

Ashoka University Guidelines on Constituting an Equal Opportunity Cell, 2024

This document describes the role, constitution, and processes of the University's Equal Opportunity Cell based on the UGC (Promotion of Equity in Higher Education Institutions) Regulations 2012 and the UGC Guidelines to Provide Equitable Opportunity for the Socio-Economically Disadvantaged Groups (SEDGs) in the HEIs, released by the UGC in January 2024.

1. Preamble

1.1. Ashoka University is committed to making the campus a supportive and safe space for all members of the University community. To build a diverse and inclusive campus, the University aims to ensure respect and equity for all, and equal access to all amenities and opportunities to all members of the community while being sensitive to the intersectional impact of caste, class, creed, ethnicity, dis/ability, religion, age, gender, gender identity and expression, sexual orientation, physical appearance, language, race, and regional and national identity, and socio-economic and stakeholder status at Ashoka.

1.2 To this end, the University has constituted an Equal Opportunity Cell (EOC) which will look into complaints of discrimination, harassment and victimization involving any student of Ashoka. The EOC will also be responsible for initiating appropriate interventions to make Ashoka University inclusive, equitable, and sensitive to SEDGs, and coordinating sensitization and diversity initiatives in collaboration with various departments and offices across the University as provided under the UGC SEDGs Regulations, 2024 .

2. Scope

The EOC will address student grievances related to discrimination, whether these grievances involve other students, staff or faculty members. It will also work towards greater equity and representation across various functions in the University, through increasing awareness, undertaking sensitisation measures and making recommendations towards greater inclusion.

3. Definitions

3.1 **Discrimination** means any adverse treatment, exclusion, limitation, or preference experienced by a person based on their belonging to any of the intersecting categories

mentioned in the Preamble, which has the purpose or effect of nullifying or impairing equality of treatment in education and in particular:

- of depriving, limiting or interfering with a student or a group of students' access to education of any type or at any level
- of refusing to mentor an individual from a specific category of persons - of persistently imposing conditions of work or education which are hostile, abusive, intimidating, demeaning, humiliating or incompatible with the dignity of a human being on any individual or category of persons
- intentionally disclosing the marginalized identity of a person in order to ridicule or humiliate them
- subjecting any individual or category of persons to physical violence - persistently demanding labour or favours categorically out of the scope of the individual's job description or educational requirements, especially if these tasks single out an individual or category of people
- making, displaying or messaging remarks or pictures that are derogatory, slurs, or patently offensive, demonstrating bias or discrimination against any of the categories of persons mentioned in the Preamble
- acts of violence or harassment defined in the general laws or any laws relevant to specific minority communities.

3.2 Harassment means unwanted conduct which is persistent and demeans, humiliates or creates a hostile and intimidating environment or is calculated to induce submission by actual or threatened adverse consequences.

3.3 Victimization means any unfavorable treatment on the basis of any of the intersecting categories mentioned in the Preamble.

3.4 Workplace means the campus of the University including –

- any department, organization, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the University;
- any sports institute stadium, sports complex or competition or game venue, whether residential or not used for training, sports or other activities relating to the University
- any place visited by the student arising out of or during the course of employment or study including transportation provided by the University for undertaking such journey.

3.5 Retaliation means engaging in conduct that may reasonably be perceived to - adversely affect a person's educational, living or work environment because of their

participation in the reporting and investigation of a violation; or - Actively discourage or coerce a person from making a report or participating in an investigation under the rules.

3.6 **Equity** means a level playing field for everyone with respect to entitlement and opportunity for enjoyment of all legitimate rights.

3.7. The above definitions are in addition to the terms or expressions defined under the UGC (Promotion of Equity among Higher Educational Institutions) Regulations 2012 or the UGC Guidelines to Provide Equitable Opportunity for the Socio-Economically Disadvantaged Groups (SEDGs) in the HEIs, 2024 and in case of any doubts or conflicts, the terms as defined in the above regulations will apply.

Part I

4. Constitution of the Cell

The composition of the Cell (according to the 2024 UGC guidelines):

1. Chairperson/Co-Chairperson
2. Senior Professor
3. In-charge of Internal Complaint Committee
4. Coordinator/Director of IQAC
5. SC/ST Representative
6. OBC Representative
7. Student Representatives
8. Administrative Officer (Member Secretary)

* Chairperson and members to be nominated by Head of the

Institution **5. Complaints Procedure**

5.1 For filing a complaint:

- An aggrieved person shall submit a written complaint to the EOC within 3 months after the incident in order to promote swift investigation and action within the duration of all parties' tenure in the University.
- Complaints can be submitted to the Equal Opportunity Cell at the following email address: eoc.chair@ashoka.edu.in
 - Where such complaint cannot be made in writing, any member of the EOC shall render all reasonable assistance to the person for making the complaint in writing -

Provided that the complainant remains under fear of retribution and does not file for longer than 3 months, they may appeal for consideration of the case despite the delay with a note describing the reasons for delay, up to a duration of 1 month after leaving the institution.

- Friends, relatives, colleagues, co-students, or any other associate of the victim may file the complaint in situations where the aggrieved person is unable to make a complaint on account of physical or mental incapacity (ensuring consent of the complainant)
- The incident(s) of discrimination will be addressed by the EOC if they involve any student members of the Ashoka community, whether the incident has taken place on the University premises or outside it, including online or virtual interactions or interactions by phone or text.

5.2 Interim redressal: - The University may over the duration of the enquiry period: - transfer the complainant or the respondent to another section or department to minimize the risks involved in contact or interaction, if such a recommendation is made by the EOC

- grant leave to the complainant for a period of time ascertained by the EOC - restrain the respondent from reporting on or evaluating the work or performance or tests or examinations of the complainant
- take strict measures to provide a conducive environment of safety and protection to the complainant against retaliation and victimization as a consequence of making a complaint of discrimination.

5.3 Process of conducting inquiry:

- On receipt of the written complaint, the EOC will initiate an inquiry - The EOC will send a copy of the complaint to the respondent within a period of 5 working days of receipt
- If taking interim redressal measures, the complaint will be shared with the respondent within 10 working days of receipt
- Upon receipt of the copy of the complaint, the respondent shall file their reply to the complaint along with the list of documents, and names and addresses of witnesses within a period of 10 days
- The Cell will deliberate on the matter and a decision will be taken as per quorum. They may also call the complainant, respondent(s) or witnesses for a meeting to clarify any aspects of the case that are unclear. The complainant may appear in person or authorize a representative to present the case.
- If anyone withdraws a case for any reason, they may re-file by submitting written notice of the reasons for withdrawing and filing again. They may only re-file a case once they receive approval to do so by the EOC.

- Members of the EOC should disclose any conflict of interest in any individual case, and recuse themselves from any decision-making on that case.
- The inquiry report, with recommendations, if any, has to be submitted within a period of 30 days from the date of the receipt of the complaint to the Executive Authority of the University. A copy of the findings or recommendations shall also be served on both parties to the complaint.
- An appeal against the recommendation can be filed within a time period of 10 days by either party. If no appeal is received, the Executive Authority of the University shall act on the recommendations of the EOC and issue a show cause notice to be served on the accused party.
- Appeals can be made to the Vice Chancellor by emailing vc.appeal@ashoka.edu.in. An Appeals Committee would respond to such an appeal within a period of 10 days of receipt of the appeal. The Executive Authority of the University shall proceed after considering the recommendations of all parties who received the appeal.
- If the Executive Authority of the University decides not to act as per the recommendations of the EOC, then they shall record written reasons for the same to be conveyed to EOC and both the parties to the proceedings.

5.4 Remedial measures

- The aggrieved party may seek conciliation in order to settle the matter. No monetary settlement should be made as a basis of conciliation. The University shall facilitate a conciliation process through the EOC, as the case may be, if it is sought. The resolution of the conflict to the full satisfaction of the aggrieved party wherever possible, is preferred to purely punitive intervention.
- The implementation of the EOC's recommendations will be done in accordance with the service rules of the University, if the offender is an employee. Depending on the nature of employment, the implementation will be decided by the HR department or the Dean of Faculty.
- Where the recommendations involve students, depending upon the severity of the offense, the University may:
 - (a) withhold privileges of the student such as access to library, auditoria, halls of residence, transportation, scholarships, allowances, and identity cards; (b) issue a strict warning on the record
 - (c) suspend or restrict entry into campus for a specific period;
 - (d) expel and strike off name from the rolls of the institution, including denial of readmission, if the offense so warrants;
 - (e) award reformatory punishments like mandatory counseling and/ or, performance of community services.

If the respondent is a repeated offender, the University shall take cognizance of this in

deciding on the nature and quantum of punishment.

5.5 Confidentiality:

- All complaints and investigations will be treated fully confidentially by the Cell. The identities of the aggrieved party or victim or the witnesses or the offender shall not be made public or kept in the public domain by members of the Cell.
- The identity of the complainant would not be revealed to the respondent without the explicit written consent of the complainant, to enable initial complaints reaching the Cell without fear of retaliation. However, the investigation process may require the disclosure of the identities of the complainant to the respondent and, if deemed necessary, to the parties involved during the investigation, and the Cell will take adequate steps to ensure that the complainant is protected from retaliation during and after the investigation and provides written consent before any such disclosure.
- After a complaint has been filed, all parties will be asked to maintain confidentiality about the process to ensure an impartial investigation. Any violation of confidentiality established to have taken place by a member/s of the cell would be grounds for the removal of that member/s from the cell. Any violation of confidentiality established to have taken place by any other member of the University who was notified during the investigation can be grounds for a follow up complaint to the EOC by the complainant. Ashoka will ensure that information related to the investigation including the findings are stored confidentially including: Details of the complaint/ incident; Steps that were taken to respond to the complaint/ incident; and Any feedback provided by the Complainant / Respondent in relation to the process

5.6 Action against frivolous complaint:

If the EOC concludes that the allegations made were false and malicious, or the complaint was made knowing it to be untrue, or forged or misleading information has been provided during the inquiry, the complaint shall be liable to be punished as per the provisions of this document. However, the mere inability to substantiate a complaint or provide adequate proof will not attract attention against the complainant. Malicious intent on the part of the complainant shall not be established without an inquiry, in accordance with the procedure prescribed, conducted before any action is recommended.

5.7 Recall processes:

Failure on the part of a Cell member to declare conflict of interest that emerges in the course of an investigation, or failure to adhere to confidentiality would be grounds for the removal of those member/s of the cell. Complaints of these violations of conflict of interest or confidentiality can be addressed to the Vice Chancellor.

Part II

6. Awareness, Sensitisation and Affirmative Policy Interventions

6.1 Anti-discrimination sensitisation sessions must be held yearly alongside ICC-CASH, CADI, and other mandatory sessions for all incoming batches of students, as well as for faculty and staff. Various types of annual training must be held:

- a. Annual session for all incoming students (UG, YIF) during Orientation Week
- b. Sensitisation of students in all leadership roles to be made mandatory. An annual session must be held during RA, Cohort Leader, YIF committee member and YSP Counsellor training. Students must have completed a sensitization to be able to become members of Student Government, non academic clubs/societies heads and office bearers, academic clubs/helpdesks, sports captains, students representatives on various committees
- c. Annual session with Master's, PhD, and any transfer students who do not undergo Orientation week training: Graduate students who are admitted at various times of the year and do not undergo a typical Orientation week must join one of the annual sessions organized for the UG orientation week.
- d. Annual session with faculty and staff: Sensitisation for faculty should include disseminating the research on academic exclusion, implicit bias training, imposter syndrome, and the impact of faculty diversity upon students, and to promote the intentional and proactive encouragement of hiring of staff and faculty members from diverse and underrepresented groups in academia.
- e. Sensitisation measures to be undertaken for support staff, ACWB counselors, and infirmary staff.
- f. All faculty and staff members appointed to CADI/CASH/ARC will go through sensitisation training.

6.2. The EOC will work on various areas like outreach, awareness campaigns and sensitisation to encourage greater diversity and inclusion. These could include (but not be limited to) gathering socio-economic data, conducting an annual lecture series on themes of social justice, etc.