GUIDELINES RELATED TO PREVENTION OF GENDER DISCRIMINATION AND SEXUAL HARASSMENT

FOR FACULTY MEMBERS of IIT DELHI

INTRODUCTION

Indian Institute of Technology Delhi, seeks to provide and sustain an environment conducive to sharing, extending, and critically examining knowledge and values, and to furthering the search for wisdom. The Institute is committed to maintaining a safe, healthy and dignified educational and work environment in which no member of the community is, on the basis of sex, sexual orientation or gender identity excluded from opportunities, denied the benefits of institute's activities, or subjected to any form of gender-based discrimination and violence such as physical, mental, psychological or sexual.

IIT Delhi upholds a strict position against any form of gender-based discrimination or sexual harassment at the workplace. It recognises that social and patriarchal biases might put a woman or a person with marginalised gender identity at risk of coercion, discrimination and harassment.

The Institute believes that it is the collective responsibility of each and every member - faculty, staff, students (full time/part time/contract/project based/outsources or any other), residents, members of committees and boards, vendors and service providers, and anyone visiting the Institute for work - to ensure a safe environment. It calls upon faculty members (full time/part-time/visiting/emeritus) to play a proactive yet sensitive role in preventing and responding to gender discrimination and sexual harassment at workplace, specifically related to women in the Institute.¹

GUIDELINES FOR FACULTY MEMBERS

IIT Delhi is a working and learning space for people with diverse socio-economic and cultural backgrounds and value systems. It is important to build a culture of inclusion and sensitivity towards this diversity and treat everyone as equals having the right to work and learn with dignity; assist them physically, emotionally and intellectually to not only claim that right but also to help them contribute in building a supportive environment for everyone. Thereby, as members of the Institute, all the faculty members, irrespective of gender, should acknowledge and take cognizance of the unequal power inherent in different relationships² within the Institute, and ensure that this does not lead to practices of discrimination and harassment, especially against the women in the Institute.

Faculty members should be most cautious about the integrity of the faculty-student relationship as the foundation of the Institute's educational mission, because this relationship vests considerable trust in the faculty member, who, in turn, bears authority and accountability as mentor, educator, and evaluator.

THINGS TO REMEMBER

*Gender Discrimination* includes any form of discrimination, denial, exploitation, violence or abuse of a person, based on their 'Gender' identity, choices, affiliations, race, colour, religion, sex, sexual orientation, gender expression, gender identity, ethnic origin, national origin, ancestry, marital status, pregnancy, physical appearance, choice of relationships, physical, emotional or mental disability, medical condition, genetic information or for other arbitrary or personal reason.

*Sexual Harassment* includes unwelcome acts or behaviour (whether directly or by implication) namely physical contact and advances, a demand or request for sexual favours, making sexually coloured remarks, showing pornography, any other unwelcome physical, verbal or non-verbal conduct of sexual nature. Sexual Harassment is not just wrong, it is illegal as it results in the violation of a women's fundamental rights to equality under Articles 14, 15 and 21 of the Indian Constitution.

There is a connection between GENDER DISCRIMINATION and SEXUAL HARASSMENT

¹Women in the Institute include women faculty members, women staff, women students, women vendors, women workers and labourers.
²Working relationship between Faculty-Faculty, Faculty-Student, Faculty-Staff, Staff-Staff, Staff-Student, Student-Student and any other.
TIPS ON PREVENTING AND RESPONDING TO INCIDENTS OF SEXUAL HARASSMENT AT WORKPLACE

Every faculty member should:

1. **Not practice or engage in any form of sexual harassment** or gender discriminatory behaviour. **Quid Pro Quo** - engaging or asking for sexual favours in exchange of *preferential* treatments (implied or explicit) or to avoid *detrimental* treatment (implied or explicit) or creating an intimidating, offensive and hostile environment to work and study, is unacceptable and must be stopped.

2. **Be aware of and be sensitive about the position and power** they hold in their relationship with the woman student/faculty member/staff and others.

3. **Ensure that every woman member of the Institute feels safe and comfortable in her interactions with the faculty member.**
   - Hold meetings during office hours either in the office space or a public or open space.
   - If meetings need to be scheduled beyond office hours, seek consent from each woman member involved. The meetings can be held in an open public space (such as a café or common areas) if that makes a woman member feel more comfortable.
   - In case she hesitates or shares her inability to meet beyond office hours or her discomfort with a particular meeting place, the faculty member should make provisions/arrangements such that the woman's work or ability to enjoy the facilities at the Institute does not suffer.

**THINGS TO REMEMBER**

**MAKING SEXIST COMMENTS THAT**

Demean women or men
Suggest women as weaker sex
Suggest men as stronger sex
Question someone’s intellectual or physical capabilities due to her being women
Assert gender stereotypes

**FALL IN THE CATEGORY of GENDER DISCRIMINATION**

When a person in power practices or supports sexism, it makes the environment gender unequal and vulnerable to abuse and violence.

4. **Be watchful - recognise any circumstance/situation/behaviour** with faculty members or with others resulting in or having the potential of becoming gender-based discrimination or sexual harassment at the workplace. Speak up against sexual harassment, discourage sexism and misogyny and strive to stop the situation/behaviour from escalating. Remember to reach out ‘for support’ if you as a faculty member faces it and ‘in support’ if others – student, another faculty member or staff faces it.

5. **Be cautious - concern for the safety of all women should not lead to discriminatory rules or patterns of behaviour against women.** e.g., making a generalised rule barring the entry of women students to the lab premises after dark. Instead, ensure that women feel safe accessing lab space at any point of time, by lighting the areas which are dark and isolated. The student’s choices should be respected, else this may lead to a discriminatory practice and stop her from accessing facilities as freely as others.

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1 Unwelcome and unwanted sexually determined behaviour, including but not limited to sexual advances, physical and/or verbal or non-verbal or conduct such as comments, remarks or jokes, letters, phone calls, text messages, GIFs, Videos, songs or e-mails, gestures, exhibition of sexually explicit or offensive material in any medium including pornography, lurid stares, physical contact, stalking/ cyber-stalking, sounds or display of derogatory nature have the purpose and/or effect of interfering with an individual’s performance or of creating a hostile environment. When a person/s use/s, with a sexual purpose, the body or any part of it or any object as an extension of the body in relation to an/other person/s without the latter’s consent or against that/those person/s’s will, whether or not such conduct amounts to sexual assault.

2 Unwelcome sexually determined behaviour such as sexual advances, requests for sexual favours, any verbal, non-verbal or physical conduct of sexual nature, which are explicitly or implicitly made a term or condition of teaching/ guidance, education, employment, participation or evaluation of a woman’s engagement in any Institute activity.

3 When deprecatory comments, conduct or any such behaviour is based on the gender identity/sexual orientation of the person(s) and/or when the classroom or other public forum or academic activities of the Institute is used to denigrate/discriminate against person(s), or create a hostile environment on the basis of a person’s gender identity/sexual orientation.
TIPS ON PREVENTING AND RESPONDING TO INCIDENTS OF SEXUAL HARASSMENT AT WORKPLACE

Every faculty member should:

6. **Be cautious- recognise that a hostile and unhealthy learning/working environment** created due to frequent or pervasive unwelcome sexual comments, advances, requests or as a result of refusal to accept the unwelcome sexual advances, is also unacceptable and punishable under the institute’s POSH (Prevention, Prohibition and Punishment of Sexual Harassment) rules. Such as:
   a. Arbitrary denial/delay of access to instruction, study materials, or any educational facilities, related to studies or work.
   b. Evaluation of students’ or colleagues’ work by criteria not directly reflective of performance.
   c. Talking about non-academic personal or intimate details in a group or with others without consent.
   d. Participating in or deliberately abetting disruption, interference, intimidation or exclusion in the classroom or meetings, like shaming or passing derogatory remarks on women members’ (especially a woman student’s) performance, in front of an audience, commenting on her choices of dress, make-up, marital status, childbearing etc., are not to be made, irrespective of whether the individual's choices conform with the faculty member’s standards and expectations or not.
   e. Trying to influence women students’ decisions regarding personal relationships, the timing of engagement, marriage, childbearing and other such personal decisions.

7. **Be cautious and be informed - an intimate relationship (romantic or sexual), even if consensual, between a student and a teacher, who are in unequal power relationships, (due to designation, position, roles, age, experience etc.) is unacceptable.**

8. **Be familiar with the Institute’s policy** for the Prevention, Prohibition and Punishment of Sexual Harassment (POSH), the Internal Complaints Committee (ICC), and other institute provisions. The **institute POSH policy** titled ‘IIT Delhi Rules and Procedure for the Prevention, Prohibition and Punishment of Sexual Harassment at the Workplace, 2014’ is guided by the laws of the land - Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. IIT Delhi also has an active ICC, a statutory body, available for any assistance and/or recommendation on this issue. Together with that, the institute has provisions like the Students Counselling Service, the Standing Committee to Consider Grievances of PhD Students, and the Faculty Grievance Committee for seeking assistance on required issues. The institute also has a dedicated unit for gender affirmative actions named Initiative for Gender Equity and Sensitisation (IGES).

9. **Ensure that if someone seeks assistance, intervene only as much as sought by her.** With consent from the aggrieved person, the faculty member may assist by connecting her to the relevant authority (could be the Head of the Academic Unit, Dean/s, DDO, ICC Chairperson, IGES members or the Director) so that appropriate action is initiated, as per the Institute’s policy. In case of a formal complaint, seek and ensure necessary/adequate confidentiality.

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**THINGS TO REMEMBER**

*Consent is defined as an unequivocal voluntary agreement when a person, by words, gestures or any form of verbal or non-verbal communication, communicates willingness to participate in a specific act.*

*Do remember that in any situation of unequal power relations, one who is in a subordinate position is often, if not always, under pressure to give consent.*

10. **Act as an approachable and supportive first point of contact** for any person who is facing any form of discrimination and harassment, especially women students, women faculty members and women staff members of the Institute. Help create a workplace in which the functioning of the ICC and/or the interests of justice are not subjected to undue pressure from any level or quarter.

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6 [http://iitd.ac.in/content/anti-sexual-harassment-policy](http://iitd.ac.in/content/anti-sexual-harassment-policy)

7 To protect article 14, 15, 21 of the Indian Constitution
TIPS ON PREVENTING AND RESPONDING TO INCIDENTS OF SEXUAL HARASSMENT AT WORKPLACE

Every faculty member should:

a. **Support students, colleagues and staff, especially women, to approach higher authorities/committees** after knowing of the discrimination/harassment that the student/colleague is facing.

b. Actively prevent and counter the common tendencies of blaming the victim, putting pressure on a complainant to withdraw the complaint, and so on.

c. **Not intervene proactively on behalf of a colleague accused of sexual harassment** to withdraw the complaint, or collude with other students or faculty to withdraw support to the complainant. This is punishable as per the Institute's policy and the law against Sexual Harassment.

d. **To not support bringing an untrue complaint of gender discrimination or sexual harassment against another member of the community with malicious intent.** This is punishable by the Institute policy and law of the land. Note that untrue complaints are different from complaints that are not proven in an inquiry. Many a times it becomes very difficult to prove the situations and incidents which end up in sexual harassment or generate a hostile environment. Since such acts are private, there are, often, no witnesses.

11. When someone, especially a woman, approaches a faculty member to report an incident of gender discrimination and sexual harassment, kindly consider the following guidelines:

- Recognize that sexual harassment is more about power than sex. Don't ask what she did that caused her to be harassed; the onus of someone else's abuse of power cannot be put on her.
- Allow her to share as much she wishes to, without interruption. Believe her and stay supportive. It takes courage to reach out. Avoid leading the conversation or introducing your own ideas and biases into it.
- Think of the person’s safety and well-being first. Ask the person what would help her feel safe. Then appropriate suggestions can be made. It is therefore critical that the faculty member asks her what she wants to do next and help her take her decision. The faculty member should not take decisions on behalf of her or influence her decision. It is possible that sometimes she may approach the faculty member as a sounding board or a mentor, without any intention to report or pursue the matter further.
- Reassure her that she has the right to report the incident to appropriate authorities. If the faculty members are aware of the process for redressal or registering a complaint, then they should inform the complainant of the necessary steps. If the faculty members are not aware, then they should connect the complainant (with her consent) to the ICC, the Student Counselling Services, IGES, or a competent authority, where the complainant can get the required information.

P.S: The faculty member should take care of herself/himself too, and be conscious of any personal trauma that this might bring up for them.

**Initial sensitive response from faculty members could be**

- It is okay to talk about sexual harassment
- You have nothing to fear.
- You should not doubt yourself for what happened to you.
- What do you want to do?
- I can give you information regarding the existing redressal mechanisms of the Institute or I can connect you with the counselling centre/IGES/competent authority if you wish to confide in them and seek assistance.
- It is your decision. I will support as much as I can, within my scope of authority and responsibility.
- Your safety is Institute's responsibility.

This will make them feel SAFE, TRUSTED and will build a SUPPORT SYSTEM.
Every faculty member should:

**THINGS TO REMEMBER**

*Women hesitate to share or report incidents of gender discrimination or sexual harassment due to*

- Uncertainty around what constitutes gender discrimination and sexual harassment
- Avoid harm to own or family’s reputation
- Distrust/Apathy regarding the system or its mechanisms
- Protracted committee processes with uncertain outcome
- Fear of retaliation
- Bystanders’ apathy

Sexual Harassment at Workplace focuses on **IMPACT ON THE PERSON BEING HARASSED NOT**

**on the INTENT OF THE PERSON WHO IS HARASSING**

**INSTITUTE’S RESPONSIBILITY TOWARDS THE COMPLAINANT**

The Institute is responsible for ensuring the safety and rehabilitation with dignity, of the complainant as well as any other person of the Institute whom the complainant approaches or confides in, and who is willing to support her.

The Institute also takes responsibility to ensure that the complainant and defendant receive a fair investigation, as per the Institute’s sexual harassment policy, through the ICC.

In case of any breach, the competent authority of the Institute can impose penalties ranging from censure, loss of privileges, to dismissal from service, as per the **Institute Service Rules**.

The ICC at [iccchair@iitd.ac.in](mailto:iccchair@iitd.ac.in) or IGES (Initiative on Gender Equity and Sensitisation, IITD’s gender unit at [igesiitd@gmail.com](mailto:igesiitd@gmail.com)) or the Security Control Room (011 2659 – 1000/6101) are available for any assistance.

Let the world know that as an Institute of Eminence and a world class educational institution, IIT Delhi is at the forefront of pursuing the goal of gender equality through the lens of equity.
UNDERTAKING BY FACULTY MEMBER AGAINST SEXUAL HARASSMENT AT WORKPLACE

INDIAN INSTITUTE OF TECHNOLOGY, DELHI

I, ...........................................................................................................(full name)
........................................................................................................ have read and understood the Guidelines for Faculty Members of IIT Delhi related to prevention of Gender Discrimination and Sexual Harassment at Workplace (2019) and IIT Delhi Rules & Procedure for the Prevention, Prohibition and Punishment of Sexual Harassment of Women at the Workplace, 2014 Policy, as available at: www.iitd.ac.in.

I shall abide by the guidelines in word and spirit. I understand that I could face disciplinary action if found going against the guidelines, after due process, as mentioned in the Guidelines for Faculty Members and IIT Delhi SHW Policy.

I hereby also declare that I have not been terminated or been forced to resign from any institution in the country or abroad on account of being found guilty of or abetting sexual harassment and further affirm that, in case the declaration is found to be untrue, I am aware that it might have implications for my employment at the institute.

Date …………………………………………………

Signature of Faculty Member

Name:

Employee Code: