

GUIDELINES RELATED TO PREVENTION OF GENDER DISCRIMINATION AND SEXUAL HARASSMENT

FOR STUDENT 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 the Institute's activities, or subjected to any form of gender-based discrimination and violence whether 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. These guidelines are not aimed at preventing or policing socialisation between genders, or preventing, gender and sexual expression.

The Institute believes that it is the collective responsibility of each and every member - faculty, staff, students, residents, members of committees and boards, vendors and service providers, and anyone visiting the Institute for work - to ensure a safe and secure environment. It calls upon all the student members (Undergraduates/Postgraduates/PhDs students/PDFs/Project Assistants/Research Interns) to play a proactive and sensitive role in preventing and responding to gender discrimination and sexual harassment at workplace, **with special reference to women in the Institute**.¹ It is important to note that the Institute recognises that men, transgender persons and all the other genders in the spectrum also face discrimination and sexual harassment from the same gender or different genders including authorities in power². The institute's present policy recognises only women as complainants but the other genders can also approach competent authorities mentioned later in this document, in case of need.

GUIDELINES FOR STUDENT 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 equal. Everyone should have the right to work and learn with dignity, stand up for self and others, and help to build a supportive environment. In this regard, there is acknowledgement of the need to inculcate in students, values of respect towards everyone irrespective of gender, class, caste, region, language, religion, sexual orientation and dis/ability.

Students of the institute should recognise and reflect on the impact of existing hierarchies and oppose the prevalence of any form of discrimination, expressions of sexism and experiences of violence (especially sexual

¹ Women in the Institute include women faculty members, women staff, women students, women vendors, women workers and labourers, women residents and women visitors.

² This document uses the pronoun 'They' as a common pronoun to refer to all genders.

violence and harassment). They should also feel equipped to impart ideals of rights, dignity, respect and support. These guidelines are an effort to give clear definitions of gender discrimination, sexual harassment at workplace, sexism and consent, and build an understanding on students' rights, responsibilities, Institute policies and redressal mechanisms related to these issues.

Student members should be cautious about their roles, especially those which give them positions of power in a particular situation, group, activity, event, place and so on. The power could be derived from their seniority, gender, social status and privilege, position of responsibility or authority that comes with a temporary or permanent role/responsibility in relation to the person who is facing discrimination or harassment.

THINGS TO REMEMBER

Gender refers to the set of relations and structures that are involved in producing men and women in society, including norms of femininity and masculinity.

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, ethnic origin, nationality, ancestry, marital status, pregnancy, physical appearance, relationship choices, 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, or 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

TIPS ON PREVENTING AND RESPONDING TO INCIDENTS OF GENDER DISCRIMINATION and SEXUAL HARASSMENT AT WORKPLACE³

Every student member should:

1. Build their own understanding on sexual harassment at workplace so that they are able to better recognise gender discrimination and sexual harassment. They are also required to understand their boundaries and boundaries of people they interact with. They should be able to voice their opinions, consent and non-consent as clearly as possible through verbal or non-verbal gestures and respect others when they voice their opinions.

³ The term 'Workplace' encompasses all the places listed in the POSH policy of the institute. Please refer to the definition of 'Workplace'.

2. Not practice, engage in or support (directly/by being silent/as a bystander) any form of sexual harassment⁴ or gender discriminatory behaviour. Quid Pro Quo⁵ - engaging in or asking for sexual favours in exchange for preferential treatment (implied or explicit) or to avoid detrimental treatment (implied or explicit) or in creating an intimidating, offensive and hostile environment to work, study and live. These are unacceptable and must be stopped.

Examples of conduct that may create a hostile working environment

- *Talking about sex, cracking obscene jokes, using sexually suggestive gestures without consent of person/s present*
- *Using flattery, or crude and offensive language*
- *Persistent requests for dates, outings, lunches, dinners, etc.*
- *Influencing relationship decisions and denying access to opportunities.*
- *Unsolicited or unwanted touching of any part of clothing or body, or commenting on someone's physical appearance*
- *Talking/spreading rumours about someone's sexual orientation or sex life*
- *Showing sexually suggestive pictures, notes, magazines, or cartoons etc.*
- *Staring, cornering, following, blocking someone's path or stalking.*

If you are doing this, then STOP and think. You may be creating a hostile environment for someone.

If you are facing this, then RECOGNISE that this is, or can lead to sexual harassment.

It needs to be stopped. Call for support.

3. Be aware of and be sensitive about the position and power they hold with respect to the student/faculty member/staff and other members, especially women of the institute or within the campus.
4. Ensure that everyone, especially women members, of the Institute with whom they interact or engage, feels safe and comfortable in the campus environment and their respective workplaces.
- a. The events/meetings organised in the institute by the students should not give out messages that are sexist, discriminatory, asserting stereotypes or supporting, normalising or trivialising violence. This should be ensured for the presenters, artists, organisers, vendors, volunteers, participants regarding the agenda, and the programmes, promotional materials, pictures, texts, memes etc. at both the online and offline level.

⁴ 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.

⁵ 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.

- b. Ensure that during formal or informal group conversations, especially in a mixed gender group, both online and offline, they do not make/post/support/forward any comment/joke/statement/ picture/ information/that is sexist, demeaning to any gender and their dignity, or normalises violence and gender discrimination.
- c. Make sure to address/call out/take a stand to stop any visible violence, harassment, body shaming, discrimination on the basis of gender expressions, disability and sexual orientation in the Institute's public event or place, faced by them or others, especially women members of the institute.

THINGS TO REMEMBER

MAKING SEXIST COMMENTS THAT

Demean women, men or any other gender

Suggest women as weaker sex, Suggest men as stronger sex

Question someone's intellectual/physical capabilities due to her being a woman

Relate to body shaming or Assert gender stereotypes

FALL IN THE CATEGORY of GENDER DISCRIMINATION

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

- 5. Be watchful - recognise any circumstance/situation/behaviour with students 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 they, as a student member, face it and 'in support' of others – students, staff, faculty member or any other member working or residing in the campus, who face it.
- 6. Be cautious - concern for the safety of all women should not lead to discriminatory rules or patterns of behaviour against women or any other gender.
- 7. Be cautious and recognise that creating a hostile and unhealthy offline or online learning/working/living environment through frequent or pervasive unwelcome sexual comments, advances, requests or as a result of refusal to accept the unwelcome sexual advances, is unacceptable and punishable under the institute's POSH (Prevention, Prohibition and Punishment of Sexual Harassment) rules. These include:
 - a. Arbitrary denial/delay of access to instruction, study materials, mentorship support or any educational facilities related to studies or work.
 - b. Evaluation of students', colleagues', mentee's 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, meetings as well as informal interactions. This could be in the form of shaming or passing

derogatory remarks on student members' (especially women's) performance, in front of an audience, commenting on the dress, language, body, make-up, disability, family background, marital status, relationships, childbearing and other life choices. These cannot be made, irrespective of whether the individual's choices conform with the student member's standards and expectations or not.

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's POSH policy is titled 'IIT Delhi Rules and Procedure for the Prevention, Prohibition and Punishment of Sexual Harassment at the Workplace, 2014'⁶ 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 [Internal Complaints Committee], a statutory body⁷, available for any assistance and/or investigation and recommendation on this issue. Together with this, 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 the aggrieved person. With consent from the aggrieved person, the student member may assist by connecting them 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.

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. It should be freely given, specific, informed and can be reversed or revoked anytime. 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.

*Remember being in a relationship is not a Lifelong **CONSENT** and **FOR EVERYTHING**. One still needs to seek consent for specific things at specific time.*

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 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.
 - a. Support students, colleagues, staff members, residents, employees, visitors, especially women, to approach higher authorities/committees after knowing of the discrimination/harassment that they are facing.

⁶ <http://iitd.ac.in/content/anti-sexual-harassment-policy>

⁷ To protect article 14, 15, 21 of the Indian Constitution

- b. Actively prevent and counter the common tendencies of blaming and shaming the victim, discussing the matter publicly in their absence, passing judgements, 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 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.
11. When someone of any gender or sexual identity, especially a woman, approaches a student member to report/share about an incident of gender discrimination and sexual harassment, kindly consider the following guidelines:
- a. Recognize that sexual harassment is more about power than sex and sexual desires. Don't ask what they did that caused them to be harassed; the onus of someone else's abuse of power cannot be put on the aggrieved person.
 - b. Allow them to share as much they wish to, without interruption. Believe them and stay supportive. It takes courage to reach out. Avoid leading the conversation or introducing your own ideas and biases into it.
 - c. Think of the person's safety and well-being first. Ask the person what would help them feel safe. Then appropriate suggestions can be made. It is therefore critical that the student member asks them what they want to do next and help them make their decision. The student member should not take decisions on behalf of them or influence their decision. It is possible that sometimes they may approach the student member as a sounding board or a mentor, without any intention to report or pursue the matter further.
 - d. Reassure them that they have the right to report the incident to appropriate authorities. If the student members are aware of the process for redressal or registering a complaint, then they should inform the complainant of the necessary steps. If the student members are not aware, then they should connect the complainant (with their consent) to the ICC, the Student Counselling Service, IGES, or a competent authority, where the complainant can get the required information.

P.S: The students should take care of themselves too, and be conscious of any personal trauma that this might bring up for them

THINGS TO REMEMBER

Most people, especially women, hesitate to share or report incidents of gender discrimination or sexual harassment due to

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

Sexual Harassment at Workplace focuses on IMPACT ON THE PERSON BEING HARASSED NOT on the INTENT OF THE PERSON WHO IS HARASSING

If someone faces sexual harassment and approaches a student member to report/share about it, the initial sensitive response could be:

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

This will make them feel SAFE, TRUSTED and will build a SUPPORT SYSTEM.

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 member of the Institute whom the complainant approaches or confides in, and who is willing to support the complainant. The Institute also takes responsibility to ensure that the complainant and defendant receive a fair investigation, as per the Institute's sexual harassment at the workplace 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.

Possible points of contact for assistance

The ICC at iccchair@iitd.ac.in or IGES (Initiative on Gender Equity and Sensitisation, IITD's gender unit at igesiitd@gmail.com or the Security Control Room (011 2659 – 1000/6101).

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 STUDENT MEMBER AGAINST SEXUAL HARASSMENT AT WORKPLACE
INDIAN INSTITUTE OF TECHNOLOGY, DELHI**

I, (full name) have read and understood the Guidelines for Student 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 Student Members and IIT Delhi SHW Policy.

I hereby also declare that I have not been terminated, suspended or asked to leave 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 continued enrollment/conditions of continuing my course of study in the Institute.

Date

Signature of the Student Member

Name:

Entry No: