complaints filed in GSCASH during 2009-2010: Sexual exploitation, physical abuse, spreading rumors, physical assault, lewd gestures, slapping on cheeks, bullying, using slang language, staring, attempts of character assassination, false promise of marriage and forged marriage certificate leading to cheating and sexual exploitation, threat of framing in sexual harassment case, humiliation and torture, domestic violence, cyber sexual harassment (including abusive remarks written through Orkut account and obscene emails), verbal abuse, making sexual advances, molestation and pressurizing for sexual favors over the phone.

From many depositions it could be understood that sexual harassment is a result of patriarchal mentality of the perpetrator and the perception that girls or women are sexual objects. Almost all those who were accused or found guilty, questioned the procedures of GSCASH enquiries when they realized that there is no escape from punishment. During depositions of many cases, the accused mostly try to portray the girls as silly, as making conspiracy against good people out of frustration and in some cases the accused also have resorted to maligning and doing slander campaign against complainant. The accused in some cases used intimidating tricks with the GSCASH committee members as well as complainants and their acquaintances. Most of the complainants expressed the fear that they could be physically attacked by the accused once they are punished by the university. They think that the accused might take revenge on them.

There have been attempts from many sides to influence and pressurize the GSCASH in order to save the defendants. Such attempts were resisted strongly by the GSCASH and have never been successful. However, there were no attempts of influence or pressure on the GSCASH in support of the victims. It is also been noticed that those who supports the defendant are always of the view that the victim wants to frame a good individual wrongly. Another important factor to take note is that in many cases, harassers are known to the complainants. There are a good number of complaints related to relationship abuse turned into sexual harassment, leading to sexual and physical assault.

GSCASH looks at the complaints from different perspectives: feminist, legal and psychological. Therefore, it takes into consideration, the power relations in terms of

occupational hierarchy and social gender hierarchy and other uneven gender biases at the work place. This relates to the fact that there is a widespread patriarchal belief in our society that women, who are professionally successful, use their sex/gender identity as a tool for getting ahead. GSCASH considers it extremely important to recognize the level of trauma and damage on the complainants affecting their mental well being and productivity at work place.

IV. GSCASH in Campus Debates

The punishment based on GSCASH recommendations unleashed a debate on sexual harassment issues. The pamphlets issued by various student organizations emphasized the fact that GSCASH should be strengthened. The pamphlets also brought to the notice of the JNU community that GSCASH should not have made any procedural lapses in its formal enquiry and complaint redressal. The GSCASH appreciated the concerns of the students and took a positive view of the debate on GSCASH functioning and the issue of preventing sexual harassment in the campus. GSCASH feels that students have an important role to play in combating sexual harassment in the campus.

V. GSCASH in the Media

Some news items related to JNU GSCASH have been published in the print media. GSCASH is of the view that any information pertaining to the identity of complainants and witnesses should not be made public through any means including the media. GSCASH does not encourage media interference in matters of confidential formal enquiries and complaint redressal. It takes all possible precaution to keep confidentiality.

VI. GSCASH Interaction with Institutions Abroad

Two international delegations visited GSCASH to know more about the functioning of JNU GSCASH model of prevention and redressal of sexual harassment issues.

1. Interaction of Judges from Bangladesh with GSCASH JNU on 29 September 2009: Report

Background

Advocate Salma Ali, Executive Director of Bangladesh National Woman Lawyer's Association (BNWLA) contacted Gender Sensitization Committee against Sexual Harassment (GSCASH) and Vice Chancellor Jawaharlal Nehru University and requested to facilitate a meeting with Hon'ble Judges of Supreme Court of Bangladesh, Justice Syed Mahmud Hussain and Justice Qumrul Islam Siddiqui. The Judges wished to interact with JNU GSCASH to understand JNU's experience at prevention and prohibition of sexual harassment and to have an insight about the implementation process of the Hon'ble Supreme Court of India's Judgment. GSCASH organized an interactive meeting between the Hon'ble judges and GSCASH members, volunteers, former chairpersons and other concerned faculty members on 29 September 2009 at 3 pm. Justice Syed Mahmud Hussain and Justice Mr. Qumrul Islam Siddiqui who authored the verdict on sexual harassment against women in workplaces in Bangladesh led the team and they were accompanied by Mr. Mahmud Hasan Saleh, Ms. Fawzia Karim Firoze (Advocate) and Ms. Samina Khaleque.

Interaction Meeting

Prof. B. B. Bhattacharya, the JNU Vice Chancellor made a brief introduction about Gender Sensitization Committee Against Sexual Harassment and JNU policy against Sexual Harassment. He told that JNU has a very strict policy against sexual harassment. Since April 1999, GSCASH is the body which is responsible for implementing the JNU policy effectively. Though the JNU Administration gives all possible support for the efficient functioning of the GSCASH it has no right to interfere with the enquiry proceedings of GSCASH and in fact administration has an obligation to ensure that GSCASH is free from any undue pressure from any of the campus bodies. From time to time, the University reviews the GSCASH rules and procedures. In 2005, when the GSCASH rules and procedures were subjected to widespread criticism, the Vice Chancellor constituted a Review Committee headed by Dr. Rupmanjari Ghosh to analyze the same and make recommendations in consultations with wider JNU community. Thus

the new Rules and Procedures of GSCASH have been ratified by the Executive Council of the University in 2007 with incorporation of adequate recommendations.

Then judges introduced themselves to the Committee and shared about the path-breaking judgment of the Supreme Court of Bangladesh on sexual harassment at workplace and academic institutions.

Hon'ble Justice Syed Mahmud Hussain stated that the Supreme Court of Bangladesh has implemented the verdict of Visakha case of India with a difference. When it was implemented in Bangladesh, they cross checked the need for keeping the victim's identity a secret and allowed face to face cross examination. He said Adv. Fawzia Karim Firoze of Bangladesh Nationalist Lawyers Association took the pain to take the Viskha case and JNU model (GSCASH) forward in order to make it a model for work place and universities in Bangladesh.

Prof. Mondira Dutta, former Chairperson of GSCASH spoke about the challenges and difficulties faced in the day to day functioning of the GSCASH, especially with regard to the enquiries conducted. She said if one was accountable to work in the interest of justice it was a really challenging job. It was a very time demanding task, especially the Chairperson had to give a good amount of time if the institution was to function effectively in its administrative and enquiry related matters. Sometimes even in the middle of the night or early mornings the committee had to work. Simultaneously, the members have to look after their mainstream work too, i.e., academic work which clearly is the priority. She stated that during enquiries every cross examination was recorded and thereafter it was transformed in a typewritten form. This being a very time consuming and difficult process often resulted in delay in the enquiry proceedings. Therefore, there is a need to increase the existing number of committee members. The 15-member panel has to be doubled so that cases can be solved within the given time span. 2/3 majority is required to convene the meeting. But many will be busy with their own field of work. It was always felt that the members, especially the chairperson has to be provided with special leave during the tenure of GSCASH duties so as to reduce the double burden and smooth functioning of the institution.

Justice Mr. Qumrul Islam Siddiqui made a query as to why to increase the number of committee members when the situation remains that without 2/3 majority you cannot convene the meeting

Prof. Mondira Datta replied division of labour among several committees was possible only if there were more members. In 2008, there were 11 cases. When there are more cases, sometimes the committee are forced to work in violation of the rule that only one committee was permitted in one month to finish the screening in time. The need of more than one committee in a month was felt as there were many cases in hand.

Dr. K. B. Usha, present Chairperson noted that, as of now, in 2009 more than 26 cases are filed. The current committee is also facing difficulties mentioned by Prof. Mondira. The committee members are managing somehow and had to work hard to finish the screening and enquiry on time. However, it takes a lot of time and the process rarely ended within the permitted time of three months. Certain cases such as cyber-related sexual harassment cases required the help of Cyber Crime Cell of the Police Dept. which again was very time consuming, i.e., it takes at least four months to get the Cyber Cell report.

Adv Fawzia Karim Firoze of Bangladesh asked: “What do you think about the increasing number of cases coming to GSCASH? This year you have double the number of cases compared to last year”.

Dr. K. B. Usha, said that it showed that the trust level of GSCASH is increasing. The legitimacy of GSCASH as a body working in the interest of justice and making the work and study place harassment and hostile free was increasing.

Prof. Sonajharia Minz added that it is not only the trust level that is increasing, but the population is also increasing. That is also another possible reason for increase in the number of cases.

Dr. Janaki Abraham and Dr. Pratikasha Baxi narrated their experience with Delhi University (DU) when they were part of the committee against sexual harassment in Delhi University. They said DU has modeled JNU GSCASH when they defined and formulated the DU policy against sexual harassment. Unlike JNU campus DU campus is opened to streets and street harassment was an important issue to be addressed. There

ought to be a number of mechanisms that had to be developed in such a landscape. University should take more responsibilities. It's hard for women to handle harassment situations. We need mechanisms to protect the need of students in this regard. There are difficulties in the cross examination. In some cases, face-to-face cross examination is intimidating especially in teacher vs. student cases. Vishaka case says about the punishment that it should be decided in accordance with compatible clauses in the conduct rules. How it can be related to service rules is another stumbling block in the enquiry procedure. Apart from the redressal mechanism, preventive actions are very important.

Dr. K. B. Usha said that GSCASH in JNU believed in prevention rather than allowing an incident to happen and then go for redressal proceedings. Therefore, gender sensitization programmes such as seminars, film screening, street plays, workshops, discussions and debates, etc are conducted for sensitizing the community about the seriousness and various dimensions of the issue.

Dr. D. K. Lobiyal added that sexual harassment is a very complex issue. Decision making is very tough and the committee ought to strictly follow the enquiry proceedings so as to ensure that the natural principles of justice are observed. Then the result would be more accurate and without any lacunae. Everything should be recorded both in writing and audio/video. The possibility of female harassing male also should not be ignored.

Justice, Mr. Syed Mahmud Hussain said, in Bangladesh only women could file complaints. In the enquiry process although cross examination was allowed, it is a closed door examinations, and three out of five members in the panel would be women. It is important that rules of natural justice are strictly followed.

Adv. Fawzia Karim Firoze asked how the students felt about the functioning of GSCASH in the campus. What is the opinion of students in general?

Ms. Akansha Kumar, GSCASH Student Representative, responded that girls feel safe in the campus. They can walk through the campus even at 3am without fear.

GSCASH volunteers and other students, who were present in the meeting, also expressed the same opinion. But they pointed out that the institution should be publicized and the taboo mentality towards GSCASH is not a good thing.

Prof. A.K. Ramakrishnan said that the GSCASH had widened the scope of gender equality. Both the teachers and students are actively involved in this. Other sections of the community are also involved in its activities. But, overall, there is need for the forum to be widened more. The issues involved in the making of masculinity also ought to be discussed in gender sensitization platforms. There is need to look at equality and freedoms at a broader level.

Justice, Mr. Syed Mahmud Hussain stated that Indian Supreme Court judgment and JNU GSCASH was the first of its kind in the subcontinent. JNU is a model to the universities of the neighbour countries.

The Hon'ble judges provided a copy of the judgment on sexual harassment against women in Bangladesh for circulation (**copy attached as Appendix-3**). GSCASH also provided them copies of GSCASH Rules and Procedures and a brief note on the profile of GSCASH. Around thirty people participated in the interactive meeting.

(Report preparation assisted by Ms. Akanksha Kumar and Ms. Sini Thomas)

2. Interaction of Take Back the Night Foundation Activists from Columbia and Princeton Universities.

Take Back the Night Foundation (TBTN) activists and faculty members from Columbia and Princeton Universities in USA interacted with the members of the Gender Sensitisation Committee Against Sexual Harassment (GSCASH), JNU on 09.12.2009.

Dr. K B Usha, Chairperson, GSCASH, began the day's session by introducing the two main guests- Dr Suraiya Baluch, Director, Princeton University's Sexual Harassment/ Assault Advising, Resource and Education (SHARE) office and Dr Karen Singleton, Director, Columbia University's Sexual Violence Prevention and Response Program. Dr Baluch and Dr Singleton are also on the Board of Advisors for the US-based organisation Take Back the Night Foundation. This interactive session was facilitated by Ms Diane Brandt and Mr Ramesh Jain from the Embassy of the United States of America, New Delhi.

After a round of introduction of guests and participants, **Dr Baluch** began by first quoting statistics regarding prevalent rates of sexual violence on college campuses in the

US. Every one in three or one in five students reported sexual violence/assault by the time they ended graduation. Calling this scenario a ‘silent epidemic’, she said that about 90%-94% girls knew the perpetrator of violence from before as opposed to the widespread myth that it is strangers harassing women in majority cases. Quoting data from a study called ‘Drawing the Line,’ she observed that about 60% women reported sexual violence in their Universities while men reported how they only ‘joked with women,’ something that amounts to serious harassment as it depressed women, made them lose interest in studies, develop low self-esteem and so on. In another study on younger mid-school children, it was found that about 80% girls were facing sexual harassment and bullying. A high percentage of boys were found to face the same, though most of the times it went underreported. In a study done by the Department of Justice, about 20% women face abuse in their present relationship and about 30% have faced abuse in past relationships. Every one in five or one in eight boys face sexual abuse and they find it very difficult to talk about it or acknowledge it openly. These statistics show that sexual violence and sexual harassment is a challenging problem in the US Universities as well.

Coming to initiatives taken to deal with this situation, there are ‘risk reduction’ programmes that include self-defense classes for women, go-with-a-buddy system i.e. don’t go alone and so on. All these efforts focused towards individuals so now we try to work more on ‘**primary prevention**’ that concerns with changing social attitudes of people, like questioning them when they casually crack rape jokes or make rape comments. The aim of primary interventions is to create a ‘culture of consent’ or a ‘culture of dialogue’ in communities so that they can comfortably discuss things related to sex, although media portrays us to be a very open culture but that’s not the real case as people don’t talk about sex freely. We have circulated a brochure about sex that got distributed amongst students and faculty so that they got familiarized with its contents and opened up.

There’s a ‘**Bystander Intervention**’ (BI) programme that means to involve whole communities for more often than not, cases of sexual violence get bracketed as ‘family problem’, ‘couple’s problem,’ ‘too complicated a problem’ and so on. So the within the BI programme, we do workshops, media campaigns, print T-shirts that say, for instance,

‘Be a friend, not a bystander’ etc. Research on Bystander Behavior reveals that more the number of people around the victim, lesser the chances she’ll get help from anyone, which is something that goes against intuition, but ‘pluralistic ignorance’ compels people to fear physical confrontation or fear embarrassment hence their decision to cop out, especially when they see no one coming forward to help the victim. In this context, the BI programme introduces people to the method of low-key, non-confrontational intervention, for instance using a joke to disperse tension or talking to the concerned person himself or through someone else, but later on etc. We have volunteers, who later report experiences about when they intervened in such cases and when they did not, so that maximum sharing and learning get facilitated. Also, people in trouble can also help themselves by making eye contact with bystander, to personalize that interaction, and instruct him/her to call the police and so on. In that sense, BI programme involves interacting with every one present at that moment.

Winding up primary prevention of sexual violence, in a study done on male assaulters by Dr Lesack, he says about 6% sexual assaulters are repeated offenders, who harass four women each, on an average. Their attacks aren’t impulsive as against the common belief, but planned and targeted against women they define as ‘vulnerable’, namely those who get drunk, who are last to leave parties, who are new or unfamiliar with the campus and so on.

After Dr Baluch finished speaking, **Dr A P Dimri**, Associate Professor of the School of Environmental Studies Science, JNU and a warden representative in GSCASH, made a quick comment. He opined that sexual harassment in the Indian context is a far more hush-hush affair as compared to the US, as the transition for Indian people from interiors to the city is far more acute. Besides that, he said that the social security system in terms of accessing help through dialing 100 or 101 in case of sexual violence in US is something not as easily done in India. He also observed that Indian girls are ‘stronger’ compared to western women when it came to tolerating abuse.

The second main speaker of the day was **Dr Karen Singleton**, who began by giving background information on the TBTN campaign that began thirty years ago, when women organized a symposium at Brussels to discuss Violence Against Women (VAW), and took back lessons from the conference to their respective nations, setting an annual

trend of revisiting these issues. TBTN was called 'Reclaim the Night' in Mumbai, where it was first held in 1978 in India. Many European and American states, especially college campuses have caught onto this campaign to sensitize people against sexual violence, sometimes even organizing month-long sensitization drives including 'speak-out' sessions of hundreds of students, faculty and staff till wee hours of morning as is the case with Columbia University, and special lectures in case of Princeton University, all aiming to raise awareness about the issue of VAW. The good thing is that more and more men are getting involved with such initiatives.

Coming now to the philosophy and functioning of her programme called 'Sexual Violence Prevention and Response Programme' at Columbia University, Dr Singleton spoke about a 24-hour hotline, that made available to harassed students instant care and attention, whether in terms of physical assistance in rescue or contacting local hospital or police services and so on. Then a model called 'train the trainer' is followed wherein senior students train junior students basics about VAW and ways to prevent it amongst people around them. As of now, about 155 students are arranging workshops based on the above training model. So what we are trying to do is to bring in 'men for education' of other men, who then go back to their respective communities too and sensitize everyone around this issue. In a 'trickle down' manner, men on campus are therefore made to gradually engage with the sensitive issue and then take this information back to their own lives and bring benefit in lives of people they come in touch with. There's immediate response to men who self-identify as victims of assault or as assaulters and they are assisted. A study done on benefit of this programme clearly reveals the sensitization of campus students and a sense of responsibility they feel about their behavior towards others. There's an increasing understanding about how we can become part of violating others if we are not careful and sensitive enough.

Summarizing briefly a six-stage process of assisting men, who approach volunteers:

- ✓ **Assuaging concerns and fears** especially about getting falsely implicated in cases of sexual violence, as the 'cycle of violence' has to end at some point. This is the point.
- ✓ **Exposing and hence trying to sensitize men** to high prevalence rates of VAW and informing them about impact it has on women.

- ✓ Together **busting rape myths** such as it's alright to rape or use derogatory words for women who're drunk or wearing skirts etc. Trying to destigmatize and deal with feelings of fear and discomfort with regard to disclosure about violence, guilt, shame, especially since the person violating them is mostly known to the victim. We together try to understand, discuss and generate ideas about what it feels like to get violated- numb, confused, dirty, socially branded/targeted, developing self-destructive behavior, physical disorders, getting very angry at some point and totally disconnected at another and so on. This sharing is both healing and triggers learning.
- ✓ **Presenting theories of gender socialization** for understanding their limiting impact on people by doing certain exercises, for instance, the 'gender box' exercise that entails speaking on stereotypical words associated with men and women, with strikingly similar comments regardless of the background of men and women who participate in the exercise!
- ✓ **Facilitating empathy** for each other, for instance, by having dialogue about how one views other women, or discuss what their idea of 'power' is or that of feeling 'powerless' is and so on.
- ✓ **Taking action** that involves many activities like 'role-play' exercises for participants, which gives them an opportunity to practice what it would be like to intervene in a real-life situation and in a non-confrontational way, as one part of 'bystander intervention'. Dr Lesack's study identifies several characteristics of men, who are potential assaulters, like those who use degrading words for women, who are generally angry towards them, who try and push limits with women in terms of forcing them to spend more time with them when they don't want to, lacking empathy for women's' feelings, men who exhibit hyper-masculine attitudes etc. So it was found to be more useful and effective when men learnt to correct each other for any of the above characteristics, instead of women being told to be wary of a 'certain type' of men as that's too vague to follow. Other than this, volunteers also distribute hand-outs that say, for instance, 'men can stop rape', besides a set of recommendations by the TBTN Foundation.

Winding up her speech, Dr Singleton said that at the time they started work long time back, they were a small project with financial problems but today, after years of sweat going in, they are not faced by those kinds of problems at least.

Dr K B Usha introduced GSCASH, which is an autonomous institution in JNU campus, established in April 1999, exactly a decade ago, in accordance with guidelines on Supreme Court judgment on Vishakha Vs State of Rajasthan. It has three specific functions for which it was conceptualized-gender sensitization and orientation, crisis management and mediation and complaint redressal mechanism. Gender sensitization is pursuing through street plays, public meetings, workshops, film shows, debates, posters, seminars, competitions for students etc. Crisis management and mediation activities involves dealing cases that do not come directly under the domain of GSCASH, or cases that amounts to a specific offence under the provisions of Indian Penal Code or any other Indian law GSCASH helps the victim to get necessary assistance from outside mechanism of the University as per the provisions of its rules and procedures. One such example is domestic violence that GSCASH use to hand over to NGOs associate to it). Moreover, GSCASH trains student volunteers who register with it in handling and sensitizing about harassment issues. Except redressal of complaints, GSCASH involves its volunteers in all other activities. The volunteers also work for publicizing the JNU policy against sexual harassment and GSCASH as a justice mechanism to address this issue. Complaint redressal is a two stage process. First a screening committee examines complaint in order to decide if the case merits formal enquiry. As per the recommendation of screening committee a formal enquiry committee often consisting of five members will be formed is the next level. The enquiry committee after a through enquiry based on the natural principles of justice and gender sensitivity recommends actions to the competent authority. There are properly structured rules and procedures which the committee has to strictly follow during enquiry proceedings.

This year we received around thirty cases which is the maximum number during a decade's functioning of GSCASH. On average the complaints used to be ranging between 5 and 15. Majority of the complaints pertain to grievances of one female student against another male student. In many cases it is about relationship abuse. Due to the lack of a legal definition of sexual harassment other than the Vishakha Judgment, the real

challenge for us is to decide whether it's a case of sexual harassment or sexual violence. Other than that, any case that comes to us is complicated and multi-dimensional in the sense that it has to be seen at its legal, cultural, psychological aspects as well since this campus is politically vibrant, multicultural and socially plural that caters to people coming from diverse backgrounds. The administration co-operates with us. We make recommendations about concerned students finally before action is taken after Vice Chancellor approves of it as he is the ultimate authority to implement recommendations related to all cases.

For information dissemination, we have designed a GSCASH booklet that explains rules and procedures of GSCASH in detail and one-page pamphlets that we often distribute to JNU community that busts myths and reality about sexual harassment. The pamphlet was originally conceived by utilizing inputs of students and faculty on the issue.

There are sexuality related issues like bisexuality on campus that has been brought to our notice and we provide our consultancy services to the involved parties. These issues need more focus and deliberation. We need to debate about not only femininity but masculinity and various dimensions of sexuality also, since both men and women are born and brought up through patriarchal value system victims of patriarchy and carriers of these values. This campus too is part of a patriarchal set-up, where both men and women need education to make the much-needed transition.

Akanksha Kumar, the GSCASH student representative, began by saying that JNU hasn't reached a level where, unlike in universities as mentioned by speakers, men also take up pro-active roles with regard to these issues of sexual harassment. It's more women, who are interested in taking up such issues seriously. Even the GSCASH Committee membership is 50% reserved for women and of the two student representatives, one at least has to be a woman. For us in JNU, the term 'gender' applies to women more than men and many times, discussions revolve around dresses women wear on campus and how they move easily and freely, even at mid-night within campus. JNU is the first to establish GSCASH Committee in the entire South Asian region after the Supreme Court gave guidelines in 1999, even though it itself doesn't have such a body against sexual harassment!

JNU being a residential campus, cases that come to GSCASH could be student vs. student, student vs. faculty etc. GSCASH doesn't cover rape as that is considered as a criminal offence. Domestic violence too falls under another act called the Domestic Violence Act of 2005, so is also out of purview of GSCASH. With that Akanksha invited others to participate in discussions and ask questions from guest Speakers.

Rebecca John: How differently is sexual violence and sexual harassment conceptualized and handled in your universities?

Dr. Baluch: Responding first to Akanksha comment, Dr Baluch said that in the context of the US, there's lot many covert issues of sexism and misogyny that they have to deal with as the overt ones have been dealt with. There's work on micro-aggression (against race, sexual orientation), micro-trauma etc which is going on. As for Rebecca's question, there are different committees that handle cases of harassment and violence. In case of sexual assault, students are free to report case within University, where they also have facilities for confidential medical/forensic examination. Students can report case to local police as well, if they like. Though there is no domestic violence policy per se on campuses, the physical assault policy is what is utilized in cases of assault. Students, who feel they have been assaulted, can get their residence and/or classes accommodated to a better time/place slot.

Shaweta Anand: What about fear of social stigma amongst victims, who speak out against their harassers? And does the perpetrator feel stigmatized too? In the case of JNU, levels of social stigma are very high for the victim and the perpetrator, though more for the former.

Dr. Baluch: It's a very important question. It's the same like in any other place, where such acts of speaking-up are seen as committing 'social suicide' since most of the time, the victim's own family objects to them, even friends withdraw, considering harassment or assault as a non-issue, or something a particular man, who's popular or with straight A-s cannot possibly do!

Dr. Singleton We have to address the problem at the level of patriarchy. For instance, when we had a female Senator, who thought the issue was important, we got pro-women

laws passed and legislated. Rape is as bad as murder in the USA but how many of those cases come up and get prosecuted is the question. Laws by themselves don't mean much.

Neha Wadhawan: I wanted to first share the context of JNU, where women get preference (5 marks extra) during selection to campus. It's a place where many cultures meet and live in residential areas, separate for men and women. The unsaid understanding is that males cannot enter female hostels but females can enter male hostels. In such a backdrop, when there was no GSCASH, there was social boycott of the harasser, but with the coming of GSCASH, the time taken to solve cases is so long, that the accused person has submitted his degree and has moved out of campus, while the case still lingers on. Could be because of the administration not co-operating, cost-crunch, corrupt police system etc. How does GSCASH deal with these issues? –

Dr. Singleton: A lot of our work is about training and facilitating. We do partner a lot with local law enforcement agencies. I remember we began in 1990 and have come a long way from there. It's a long road, with both a positive side and a negative side. Earlier, we had staff and budget constraints, which we don't have now but what we have now are issues regarding a more consolidated structure and less student participation compared to what it was earlier.

These are some of the things we do to reach out to people like the 'Don't cancel class' campaign wherein, sensitization lectures are promptly given instead of regular class lecture in case that teacher is not available. Then we have these bathroom cards that give information about sexual violence. –

Akanksha : We to have similar bathroom posters urging women to speak up.

Dr. Usha stated that we also have public meetings to address these issues. Our students are quite sensible and innovative in pursuing the gender sensitization programmes. This has been widely acknowledged all over the country. JNU GSCASH is a model for many other institutions and universities and they approach JNU GSCASH for help in constituting their committees. Even our neighbouring countries also look at us as a role model. For instance, recently in September Bangladesh Supreme court judges who visited JNU for an interaction with GSCASH stated that they have in their judgment adopted GSCASH, JNU model and the Indian Supreme Court judgment on sexual harassment

in the work place. They even stated that JNU GSCASH can be used as a model for the educational institutions in the Indian subcontinent. (Copy of the Bangladesh judgment has been circulated to US delegates).

However, the challenges we face are related to decision making. Since we do not have a specific enactment, the bill for prevention and prohibition of sexual harassment is pending with the law ministry, for implementing punishment we need to look into relevant provisions of conduct rules for employees. Moreover, there are contradictions with provisions in Right to Information act also. Therefore, GSCASH rules and procedures require a thorough review considering the later developments after its formulation.

Advocate Savita Singh, member in the NGO panel of GSCASH Enquiry Committee stated that coming back to the earlier point, GSCASH can refer cases to administration, for instance, when someone violates restraining orders, one can then seek intervention by legal enforcement agencies.

(Report Assisted by Ms. Akanksha Kumar and Ms. Shaweta Anand)

(Article on GSCASH in SPAN Magazine is attached as Appendix-4)

VII. Proposal for Amending GSCASH Rules and Procedures

The GSCASH initiated a process of providing recommendations for amending the GSCASH Rules and Procedures after evaluating it in the context of practical difficulties and gray areas reported by various screening and enquiry committees. Dr. Kalyani Menon Sen has submitted her comments on the whole rule book. This has been circulated in the GSCASH meeting held on 25 January 2010 in which Prof. Rupamanjari Ghosh, Mr. M. K. Prabhakar, Mr. Yashwant Singh, Mr. Jit Singh, Dr. D. K. Lobiyal, Prof. A. K. Ramakrishnan, Prof. Nivedita Menon and Dr. Akhlaque Ahmad Ahan participated and contributed further comments and suggestions to make a thorough evaluation of the existing rules and procedures without changing the letter and spirit of Vishakha Judgment of Supreme Court.

VIII. RTI Queries

GSCASH received a total of eighteen (18) RTI queries mainly from accused persons after punishment was implemented as per GSCASH recommendations. Most of the queries are found related to procedures of enquiry, selection and competency of Chairperson, confidential reports, minutes of GSCASH meetings and proceedings etc.

IX. Frequently asked questions

1. Why does delay occur in the GSCASH enquiry procedure?
2. Does GSCASH strictly follow natural principles of justice in the enquiry process?
3. What does GSCASH do on the issue of political involvement in the enquiry process, if such a thing happens?
4. Can collective complaint be filed in GSCASH?
5. Who are the people who come under the purview of GSCASH?
6. Can GSCASH assist the complainants in getting help from other justice mechanisms outside the University?
7. Are GSCASH members provided with an honorarium?
8. Is GSCASH immune to the pressure from administration and campus political bodies?
9. If the administration does not implement GSCASH recommendation does GSCASH has a role to ensure its implementation?
10. Why does GSCASH not include domestic violence also in its domain?
11. Does GSCASH has any funds and what is the source of its funding?
12. Why is GSCASH not popular in the University?

X. Assistance from Administration to GSCASH

The administration is careful in fulfilling its obligations as required by Supreme Court. The University administration enhanced the infrastructure facilities in GSCASH as per the request made by GSCASH. It also provided two staff members, a confidential assistant and a transcriptionist to function as multitasking persons. However, many essential items and requirements like photocopier, efficient staff support, more office space etc are yet to be provided. At present the renovation of office of GSCASH is being

approved and administration informed GSCASH that more space will be provided to GSCASH considering its multipurpose activities.

XI. Constraints and Challenges

- GSCASH is functioning amidst a lot of constraints especially related to infrastructural facilities. GSCASH urgently requires additional space for its multipurpose functions and activities. At present, the facility for conducting enquiries in a full confidential manner is not available.
- The taboo related to GSCASH and its various functioning just because it is dealing with matters related sexuality and sexual offences is an important challenge. Many members of JNU community think that visiting GSCASH office will be inviting a bad reputation for them. Such a view demonstrates lack of gender sensitivity.
- Finding people for participating in GSCASH activities, especially for enquiries is a tough task. This is because those who voluntarily accept a role in the enquiry committees come under undue pressure from various quarters. This makes the task of finding reliable and demonstrably gender sensitive persons for various enquiry committees even more difficult. This hampers the autonomy of the GSCASH.
- Delay in processing of GSCASH bills and other papers from the supporting staff in the JNU administration severely hamper the day to day functioning of GSCASH. Such delay and objections deprived the GSCASH of funds for more than six months. The administrative approval required for even minimal spending of the limited resources availed to GSCASH makes the day to day functioning of the office more difficult and constrained.
- GSCASH is in principle an autonomous body without undue interference from any quarters. If GSCASH does not have the autonomy and is not self-sufficient with regard to its functioning, governance and conduct of formal enquiries and redressal of complaints, its existence will become meaningless. Given the nature of work and the responsibility of maintaining confidentiality, the staff working in

GSCASH office should be under the full control of GSCASH, as the GSCASH needs to maintain strict confidentiality in matters pertaining to enquiries. If they have to involve with some other office for whatever reasons, it will make them vulnerable to administrative pressure and they can become a potential source of leakage of information on GSCASH enquiries.

- The number of complaints related to cyber crime of sexual orientation filed with GSCASH has been on the increase. Such complaints are sent to Cyber Crime Cell of Delhi Police (Economic Offences Wing) for further assistance without which GSCASH cannot proceed with the enquiry process.
- RTI and the issues related to disposal of RTI queries creates a conflict of interest with relation to the confidentiality of the complainants and the witnesses. While RTI may supersede other rules, in many cases RTI query is filed with some degree of *mala fide* intent by the defendant. Its implication when related to many GSCASH cases leads to a situation where the complainants and the witnesses' security could be threatened.

XII. Recommendations

- Set up some support mechanism involving legal and other necessary justice system in order for the conduct of enquires systematically and in an accountable manner ensuring natural principles of justice and gender sensitivity and prevent delays in the enquiry proceedings.
- Members of the JNU community should come forward to meaningfully share the responsibilities of GSCASH by volunteering to be part of its various committees and by being part of its gender sensitization efforts in the campus.
- Appoint one permanent staff at the rank of Section Officer with knowledge of legal provisions and administrative affairs to run the office and conduct various functions of GSCASH and communication independently
- A Legal Advisor is essential for GSCASH to help conduct enquiries.
- Fair salary for already working staff is desirable.
- The staff in GSCASH should be under the full control of GSCASH

- Full support for maintaining complete confidentiality and autonomy in matters of enquiries and administration of GSCASH should be ensured.
- Some punishment clause should be added in the rules and regulations for penalizing false complainants when they are found guilty
- GSCASH feels that the meeting with the administration that takes place after the submission of an enquiry report has to be scheduled before the submission of the report. This allows for any recommendations from the administration to be incorporated without undue delay and further expenses.
- Given the fact that work in GSCASH is a full time activity, GSCASH members, especially the Chairperson have to be provided with provision for special leave.
- Some provisions should be included in the rules for protecting the enquiry committee members from any kind of intimidation and harassment from any quarter while they are serving the committee
- All sections of JNU community should contribute towards making JNU a harassment-free campus.