

la- 171]
No. 171]ubZ fnYyh] lkseokj] ebZ 2] 2016@oS'kk[k 12] 1938
NEW DELHI, MONDAY, MAY 2, 2016/ VAISAKHA 12, 1938

ekuo lalk/ku fodkl ea=ky;

fo'ofokly; vuqnku vk;ksx½

vf/klwpuk

ubZ fnYyh] 2 ebZ] 2016

ofokly; vuqnku vk;ksx ¼mPPrj 'kSf{kd laLFkkuksa esa efgyk deZpkfj;ksa ,oa

Nk=ksa ds fujkdj.k] fu'ks/k ,oa blesa lq/kkj½ fofu;e 2015

,l—fo"ofokly; vuqnku vk;ksx vf/kfu;e 1956 ¼1956 dk 3½

ftls mDr vf/kfu;e ds vuqPNsn 20 ds mi&vuqPNsn ¼41½ ls la;qDr #i ls i<+k tk, ml vf/kfu;e 26 ds

vuqPNsn ¼41½ dh /kkjk ¼4th½ }kjk iznYk vf/kdkjksa ds fØ;kUo;u vuqlkj fo"ofokly; vuqnku vk;ksx

,rn~}kjk fuEu fofu;e fufeZr dj jgk gS] uker% %&

y?kq 'kh"kZ] vuqiz;ksx ,oa lekjEHk%& ¼41½ ;s fofu;e fo"ofokly; vuqnku vk;ksx ¼mPPrj

.k] fu'ks/k ,oa blesa lq/kkj½ fofu;e] 2015 dgyk,xsA

¼42½ ;s fofu;e Hkkjr o'kZ esa lHkh mPPrj "kSf{kd laLFkkuksa ij ykxw gksaxsA

¼43½ ljdkj jkti= esa muds izdk"ku dh frfFk ls os ykxw ekus tk,;xsA

ifjHkk"kk,;%& bu fofu;eksa esa&c"krS fo'k;oLrq ds vUrxZr dqN vU;Fkk t#jh gS%&

¼4v½ ^^ihfM+r efgyk** ls vFkZ gS fdll Hkh vk;q oxZ dh ,d ,slh efgyk&pkgs og jkst+xxj esa gS

;k ugha] fdll dk;Z

LFky esa dfFkr rkSj ls izfroknH }kjk dksbZ

ySafxd izrkM+uk ds dk;Z dk f"kdj cuh gS(

¼4c½ ^^vf/kfu;e** ls vFkZ gS dk;Z LFky esa efgykvksa dk ySafxd mRihM+u ¼4fujkdj.k] fu'ks/k

,oa lek/kku½ vf/kfu;e]

2013 ¼42013 dk 14½(

¼4l½ ^^iflj** dk vFkZ ml LFkku vFkok Hkwfe ls gS tgi; ij mPPrj "kSf{kd laLFkku rFkk bl dh

lac) laLFkxr

lqfo/kk,; tSls iqLrdky;] iz;ksx"kkkyk,;] ysDpj

gkWY] vkokl] gkWY] 'kkSpky;] Nk= dsUnz] Nk=kokl] Hkkstu d{kksa]

LVsfM;e]

okgu iM+ko LFky] miouksa tSls LFky rFkk vU; dqN lqfo/kk,; tSls LokLF; dsUnz] dSUVhu] cSad

iVy

bR;kfn fLFkr gSa rFkk ftlesa Nk=ksa }kjk mPpf"kk{k

ds Nk= ds :i esa nkSjk fd;k tkrk gks&ftl esa og

ifjogu "kkfey gS tks mUgsa ml

laLFkku ls vkus tkus ds fy,] ml laLFkku ds vykok {ks=h; Hkze.k gsrq

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(1)

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THE GAZETTE OF INDIA : EXTRAORDINARY

[PART III—SEC. 4]

laLFkku ij] v;;uksa] v;;u Hkze.k] lSj&likVs ds fy,] y?kq&vof/k okyh fu;qfDr;ksa ds fy,]

f"kojksa ds fy, mi;ksx fd, tk jgs LFkkuksa] lkaLd'frd lekjsgksa] [ksydwn vk;kstuksa ,oa

,slh gh vU; xfrfof/k;ksa ftuesa dksbZ O;fDr ,d deZpkjh vFkok mPPrj "kSf{kd laLFkku ds ,d

Nk= ds #i esa Hkkx ys jgk gS&;g leLr ml iflj esa lfEefyr gSa(

¼4Mh½ ^^vk;ksx** dk vFkZ gS fo"ofokly; vuqnku vk;ksx tks fo"ofokly; vuqnku vk;ksx vf/kfu;e

1956 ¼1956 dk 3½ ds vuqPNsn 4 ds vUrxZr LFkkfir gSa(

¼4bZ½ ^^vko`Yk O;fDr;ksa** ls vFkZ mu O;fDr;ksa ls gS tks ,d lqkf{kr xfrfof/k esa dk;Zjr gS

tSls fd fdll ySafxd mRihM+u dh f"kd; r dks nk;j djuk&vFkok os ,sls fdll O;fDr ls ?kfu'B #i

ls lEc) gSa tks lqf{kr xfrfof/k esa dk;Zjr gS rFkk ,slk O;fDr ,d deZpkjh gks ldrk gS vFkok ml

ihfM+r O;fDr dk ,d deZpkjh gks ldrk gS vFkok ,d lkFkh Nk= vFkok vfHkHkkod gks ldrk gS(

¼4,Q½ ^^deZpkjh** dk vFkZ] ml O;fDr ls gS ftls vf/kfu;e esa ifjHkkf"kr fd;k x;k gS rFkk blesa bu

fofu;eksa dh n`f`V ls izf"kk{kFkhZ] f"kk{kFkhZ vFkok os vU; ftl uke ls Hkh tkus tkrs gSaA

vkUrfjd v/;;u esa yxs Nk=] Lo;alsod] v/;kiu&lqk;d “kks/k&lqk;d pkgs os jkstxkj esa gS
vFkok ugha] rFkk {ks=h; v/;;u esa] ifj;kstukvksa y?kq&Lrj ds Hkze.k vFkok f”kfojksa esa
dk;Zjr O;fDr;ksa ls gS(

$\frac{1}{4}th\frac{1}{2}$ ^^dk;Zdkjh izkf/kdkjh** ls vFkZ gS mPprj “kSf{kd laLFkku ds izeq[k dk;Zdkjh izkf/kdkjh]
pkgs ftl uke ls os tkus tkrs gksa& rFkk ftl laLFkku esa mPprj “kSf{kd laLFkku dk lkekU;
iz”kklu lfEefyr gSA lkoZtfud :i ls fuf/k izkIr laLFkkuksa ds fy,] dk;Zdkjh izkf/kdkjh ls vFkZ
gS vuq”kklukRed izkf/kdkjh tSlk fd dsUnzh; ukxfjd lsok;sa $\frac{1}{4}oxhZdj.k$] fu;U=.k ,oa vihy $\frac{1}{2}$
fu;e rFkk bls lerqY; fu;eksa esa n”kkZ;k x;k gS(

$\frac{1}{4},p\frac{1}{2}$ ^^mPprj “kSf{kd laLFkku** $\frac{1}{4},pbZ-vkbZ-\frac{1}{2}$ ls vFkZ gS&,d fo”fo|ky; tks vuqPNsn 2 dh
/kkjk $\frac{1}{4}ts\frac{1}{2}$ ds vUrxZr vFkksZa ds vuqlkj gS] ,slk ,d egkfo|ky; tks vuqPNsn 12 $\frac{1}{4},\frac{1}{2}$ ds
mi&vuqPNsn $\frac{1}{4}1\frac{1}{2}$ dh /kkjk $\frac{1}{4}ch\frac{1}{2}$ ds vFkZ ds vuqlkj gS rFkk ,d ,slk laLFkku tks ekfur
fo”fo|ky; ds :i esa fo”fo|ky; vuqнку vk;ksx vf/kfu;e 1956 $\frac{1}{4}1956$ dk $3\frac{1}{2}$ ds vuqPNsn 3 ds
vUrxZr gS(

$\frac{1}{4}vkbZ\frac{1}{2}$ ^^vkUrfjd f”kdk;r lfefr** $\frac{1}{4}vkbZ-lh-lh-\frac{1}{2}$ $\frac{1}{4}bUVjuy dElysUV\sim l$ dfefV $\frac{1}{2}$ ls vFkZ gS bu
fofu;eksa ds fofu;e 4 ds mi&fofu;e $\frac{1}{4}1\frac{1}{2}$ ds vFkZ ds vuqlkj mPprj “kSf{kd laLFkku }kjk xfBr
dh tkus okyh vkUrfjd f”kdk;r lfefr ls gSA ;fn igys ls gh leku mn~ns”; okyk dksbZ fudk; lfØ;
gS] $\frac{1}{4}tSls$ fd ySafxd laosnhdj.k lfefr tks ySafxd mRihM+u laca/kh fookn ns[ksxh $\frac{1}{4}th-,lh-,$
 $-,l-,p-\frac{1}{2}$,sls fudk; dks vkUrfjd f”kd;r lfefr $\frac{1}{4}vkbZlh\frac{1}{2}$ ds :i esa iquxZfBr fd;k tkuk pkfg,(

c”krsZ] ckn okys ekeys esa mPprj “kSf{kd laLFkku ,slk lqfuf”pr djsxk fd bu fofu;eksa ds
vUrxZr vkUrfjd f”kdk;r dsUnz ds fy, ,sls ,d fudk; dk xBu vko”;d gSA c”krsZ fd ,slk fudk; bu
fofu;eksa ds izko/kkuksa }kjk ck/; gksxk(

$\frac{1}{4}ts\frac{1}{2}$ ^^lajaf{kr xfrfof/k^^ esa ,slh ,d ijEijk] ds izfr rdZiw.kZ fojks/k “kkfey gS] ftlds ckjs esa ,slk
ekuk tkrk gS fd viuh rjQ ls vFkok dqN nwljs yksxksa dh rjQ ls ySafxd mRihM+u laca/kh
dkuwuksa dk mYya?ku ml ijEijk ds ek/;e ls fd;k tk jgk gS& tSls fd ySafxd mRihM+Uk
ekeyksa dh dkjZokbZ esa Hkkxhnhkj djuk] fdlh Hkh vkUrfjd tkap iM+rky esa vFkok dfFkr
ySafxd mRihM+u dkeksa esa lg;ksx djuk vFkok fdlh ckgjh ,tsUlh }kjk dh tk jgh tk;ip iM+rky
esa vFkok fdlh eqdnesa esa crkSj xokg ekStwn jguk(

^^ySafxd mRihM+u** dk vFkZ gS&

(i) ,slk ,d vupkgk vkpj.k ftlesa fNis :i esa ySafxd Hkkouk,; tks izR;{k Hkh gks tkrh gSa vFkok
tks Hkkouk,W vR;Ur etcwr gksrh] uhprk;qDr gksrh gSa] viekutud gksrh gSa vFkok ,d
izfrdwy vkSj /kedh Hkjk okrkj.k iSnk djrh gSa vFkok okLrfod vFkok /kedh Hkjs
ifj.kkeksa }kjk v/khurk dh vksj izsfjr djus okyh gksrh gSa rFkk ,slh Hkkoukvksa esa
fuEuifyf[kr vokafNr dke ;k O;ogkjksa esa dksbZ Hkh ,d ;k mlls vf/kd ;k ;s leLr O;ogkj
“kkfey gSa $\frac{1}{4}pkgs$ lh/ks rkSj ls ;k fNis rkSj ls $\frac{1}{2}$ uker%&

$\frac{1}{4}v\frac{1}{2}$ ySafxd Hkkouk ls ;qDr dksbZ Hkh vfiz; “kkjhfd] ekSf[kd vFkok xSj ekSf[kd ds
vfrfjDr dksbZ vkpj.k

$\frac{1}{4}c\frac{1}{2}$ ySafxd vuqxzg ;k vuqjks/k djuk

$\frac{1}{4}1\frac{1}{2}$ ySafxd;k;qDr fVli.kh djuk

¹Hkkx IIIµ[k.M 4^o

Hkkjr dk jkti=k % vlk/kj.k

3

$\frac{1}{4}M+\frac{1}{2}$ “kkjhfd :i ls laca/k cukuk vFkok ikl cus jgus dh dksf”k”k djuk

$\frac{1}{4}bZ\frac{1}{2}$ v”yhy lkfgR; fn[kkuk

(ii) fuEu ifjFLFkfr;ksa esa ls fdlh ,d esa $\frac{1}{4}$ vFkok bls vf/kd ,d ;k lHkh esa $\frac{1}{2}$;fn ,slk ik;k tkrk gS vFkok og ,sls fdlh crkZo ds ckjs esa gS ;k mlls lacaf/kr gS ftlesa O;kid :i ls ;k fNis :i esa ySafxd ladsr fNis gSa&

$\frac{1}{4}$ v $\frac{1}{2}$ fNis rkSj ls ;k izR; {k :i ls vf/kekU; O;ogkj nsus dk ok;nk tks ySafxd leFkZu ds ,ot esa gSa(

$\frac{1}{4}$ c $\frac{1}{2}$ dk;Z ds fu'iknu esa fNis :i ls ;k lh/ks rkSj ls #dkoV Mkyus dh /kedh(

$\frac{1}{4}$ l $\frac{1}{2}$ lac) O;fDr ds orZeku vFkok mlds Hkfo'; ds izfr fNis rkSj ls ;k lh/ks rkSj ls /kedh nsdj(

$\frac{1}{4}$ n $\frac{1}{2}$,d ng"kr Hkjk fgalkRed ;k }s'kiw.kZ okrkoj.k iSnk djs(

$\frac{1}{4}$ bZ $\frac{1}{2}$,slk O;ogkj djuk tks fd lac) O;fDr ds LokLF; mldh lqj{kk} izfr'Bk vFkok mldh "kkjhfd n`<+rk dks nq'izHkkfor djs okyk gS(

$\frac{1}{4}$,y $\frac{1}{2}$ ^Nk=** "kCn dk vFkZ ml O;fDr ds fy, gS ftls fof/kor izos" k feyk gqv kS] tks fu;fer :i ls ;k nwj f" k{kk fof/k ls ,d mPp f" k{kk laLFkku esa] ,d v/;;u ikB~;Øe dk vuqlj.k dj jgk gS ftlesa y?kq vof/k izf" k{k.k ikB~;Øe Hkh "kkfey g%

c" krsZ] ,sls fdlh Nk= ds lkFk ;fn dksbZ ySafxd mRihM+u dh ?kVuk gksrh gS tks mPp f" k{kk laLFkku iflj esa izos" k ikus dh izfØ;k esa gS& ;fi og izos" k izkIr ugha gqv kS rks bu fofu;eksa ds vk/kkj ij ml Nk= dks mPp f" k{kk laLFkku dk Nk= ekuk tk,xk%

c" krsZ ,d ,slk Nk= tks fdlh mPprj "kSf{kd laLFkku esa izos" k izkIr gS rFkk ml laLFkku esa Hkkxhnkj gS vkSj ml Nk= ds izfr dksbZ ySafxd mRihM+u gksrk gS rks mls ml mPp laLFkku dk Nk= ekuk tk,xk(

$\frac{1}{4}$,e $\frac{1}{2}$ ^fdlh rhljs O;fDr }kjk mRihM+u** ml fLFkfr dks n"kkZrk gS tc ySafxd mRihM+u dh ?kVuk fdlh rhljs O;fDr }kjk ;k fdlh ckgj ds vkneh }kjk dh xbZ gks tks uk rks ml mPp "kSf{kd laLFkku dk deZpkjh vFkok mldk Nk= gS&cfYd ml laLFkku esa ,d vkxUrqd gS tks vius vU; fdlh dke ;k mn~ns"; ls vk;k gqv kS(

$\frac{1}{4}$,u $\frac{1}{2}$ ^^mRihM+u^^ dk vFkZ gS fdlh O;fDr ls udkjRed O;ogkj ftlesa fNis rkSj ls ;k lh/ks rkSj ls ySafxd nqHkkZouk dh uh;r fNih gksrh gS(

$\frac{1}{4}$ vks $\frac{1}{2}$ ^^dk;ZLFky** dk vFkZ gS mPprj "kSf{kd laLFkku dk iflj ftlesa "kkfey gaS% $\frac{1}{4}$ v $\frac{1}{2}$ dksbZ foHkkx] laxBu] miØe] izfr'Bku] m[ksx] laLFkku] dk;kZy;] "kk[kk vFkok ,dka" k tks mi;qDr mPprj "kSf{kd laLFkku }kjk iwjh rjg vFkok i;kZIr :i ls miyC/k fuf/k }kjk lh/ks rkSj ls vFkok vizR; {k :i ls LFkfr] Lokfero okys ;k mlls fu;fU=r agS(

$\frac{1}{4}$ c $\frac{1}{2}$,slk dksbZ [ksydwn laLFkku] LVsfM;e] [ksy iflj ;k izfr;ksfxrk ;k [ksydwn {ks= pkgs og vkoklh; gS ;k ugha ;k mls mPprj "kSf{kd laLFkku dh izf" k{k.k} [ksydwn vFkok vU; xfrfof/k;ksa ds fy, mi;ksx ugha fd;k tk jgk gS(

$\frac{1}{4}$ l $\frac{1}{2}$,slk dksbZ LFkku ftlesa deZpkjh vFkok Nk= vius jkstxkj ds nkSjku ;k v/;;u ds nkSjku vkrs jgrs gSa rFkk ftl xfrfof/k esa ;krk;kr "kkfey gS ftls dk;Zdkjh izkf/kdkjh us ,sls Hkze.k ds fy, miyC/k dk;k gS tks ml mPp "kSf{kd laLFkku esa v/;;u ds fy, gSaA

Sf{kd laLFkkuksa ds nkf;Ro& $\frac{1}{4}$ l $\frac{1}{2}$ izR;sd mPprj "kSf{kd laLFkku $\frac{1}{2}$

$\frac{1}{4}$ v $\frac{1}{2}$ deZpkfj;ksa ,oa Nk=ksa ds izfr ySafxd mRihM+u ds fujkdj.k ,oa fu'ks/k laca/kh viuh uhfr ,oa fofu;eksa esa mijksDr ifjHkk'kkvksa dh Hkkouk dks ;Fkk vko";d mi;qDr :i esa lfEefyr djsa rFkk bu fofu;eksa dh vko";drk vuqlj vius v/;kns" kksa ,oa fu;eksa dks la" kksf/kr djuk(

¼c½ ySafxd mRihM+u ds fo#) izko/kkuxsa dks vf/klwfpr djuk rFkk muds foLr`r izpkj&izlkj dks lqfuf`pr djuk(

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THE GAZETTE OF INDIA : EXTRAORDINARY

[PART III—SEC. 4]

¼l½ tSlk fd vk;ksx dh ^^l{ke** ¼ifjljksa esa efgykvksa dh lqj {kk ,oa ySafxd laosnhdj x;k gS] izf`k{k.k dk;ZØe vFkok dk;Z`kkyk] vf/kdkfj;ksa] dk;Zikydk] ladk; lnL;ksa ,oa Nk=ksa ds fy, mUgsa lHkh dks lqxyzgh cukuk rFkk bl vf/kfu;e ,oa bu fofu;eksa esa LFkkfir vf/kdkjksa] ik=rkvksa ,oa nkf;Roksa dh tkudkj mUgsa lqfuf`pr djuk rFkk muds izfr mUgsa tkx:d cukuk(

¼n½ bl ckr dks igpkurs gq, fd izkFkfed :i ls efgyk deZpkjh rFkk Nk=kvksa ,oa dqN Nk= rFkk rhljs fyax okys Nk= dbZ izdkj ds ySafxd mRihM+u] vieku ,oa “kks`k.k ds vUrxZr laosnu”khy gSa] rnuqlkj lHkh fyaxksa ds deZpkfj;ksa ,oa Nk=ksa ds izfr lqfu;ksfr leLr fyax vk/kkfjr fgalk ds fo#) fu.kZ; kRed :i ls lfØ; cuuk (

¼bZ½ ySafxd mRihM+u ds izfr “kwU; Lrj lgu laca/kh uhfr dh lkoZtfud izfrc)rk j[kuk(

¼,Q½ lHkh Lrjksa ij vius ifjlj dks] HksnHkko] mRihM+u] izfr`kks/k vFkok ySafxd vkØe.kksa ls eqDr cukus dh izfrc)rk dh iqUk% iqf`V djuk(

¼th½ bl fo`k; esa tkx:drk iSnk djuk fd ySafxd mRihM+u esa D;k “kkfey gS& rFkk bls lkFk gh fgalkiw.kZ okrkoy.k mRihM+u ,oa izfrdj mRihM+u bu fo`k;ksa esa tkx:drk iSnk djuk(

¼,p½ viuh foojf.kdk esa lfEefyr djuk vkSj egRoiw.kZ LFkyksa ij] fof`k`V LFkkuksa ij ;k uksfVl cksMZ ij ySafxd mRihM+u ds n.M ,oa ifj.kkeksa dks n`kkZ;k tkuk rFkk laLFkku ds lHkh leqnk;ksa ds oxksZa dks bl rU= dh lwpuk ds izfr tkx:d djuk tks rU= ySafxd mRihM+u laca/kh f`kdk;rksa ds lek/kku ds fy, cuk;k x;k gS rFkk bls ckjs esa vkUrfjd f`kdk;r lfefr ds lnL;ksa dk fooj.k] muls laidZ lk/kuk] f`kdk;r ds ckjs esa fof/k vkfn ds ckjs esa crkuk ;fn dksbZ ekSTkwnk fudk; igys ls gh mlh y{; ds lkFk lfØ; gS ¼tSl] fd ySafxd laosnhdj.k lfefr tks ySafxd mRihM+u ds fo#) gS] ,sls tsUMj lsUlhVkbts”ku dfefV vxasLV ISDIqvy gzklesaUV&th-,l-lh-,l-,p fudk; dks vkUrfjd f`kdk;r lfefr½ ¼b.Vjuy dElysUVl dfefV&vkbZ-lh-lh½ ds leku gh iquxZfBr djuk %

c”krsZ] ckn esa n`kkZ;s x, ekeys esa mPprj “kSf{kd laLFkku lqfuf`pr djsaxs fd bl izdkj ds fudk; dk xBu vkbZ-lh-lh- ds fy, vko”;d fl)kUrksa ds vk/kkj ij bu fofu;eksa ds vUrxZr fd;k x;k gSA ,slk dksbZ Hkh fudk; bu fofu;eksa ds izko/kkuxsa ds }kjk ck/; gksxk(

¼vkbZ½ deZpkfj;ksa ,oa Nk=ksa dks miyC/k vkJ; ds ckjs esa crkuk] ;fn os ySafxd mRihM+u ds f`kdkj gq, gSa(

¼ts½ vkUrfjd f`kdk;r lfefr ds lnL;ksa }kjk f`kdk;rksa ds fuiVku] lek/kku vFkok le>kSrs vkfn dh izfØ;k dk lapkyu laosnu”khy :i ls djus ds fy,] fu;fer vfHkeq[kh vFkok izf`k{k.k dk;ZØe lapkfyr djuk(

¼ds½ deZpkfj;ksa ,oa Nk=ksa ds lHkh izdkj ds mRihM+u ds fujkdj.k gsrq lfØ; #i ls xfr”khy cukuk pkgs og mRihM+u fdlh izcy vf/kdkjh vFkok mPprj “kSf{kd laLFkku esa fLFkr inkuqØe laca/kksa ds vk/kkj ij gSA vFkok fdlh ?kfu`B Hkkxhnkj dh fgalk laca/kh gks vFkok led{kksa ls vFkok ml mPprj “kSf{kd laLFkku dh HkkSxksfyd lhekvska ls ckgj fdUgha rRoksa ds dkj.k gks(

¼,y½ ml] ds deZpkfj;ksa ,oa Nk=ksa ds izfr fd, x, ySafxd mRihM+u ds fy, nks`kh tks yksx gSa mUgsa nf.Mr djuk rFkk fof/k }kjk ekU; dkuwu ds vuqlkj leLr dk;Zokgh djuk rFkk ifjlj esa

ySafxd mRihM+u ds fujkdj.k ,oa vojks/k gsrq rU=ksa ,oa lek/kku iz.kkyyh dks ;FkkfLFkfr
cukuk(

$\frac{1}{4}, e^{\frac{1}{2}}$;fn ml nqjpkj dk ‘kM+;a=dkjh ogkW_i dk deZpkjh gS rks lsok fu;eksa ds vUrxZr ySafxd
mRihM+u dks ,d nqjpkj ds :i esa ekuuk(

$\frac{1}{4}, u^{\frac{1}{2}}$;fn vijk/kdrkZ dksbZ Nk= gS rks ySafxd mRihM+u dks vuq”kklukRd fu;eksa $\frac{1}{4}$ tkf cfg’dkj
 ,oa cfg’dj.k rd gks ldrk gS $\frac{1}{2}$ ds mYya?ku ds :i esa ns[kuk(

$\frac{1}{4}vks^{\frac{1}{2}}$ bu fofu;eksa ds izdk”ku dh frfFk ls ysdj 60 fnuksa dh vof/k esa bu fofu;eksa ds izko/kkuksa
dk vuqikyulqfuf”pr fd;k tkuk] ftuesa vkUrfjd f”kdk;r lfefr dh fu;qfDr “kkfey gS(

$\frac{1}{4}ih^{\frac{1}{2}}$ vkUrfjd f”kdk;r lfefr }kjk dh xbZ fjiksVksZa dk le;c) :i ls izLrqrdh.k(

$\frac{1}{4}D;w^{\frac{1}{2}}$,d okf”kZd fLFkfr fjiksVZ ftlesa nk;j ekeyksa dk] muds fuiVku dk fooj.k gks] og rS;kj
djuk rFkk bls vk;ksx dks izLrqrdjuk(

2 leFkZu djus okyh xfrfof/k;k;a&

$\frac{1}{4}1^{\frac{1}{2}}$ ftu fu;eksa] fofu;eksa vFkok vU; blh izdkj ds ek/e ftuds }kjk vkUrfjd f”kdk;r dsUnz
 $\frac{1}{4}vkbZ$ -lh-lh- $\frac{1}{2}$ izdk;Z djsxk] mUgsa v|ru fd;k tk,xk rFkk mUgsa le;≤ ij la”kksf/kr
fd;k

¹Hkkx IIIµ[k.M 4^o

Hkkjr dk jkti=k % vlk/kj.k

5

tk,xk&D;ksafd U;k;ky; ds fu.kZ; ,oa vU; dkuwu rFkk fu;eksa }kjk ml dkuwuh <k;ps
esa yxkrkj la”kks/ku gksrk jgsxk ftuds vuqlkj vf/kfu;e ykxw fd;k tkuk gS(

$\frac{1}{4}2^{\frac{1}{2}}$ mPprj “kSf{kd laLFkkuksa dk dk;Zdkjh izkf/kdkjh }kjk vf/kns”kkRed :i ls iwjk
leFkZu fd;k tkuk pkfg, rFkk ;g ns[kk tkuk pkfg, fd vkbZ-lh-lh- dh fQkfj”kksa dk
fØ;kUo;u le;c) :i ls fd;k tk jgk gS fd ughaA vkbZ-lh-lh- ds izdk;Z ds fy, leLr
laHkkfor lalk/ku miyC/k dj, tkus pkfg,& ftuesa dk;kZy; vkSj Hkou volajpuk lfr
 $\frac{1}{4}dEI;wVj]$ QksVks dkWfi;j] JO; n””; midj.kksa vkfn $\frac{1}{2}$ LVkQ $\frac{1}{4}VkbfiLV]$ lykg ,oa
dkuwuh lsokvksa $\frac{1}{2}$ lfr i;kZIr :i esa foÜkh; lalk/ku dk vkcaVu Hkh gks(

$\frac{1}{4}3^{\frac{1}{2}}$ vlqjf{kr@nqcZy oxZ fo”ks’k :i ls izrkM+uk ds f”kdkj cu tkrs gSa vkSj muds }kjk
f”kdk;r djuk vkSj Hkh T;knk dfBu gksrk gSA {ks=} oxZ] tkfr] ySafxd izo`fÜk]
vYila[:d igpku] ,oa i`Fkd :i ls lkeFkZ ls vlqj{kk lkekftd :Ik ls la;ksfr gks ldrh gSA
leFkZdkjh lfefr;ksa dks bl izdkj dh vlqjf{krkvksa ds izfr vfr laosnu”khyrk ,oa
fo”ks’k t:jksa ds izfr laosnu”khy gksus dh vko”;drk gS(

$\frac{1}{4}4^{\frac{1}{2}}$ D;ksafd “kks/k Nk= vkSj MkWDVksjy Nk= fo”ks’k :i ls vkØkUr gksrs gSa] vr%
mPprj “kSf{kd laLFkkuksa }kjk ;g lqfuf”pr dj;k tk, fd “kks/k losZ{k.k dh uSfrdrk
laca/kh fn”kk funsZ”k mfpr :i ls ykxw gks jgs gSa(

$\frac{1}{4}5^{\frac{1}{2}}$ leLr mPprj “kSf{kd laLFkkuksa }kjk mudh ySafxd mRihM+u fojks/kh uhfr dh {kerk
dk fu;fer :i ls v/kZ okf”kZd iqujh{k.k fd;k tkuk pkfg,(

$\frac{1}{4}6^{\frac{1}{2}}$ lHkh vdknfed LVkQ dkWystksa $\frac{1}{4}$ ftUgsa vc ekuo lalk/ku fodkl dsUnzksa ds :i esa
ik;k tkrk gS $\frac{1}{2}$ $\frac{1}{4}$,pvkjMhlh $\frac{1}{2}$ vkSj {kerk fuekZ.k ds {ks=h; dsUnzksa }kjk fyax
laca/kh l=ksa dks vius vfHkeq[kh ,oa iqu”p;kZ ikB~;Øeksa esa fuxfer djuk pkfg,A
vU; lc fo”k;ksa ls Hkh bls izkFkfedrk nh tk, rFkk bls eq[; /kkjk ds :i esa fo”ks’k :i ls
cuk;k tk, rFkk bls fy, ^^;wthlh l{ke** fjiksVZ dk mi;ksx djsa ftlesa] bl ckjs esa]
izfof/k;k; miyC/k djkbZ tkrh gSa(

¼7½ mPprj “kSf{kd laLFkkuksa esa iz”kkldksa ds fy, lapkfyr vfHkeq[kh ikB~;Øeksa esa vko”;d :i ls ySafxd laosnhdj.k rFkk ySafxd mRihM+u dh leL;kvksa ij ,d ekin.M gksuk pkfg,A mPprj “kSf{kd laLFkku ds leLr foHkkxksa esa ekStwn lnL;ksa ds fy, dk;Z”kkyk,; fu;fer :i ls lapkfyr dh tkuh pkfg,(

¼8½ leLr mPprj “kSf{kd laLFkkuksa esa ijke”kZ lsokvksa dks laLFkkuksa ds vUrxZr j[kk tkuk pkfg, vkSj blds fy, lqizf”kf{kr iw.kZdkfyd ijke”kZnkrk gksus pkfg,(

¼9½ dbZ mPprj “kSf{kd laLFkku ftuds fo”kky iflj gSa ftuesa izdk”k laca/kh O;oLFkk cgqr v/kwjh gS rFkk vU; laLFkkuksa ds yksxksa ds vuqHko vuqlkj os LFkku vlqjf{kr le>s tkrk gSa] ogk; i;kZIr izdk”k O;oLFkk volajpuk ,oa j[k&j[kko dk ,d vfuok;Z vax gS(

¼10½ i;kZIr ,oa vPNh rjg ls izf”kf{kr lqj{kk LVkQ vko”;d :i ls gksuk pkfg, ftlesa efgyk lqj{kk LVkQ lnL; vPNh la[k esa gksa] ftlls larqyu cuk jgsA lqj{kk LVkQ fu;qfDr ds ekeys esa ySafxd laosnu”khyrk izf”k{k.k dks ,d “krZ ds :i esa ekuk tkuk pkfg,(

¼11½ mPprj “kSf{kd laLFkku vko”;d :i ls fo”oluh; tu ;krk;kr dks lqfuf”pr djsa& fo”ks’k :i ls mPprj “kSf{kd laLFkkuksa ds foLr`r ifljksa ds vUnj fofHkUu foHkkxksa ds e/; tSl& Nk=koklksa] iqLrdky;ksa] iz;ksx”kkykvksa rFkk eq[ky; vkSj fo”ks’k :i ls os LFkku ftu rd igq;ap ikuk nSfud “kks/kdrkZvksa ds fy, dfBu gSA lqj{kk dh deh rFkk mRihM+u cgqr c<+ tkrk gS tc deZpkjh vkSj Nk= lqjf{kr tu ;krk;kr ij fuHkZj ugha jgrs gSaA deZpkjh ,oa Nk=ksa }kjk iqLrdky;ksa vkSj iz;ksx”kkykvksa esa nsj jkr rd dke djus vkSj “kke ds le; vU; dk;ZØeksa esa Hkkx ysus ds fy, mPprj “kSf{kd laLFkkuksa }kjk Hkjklslean ;krk;kr dk izcU/k fd;k tkuk pkfg,(

¼12½ vkoklh; mPprj “kSf{kd laLFkkuksa }kjk efgyk Nk=koklksa dh lajpuk dks izkFkfdrk nh tk,A efgyk Nk=kokl] tks lHkh izdkj ds mRihM+u ls FkksM+h cgqr lqj{kk iznku djrs gaS] ml mPp f”k{kk ds lHkh Lrjksa ij] “kgjh ,oa xzkeh.k {ks=ksa esa cM+h la[k; esa mPPk f”k{kk bPNqd ;qok efgykvksa ds fy, vR;Ur t:jh gS(

¼13½ ;qok Nk=ksa dh rgyuk esa Nk=kokl esa fLFkr Nk=kvksa dh lqj{kk ds ekeys dks HksnHkko iw.kZ fu;eksa dk vk/kkj ugha cuk;k tkuk pkfg,A iflj dh lqj{kk laca/kh uhfr;ksa dks efgyk deZpkjh ,oa Nk=kvksa dh lqj{kkRedrk ds :i esa ugha cu tkuk pkfg,] tSl fd vko”;drk ls vf/kd losZ{k.k ;k iqfyfl;k fuxjkuh vFkok vkus tkus dh Lora=rk esa dVksrh djuk& fo”ks’kdj efgyk deZpkjh ,oa Nk=kvksa ds fy,(

¼14½ lHkh mPprj “kSf{kd laLFkkuksa ds fy, i;kZIr LokLF; lqfo/kk;sa gksuh vf/kns”kkRed gSaA efgykvksa ds fo’k; esa bl izfØ;k esa fyax laosnh MkDVj vkSj ulsZa rFkk blds lkFk gh ,d L=h jksx fo”ks’kK dh lsok,W miyC/k gksuh pkfg,(

¼15½ egkfoly;ksa esa efgyk fodkl izdks’B iqu% pkyw fd;s tkus pkfg, ,oa mUgsa /ku fn;k tkuk pkfg, vkSj bUgsa ySafxd mRihM+u fojks/kh lfefr;ksa rFkk vkUrfjd f”kdk;r lfefr ds izdk;ksZa ls i`Fkd djds Lo”kklh j[kk tkuk pkfg,A mlds lkFk gh os vkUrfjd f”kdk;r dsUnzksa ds ijke”kZ ls viuh xfrfof/k;k; foLrkfjr djsaxs ftuesa ySafxd laosnhdj.k dk;ZØe “kkfey gSa rFkk fu;fer vk/kkj ij ySafxd mRihM+u fojks/kh uhfr;k; ifljksa esa izpkfjr izlkfjr djsaxsA ^^lkaLd’frd i`BHkwfe** ,oa ^^vkSIkpkfjd vdknfed LFky** bUgsa ijLij lgHkkfxrk djuh pkfg, rkfd ;s dk;Z”kkyk,W uoksUes’kh] vkd’kZd cus ,oa e”khuh u gksa(

¼16½ Nk=koklksa ds okMZU] v/;{k} izkpk;ksZa] dgyifr;ksa] fof/k vf/kdkfj;ksa ,oa vU;
dk;Zdkjh lnL;ksa dks fu;eksa ds vFkok v/;kns”kksa esa la”kks/kuksa }kjk tcknsg ds nk;js
esa ;Fkkvko”;d :i ls yukuk pkfg,(

dk;r lek/kku rU=%&

¼1½ ySafxd mRihM+u ds fo#) izR;sd dk;Zdkjh izkf/kdkjh ySafxd laosnhdj.k ds fy, ,d
vkUrfjd rU= lfgr ,d vkUrfjd f”kdk;r lfefr ¼vkbZ-lh-lh-½ dk xBu djsaxsA vkbZ-lh-lh
dh fuEu lajpuk gksxh%&

¼4v½ ,d ihBklhu vf/kdkjh tks ,d efgyk ladk; lnL; gks vkSj tks ,d ofj’B in ij ¼,d
fo”ofo|ky; dh fLFkfr esa izksQslj ls fuEu u gks rFkk fdllh egkfo|ky; dh fLFkfr esa
lg&izksQslj vFkok jhMj ls fuEu u gks½ “kSf{kd laLFkku esa fu;qDr gks rFkk
dk;Zdkjh izkf/kdkjh }kjk ukfer gks%

c”krsZ ;fn fdllh fLFkfr esa dksbZ ofj’B Lrj dh efgyk deZpkjh miyC/k ugha gS rks
ihBklhu vf/kdkjh dks mi&vuqHkkx 2¼vks½ esa n”kkZ;s dk;ZLFky ds vU;
dk;kZy; vFkok iz”kklfud ,dka”k ls mUgsa ukfer fd;k tk,xk%

^^c”krsZ ;fn ml dk;ZLFky ds vU; dk;kZy;ksa vFkok iz”kklfud ,dka”kksa esa
dksbZ ofj’B Lrj dh efgyk deZpkjh ugha gS rks v/;{k vf/kdkjh dks mlh fu;ksDrk
ds dk;ZLFky ls vFkok fdllh vU; foHkkx ;k laxBu esa ls ukfer fd;k tk ldrk gS**

¼4c½ nks ladk; lnL; ,oa nks xSj&v/;kiujr deZpkjh tks vf/kekur% efgykvksa dh
leL;kvksa ds fy, izfrc) gS rFkk ftUgsa lkekftd dk;Z vFkok dkuwuh tkudkj gS]
mUgsa dk;Zdkjh izkf/kdkjh }kjk ukfer fd;k tkuk pkfg,(

¼4l½ ;fn fdllh ekeys esa Nk= “kkfey gSa rks mlesa rhu Nk= gksa ftUgsa Lukrd iwoZ]
LukrdsÜkj ,oa “kks/kLrj ij Øe”k% HkrhZ fd;k tk;sxk ftu Nk=ksa dks ikjn”khZ
yksdrkaf=d iz.kkyh }kjk pquk x;k gS(

¼4n½ xSj ljdkjh laxBuksa esa ls fdllh ,d esa ls vFkok fdllh ,slh lHkk esa ls tks
efgykvksa dh leL;kvksa ds fy, izfrc) gSa ;k ,d ,slk O;fDr gks tks ySafxd
mRihM+u ls tqM+s ekeyksa dk tkudkj gks] tks dk;Zdkjh izkf/kdkjh }kjk ukfer
gks(

¼42½ vkUrfjd f”kdk;r lfefr ds dgy lnL;ksa esa U;wure vk/ks lnL; efgyk;sa gksuh pkfg,(

¼43½ mPprj “kSf{kd laLFkkuksa esa ofj’B iz”kklfud inksa ij fu;qDr O;fDr tSlS dgyifr] insu
dgyifr] jsDVj] dgylfpo] Mhu] foHkkxksa ds v/;{k vkfn vkUrfjd lfefr ds lnL; ugha gksaxs
rkfd ,sls dsUnz ds izdk;Z dh Lok;Ükrk lqfuf”pr jgs(

¹Hkkx IIIµ[k.M 4º

Hkkjr dk jkti=k % vlk/kj.k

7

¼44½ vkUrfjd f”kdk;r lfefr ds lnL;ksa dh lnL;rk vof/k rhu o’kZ dh gksxhA mPprj “kSf{kd
laLFkku ,slh ,d iz.kkyh dk mi;ksx djsa ftlds }kjk vkUrfjd f”kdk;r dsUnz ds lnL;ksa dk ,d
frgkbZ Hkkx izfro’kZ ifjofrZr gksrk jgs(

¼45½ vkUrfjd lfefr dh cSBd vk;ksftr djus ds fy, tks lnL; xSj ljdkjh laxBuksa vFkok lHkkvksa ls
lac) gSa mUgsa dk;Zdkjh izkf/kdkjh }kjk ,sls “kqYd vFkok HkÜks dk Hkqxrku fd;k
tk,] tSlk fu/kkZfjr fd;k x;k gS(¼46½ ftl fLFkfr esa vkUrfjd lfefr dk v/;{k vf/kdkjh vFkok bldk
dksbZ lnL;] ;fn%&

¼4v½ vf/kfu;e dh /kkjk 16 ds izko/kkuksa dk mYya?ku djrk gS] vFkok

¼4c½ og fdllh vijk/k ds fy, nks’kh fl) gqv kS vFkok ml ds fo#) orZEkuksa esa ykxw fdllh
dkuwa ds vUrxZr fdllh vijk/k ds ckjs esa dksbZ iM+rky yfEcr gS]

vFkok

$\frac{1}{4}l\frac{1}{2}$ fdlh vuq”kklukRed dk;Zokgh ds rgr og nks’kh ik;k x;k gS vFkok mlds fo#) dksbZ
vuq”kklukRed dk;Zokgh yfEcr gS] vFkok

$\frac{1}{4}n\frac{1}{2}$ mlus vius in dk nq#i;ksx bl lhek rd fd;k gS fd dk;kZy; esa mldh Isokesa fujUrjrk
dks tufgr ds izfrdwy ekuk tk,xk(

rks ,slk v/;{k vf/kdkjh vFkok lnL;] ;FkkfLFkfr] bl lfefr ls gVk fn;k tk,xk rFkk bl
izdkj ls gksus okyh fjfDr vFkok ,slh dksbZ uSfefÜkd $\frac{1}{4}dStqvy\frac{1}{2}$ fjfDr dks u;s

ukekadu }kjk bl /kkjk ds izko/kkuksa ds vuqlkj Hkjk tk,xk(**

$\frac{1}{2}$ %& vkUrfd f’kdk;r lfefr djsxh %&

$\frac{1}{4}v\frac{1}{2}$;fn dksbZ deZpkjh vFkok Nk= iqfyl ds ikl dksbZ f’kdk;r ntZ djuk pkgrrk gS rks mls lgk;rk
miyC/k dj,xh(

$\frac{1}{4}c\frac{1}{2}$ fookn lek/kku ds gsrq ckrphr laca/kh rU= miyC/k djuk rkfd fooknr ckrksa ij
iwokZuqeku dks lehphu ,oa mfpr eS=hiw.kZ fØ;k }kjk ns[kk tk ldk ftlls ml
f’kdk;rdrkZ ds vf/kdkjksa dh gkfu u gks rFkk ftlls iwjh rjg ls n.MkRed
n’f’Vdks.kksa dh U;wure t:jr gks ftuls vkSj vf/kd tkudkj] foeq[krk vFkok
fgalk u c<+s(

$\frac{1}{4}l\frac{1}{2}$ ml O;fDr dh igpku mtkxj fd;s feuk ml f’kdk;rdrkZ dh lqj {kk cuk, j[kuk rFkk Lohd`r
vodk”k vFkok miFLFkfr laca/kh vfuok;Zrkvksa esa NwV }kjk vFkok vU; fdlh foHkkx esa
vFkok fdlh losZ{k.kdrkZ ds ikl LFkkukUrj.k }kjk] ;Fkk vko”;d :i ls ml f’kdk;r ds
yfEcr gksus dh vof/k esa vFkok ml vij/kdrkZ ds LFkkukUrj.k dk Hkh izko/kku
fd;k tk,xk(

$\frac{1}{4}n\frac{1}{2}$ ySafxm mRihM+u laca/kh f’kdk;rksa ds fuiVku djrs le; lqfuf’pr djsa fd ihfM+r O;fDr ;k
xokgksa dk “kks’k.k uk fd;k tk, vFkok muds lkFk HksnHkko u fd;k tk,] rFkk

$\frac{1}{4}bZ\frac{1}{2}$ fdlh Hkh vko`Ük O;fDr ds fo#) vFkok izfrdwy dkjZokbZ ij izfreU/k dks lqfuf’pr djuk
D;ksafd og deZpkjh vFkok Nk= ,d lajf{kr xfrfof/k esa O;Lr gS(

p iM+rky dh izfØ;k%& vkUrfd f’kdk;r lfefr fdlh Hkh f’kdk;r dks nk;j djus
vkSj ml f’kdk;r dh tk;p djus ds fy, bu fofu;eksa vkSj vf/kfu;e esa fu/kkZfjr iz.kkyh dk
vuqiky djsxh rkfd og le;c) :i ls iwjh gks ldsA mPprj “kSf{kd laLFkku] vkUrfd
f’kdk;r lfefr dks lHkh vko”;d lqfo/kk,; miyC/k dj,xk rkfd tk;p iM+rky “kh?kzrk ls
lapkfyr gks lds rFkk vko”;d xksiuh;rk Hkh cuh jgs(ySafxm mRihM+u dh f’kdk;r nk;j djus dh
izfØ;k %& fdlh Hkh vUrq`V O;fDr ds fy, vko”;d gS fd og ?kVuk gksus dh frfFk ls
rhu ekg ds Hkhrj fyf[kr f’kdk;r vkUrfd f’kdk;r lfefr dks izLrqr djs vkSj ;fn yxkrkj dbZ
?kVuk,; bqBZ gks rks lcls ckn dh ?kVuk ls rhu ekg ds Hkhrj mls izLrqr djsa(

Ck”krsZ tgi ,slh f’kdk;r fyf[kr :i esa ugha nh tk ldrh gS] ogk; v/;{k vf/kdkjh vFkok vkUrfd
lfefr dk dksbZ Hkh lnL;] ml O;fDr ds }kjk fyf[kr f’kdk;r izLrqr djus ds fy, leLr lEHko lgk;rk
iznku djsxk(c”krsZ] blds lkFk gh vkbZ-lh-lh- fyf[kr :i ls izLrqr rdksZa ds vk/kkj ij le; lhek
foLrkfjr dj ldrh gS] ijUrq og rhu ekg ls vf/kd dh ugha gksxh] ;fn bl ckr dks vk”oLr
fd;k x;k gks fd ifjLFkfr;k; ,slh Fkh fd ftuds dkj.k og O;fDr bl dffkr vof/k ds nkSjku
f’kdk;r nk;j djus ls oafpr jg x;k Fkk(

8- tk;k;k;k;p iM+rky dh izfØ;k%&

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THE GAZETTE OF INDIA : EXTRAORDINARY

[PART III—SEC. 4]

$\frac{1}{4}l\frac{1}{2}$ f’kdk;r feyus ij vkUrfd f’kdk;r lfefr bldh ,d izfr dks izfroknH dks blds izklr gksus ls lkr
fnuksa ds Hkhrj Hkstsxh(

¼2½ f”kdk;r dh izfr feyus ds ckn izfroknh viuk mÜkj bl f”kdk;r ds ckjs esa] leLr nLrkostksa dh lwph] xokgksa ds ukeksa ,oa irks ads ukeksa ,oa muds irksa lfgr nl fnu dh vof/k esa nkf[ky djsxk(

¼3½ f”kdk;r izkIr gksus ds 90 fnukas ds Hkhrj gh tk;ip iM+rky iwjh dh tkuh pkfg,A vuq”kalkvksa lfgr] ;fn os gksa] rks] tk;ip iM+rky fjiksVZ ml tk;ip ds iwjk gksus ds 10 fnuksa ds Hkhrj mPprj “kSf{kd laLFkku ds dk;Zdkjh izkf/kdkjh dks izLrq dh tkuh pkfg,A bl f”kdk;r ls tqM+s nksuksa i{kksa ds le{k bl tk;ip ds rF;ksa ;k flQkfj”kksa dh izfr nh tk,xh(

¼4½ tk;ip fjiksVZ izkIr gksus ds 30 fnuksa ds Hkhrj bl lfefr dh flQkfj”kksa ij mPprj “kSf{kd laLFkku ds v;{k izkf/kdkjh dk;Zokgh djsaxs] ;fn fdlh Hkh i{k }kjk ml vof/k esa tk;ip ds fo#) dksbZ vihy nk;j u dh xbZ gks(

¼5½ nksuksa esa ls fdlh Hkh i{k }kjk vkUrfjd f”kdk;r lfefr }kjk iznku rF;ksa@vuq”kalkvksa ds fo#) mPprj “kSf{kd laLFkku ds dk;Zdkjh izkf/kdkjh ds le{k dh xbZ vuq”kalkvksa dh frfFk ls rhl fnu dh vof/k esa vihy nk;j dh tk ldrh gS(

¼6½ mPprj “kSf{kd laLFkku dk dk;Zdkjh izkf/kdkjh ;fn vkUrfjd f”kdk;r lfefr dh flQkfj”kksa ds vuqlkj dk;Z ugha djus dk fu.kZ; ysrg gS rks og blds ckjs esa fyf[kr :i ls dkj.k Li’V djsxk ftUgSa vkUrfjd f”kdk;r lfefr dks rFkk ml dk;Zokgh ls tqM+s nksuksa i{kksa dks Hkstk tk,xkA ;fn nwljh vksj og vkUrfjd f”kdk;r lfefr }kjk dh xbZ flQkfj”kksa ds vuqlkj dk;Z djus dk fu.kZ; ysrg gS rks ,d dkj.k crkvks uksfVl ftldk 10 fnuksa ds Hkhrj mÜkj Hkstk tkuk gS& mls ml i{k dks Hkstk tk,xk ftlds fo#) dk;Zokgh dh tkuh gSA mPprj “kSf{kd laLFkku ds dk;Zdkjh izkf/kdkjh ml vlUrj’V O;fDr dk i{k lquus ds i”pkr gh vkxs dh dkjZokbZ djsaxs(

¼7½ ekeys dks fuiVkus ds mn~ns”; ls ihfM+r i{k ,d lqyg dk vkxzg dj ldrk gSA lqyg dk vk/kkj dksbZ vkfFkZd le>kSrk ugha gksuk pkfg,A ;fn dksbZ lqyg dk izLrko j[kk tkrk gS rks ;FkkfLFkfr mPprj “kSf{kd laLFkku lqyg dh izfØ;k dks vkUrfjd f”kdk;r lfefr ds ek;/e ls lqyHk dj,xkA fdlh Hkh n.MkRed gLr{ksi dh rgyuk esa] tgi rd laHko gksrk gS] ml ihfM+r i{k dh iwjh larqf’V ds fy, ml ikjLifjd fojks/k ds lek/kku dks vf/kekurk nh tkrh gS(

¼8½ ihfM+r i{k vFkok ihfM+r O;fDr vFkok xokg vFkok vijk/kdrkZ dh igpku lkoZtfud ugha dh tk,xh ;k fo”ks”k :i ls ml tk;ip izfØ;k ds nkSjku bls lkoZtfud {ks= esa j[kk tk,xk(

vUrfje lek/kku%& mPprj “kSf{kd laLFkku]

¼v½ ;fn vkUrfjd f”kdk;r dsUnz flQkfj”k djrk gS rks f”kdk;rdrkZ vFkok izfroknh dks vU; fdlh vuqHkkx vFkok foHkkx esa LFkkukUrfjr fd;k tk ldrk gS rkfd lEidZ vFkok vU;ksU; fØ;k esa “kkfey tksf[ke de ls de cuk jgs(

¼c½ ihfM+r i{k dks] lEiw.kZ Lrj laca/kh ,oa vU; fgr ykHkksa ds laj{k.k lfgr rhu ekg rd dk vodk”k Lohd”r dj ns(

¼l½ f”kdk;rdrkZ ds fdlh Hkh dke vFkok fu’iknu vFkok ijh{k.k vFkok ijh{kkvksa ds lac/k esa dksbZ ekr izdV u djus ds fy, izfroknh dks ck/; dj ns(

¼n½ lqfuf”pr djsa fd vijk/kdrkZvksa dks ihfM+r O;fDr;ksa ls nwjh cuk dj j[kuh pkfg, rFkk ;Fkk vko”;dj] ;fn dksbZ izR;{k /kedh gS rks mudk ifjlj esa izos”k izfrcf/kr dj ns(

¼bZ½ ySafxd mRihM+u dh fdlh f”kdk;r ds ifj.kke Lo:i] f”kdk;rdrkZ dks izfr”kks/k ,oa mRihM+u ls lqj{k iznku djus ds fy, rFkk ,d vuqdwy okrkj.k miyC/k djkus ds fy, l[r mik; fd;s tkus pkfg,(

10- n.M ,oa gjtkuk%&

¼1½ vijk/kdrkZ ;fn mPprj “kSf{kd laLFkku dk deZpkjh gS rFkk ySafxd mRihM+u dk nks'kh
ik;k tkrk gS rks mls laLFkku ds lsok fu;eksa ds vuqlkj nf.Mr fd;k tk,xk(

¼2½ vijk/k dh xaHkhjrk dks ns[krs gq,& ;fn izfroknh dksbZ Nk= gS] rks mPPkrj “kSf{kd
laLFkku%&

¼v½ ,sls Nk= ds fo”ks'kkf/kdkjksa dks jksd ldrk gS rks] tSls&iqLrdky;] lHkkxkj] vkoklh;
vkxkjksa] ;krk;kr] Nk=o`fr] HkÜkksa ,oa igpku i= vkfn rd igq;ap cukuk(
Hkkx IIIµ[k.M 4º Hkkjr dk jkti=k % vlk/kj.k 9

¼c½ ,d fo”ks'k le; rd iflj esa mldk izos”k LFkfxr vFkok ckf/kr djuk(

¼l½ ;fn ml vijk/k dh ,slh xaHkhjrk gS rks ml Nk= dks laLFkku ls fu'dkflr fd;k tk ldrk gS rFkk
mldk uke ml laLFkku dh ukekofy ls gVk;k tk ldrk gS] bls lkFk gh iqu% izos”k dh vuqefr
mls ugha gksxh(

¼n½ vf/kns”kkRed ijke”kZ vFkok lkeqnf;d lsokvksa tSls lq/kkjoknh n.M iznku djuk(

¼3½ ihfM+r O;fDr eqvkots dk vf/kdkjh gSA vkUrfjd f”kdk;r lfefr }kjk vuq”kaflr rFkk dk;Zdkjh
izkf/kdkjh }kjk Lohd`r eqvkots ds Hkqxrku ds fy, mPprj “kSf{kd laLFkku funsZ”k tkjh
djsxk] ftdh olwyh vijk/kdrkZ ls dh tk,xhA ns; eqvkots dk fu/kkZj.k fuEu vk/kkj ij gksxk%&

¼v½ ihfM+r O;fDr dks ftruk ekuflr ruko] d`V] O;Fkk ,oa nq[k igq;apk gS(

¼c½ ml ySafxd mRihM+u dh ?kVuk ds dkj.k mUgSa viuh thfodk ds lqvolj dh gkfu mBkuh
iM+h(

¼l½ ihfM+r O;fDr }kjk vius “kkjhfd ,oa euksjksx laca/kh vk/kkj ds fy, [kpZ fd, x, fpfdRlk O;;(

¼n½ dfFkr vijk/kdrkZ ,oa ml ihfM+r O;fDr dh vk; ,oa thou Lrj] vkSj

¼bZ½ ,sls leLr Hkqxrku dk ,deq”r :i ls ;k fdLrksa esa fd, tkus dk vkSfpR;(

11- >wBh f”kdk;r ds fo#) dk;ZokbZ%&

bl ekr dks lqfuf”pr djus ds fy, fd ySafxd mRihM+u ekeyksa esa deZpkfj;ksa ,oa Nk=ksa dh
lqj{kk ds izko/kkuksa dk nq#i;ksx u gks] vlR; ,oa }s’k Hkkouk iw.kZ f”kdk;rksa ds fo#)
izko/kku fd;s tkus dh vko”;drk gS rFkk bUgSa mPprj “kSf{kd laLFkkuksa esa izpkfjr izlkfjr
fd;k tkuk pkfg,A vkUrfjd f”kdk;r lfefr ;fn ;g fu’d`kZ fudkyrh gS fd yxk, x, vfHk;ksx vlR;] Fks]
fo}s’kiw.kZ Fks vFkok ;g tkurs gq, Hkh fd og f”kdk;r vlR; vFkok tkyh gS vFkok Hkzkd
lwpu dks ml iM+rky ds nksjku miyC/k dkj;k x;k gS rks f”kdk;rdrkZ fofu;e ¼10½ ds mi
fofu;e ¼1½ ds rgr nf.Mr fd;s tkus ds fy, ck/; gksxk ;fn f”kdk;rdrkZ ,d deZpkjh gS] rFkk ;fn og
vijk/kdrkZ ,d Nk= gS rks og bl fofu;e dh mi&fofu;e ¼2½ ds izko/kkuksa ds vuqlkj ltk ds fy,
ck/; gksxk rFkkfi fdlh Hkh f”kdk;r dks izekf.kr djus vFkok mlds fy, i;kZIr lewr miyC/k u dj
ikus dk vk/kkj] f”kdk;rdrkZ ds fo#) dkjZokbZ djus dk dkj.k ugha ekuk tk ldrk gSA
f”kdk;rdrkZ }kjk }s’kiw.kZ mn~ns”; ls nk;j f”kdk;r dh tk; iM+rky }kjk r; fd;k tkuk pkfg,
rFkk bl ckjs esa fdlh dkjZokbZ dh flQkfj”k fd, tkus ls iwoZ bl fo’k; esa fu/kkZfjr iz.kkyh ds
vuqlkj tk; dh tkuk pkfg,(

12- xSj vuqiky ds ifj.kke%&

¼1½ ,sls laLFkku tks tkucw>dj vFkok ckjackj mu nkf;Rpksa rFkk drZO;ksa ds vuqiky esa
vleFkZ cuk jgrk gS ftUgSa deZpkfj;ksa ,oa Nk=ksa ds izfr ySafxd mRihM+u ds fujkdj.k]
fu’ks/k ,oa lek/kku gsrq fu/kkZfjr fd;k x;k gS] rks bl fLFkfr esa vk;ksx fof/kor uksfVl nsdj
fuEu esa ls fdlh ,d vFkok bls vf/kd fcUnqvksa ij dkjZokbZ djsxk%&

¼v½ fo”fo|ky; vuqnu vk;ksx vf/kfu;e 1956 dh /kkjk 12¼ch½ ds vUrxZr dh xbZ ?kks’k.kk
tks ik=rk fn;s tkus ds fo’k; esa gS] mldk vkgj.k fd;k tkuk(

¼c½ vk;ksx }kjk vf/kfu;e 1956 dh /kkjk 2 ¼,Q½ ds vUrxZr vuqjf{kr lwph esa ls ml fo”fo|ky;
vFkok egkfo|ky; dk uke gVkuk(

¼l½ laLFkku dks vkcafVr fdlh Hkh vuqnu dks jksd nsuk(

¼n½ vk;ksx dks fdlh Hkh lkekU; vFkok fo”ks’k lgk;rk dk;ZØeksa ds vUrxZr fdlh Hkh lgk;rk
dks izkIr djus ds fy, ml laLFkku dks vik= ?kksf’kr fd;k tkuk(

¼bZ½ tu lk/kkj.k dks] ,oa jkstxkj vFkok izos”k ds bPNqd Hkkoh izR;kf”k;ksa dks ,d ,sls
uksfVl }kjk lwfpr djuk tks lepkj i=ksa esa izeq[k :i ls n”kkZ;k x;k gS vFkok mi;qDr
ehfM;k esa n”kkZ;k x;k gS rFkk vk;ksx dh osclkbV ij iznf”kZr fd;k x;k gS rFkk ftl uksfVl
esa ?kks’k.kk dh xbZ gS fd og laLFkku ySafxd mRihM+u ds fo#) “kwU; lgu”khyrk uhfr
(Zero tolerance policy) dk leFkZu ugha djrk gS(

¼,Q½ ;fn og ,d egkfo|ky; gS rks mlds lEc) fo”fo|ky; }kjk mldh lglEc)rk dks vkgfjr djus dh
vuq”kalk ds fy;s dgSa(

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THE GAZETTE OF INDIA : EXTRAORDINARY

[PART III—SEC. 4]

¼th½ ;fn og ,d ekfur fo”fo|ky; laLFkku gS rks dsUnz ljdkj dks ml ekfur fo”fo|ky; ds vkgj.k
dh vuq”kalk djuk(

¼,p½ ;fn og fdlh jkT; vf/kfu;e ds vUrxZr LFkkfir vFkok fu;fer fo”fo|ky; gS rks mlds bl Lrj
dks vkgfjr djus ds fy, mi;qDr jkT; ljdkj dks flQkfj”k djuk(

¼vkbZ½ tSl; fd fo”fo|ky; vuqnu vk;ksx vf/kfu;e 1956 ds vUrxZr izko/kku fd;k tkuk gks
rnuqlkj vius vf/kdkjksa ds vuqlkj ;Fkksfpr :i ls ,slh le;kof/k ds fy, n.M iznku dj ldrk gS ftl
le; rd og LkaLFkku bu fofu;eksa esa fu/kkZfjr izko/kkuksa dk vuqiky ugha djrk gS(

¼ts½ bu fofu;eksa ds vUrxZr vk;ksx }kjk ml le; rd dkjZokbZ ugha dh tk,xh tc rd fd laLFkku
dks viuk i{k izLrqr djus ds fy, izn”k lqvolj ds vk/kkj ij mudh lquokbZ dj ybZ gks(

[foKku&III/4/vlk-/53]

tliky ,l- la/kq] lfpo] ;wthlh

MINISTRY OF HUMAN RESOURCE DEVELOPMENT

(University Grants Commission)

NOTIFICATION

New Delhi, the 2nd May, 2016

University Grants Commission (Prevention, prohibition and redressal of sexual harassment of women employees and students in higher educational institutions) Regulations, 2015

No. F. 91-1/2013(TFGS).—In exercise of the powers conferred by clause (g) of sub-section (1) of section 26 of the
University Grants Commission Act, 1956 (3 of 1956), read with sub-section (1) of Section 20 of the said Act, the
University Grants Commission hereby makes the following regulations, namely:-

1. Short title, application and commencement.—(1) These regulations may be called the University
Grants Commission (Prevention, prohibition and redressal of sexual harassment of women employees and
students in higher educational institutions) Regulations, 2015.

(2) They shall apply to all higher educational institutions in India.

2. Definitions.—In these regulations, unless the context otherwise requires,-

- (a) "aggrieved woman" means in relation to work place, a woman of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent;
- (b) 'Act' means the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013);
- (c) "campus" means the location or the land on which a Higher Educational Institution and its related institutional facilities like libraries, laboratories, lecture halls, residences, halls, toilets, student centres, hostels, dining halls, stadiums, parking areas, parks-like settings and other amenities like health centres, canteens, Bank counters, etc., are situated and also includes extended campus and covers within its scope places visited as a student of the HEI including transportation provided for the purpose of commuting to and from the institution, the locations outside the institution on field trips, internships, study tours, excursions, short- term placements, places used for camps , cultural festivals, sports meets and such other activities where a person is participating in the capacity of an employee or a student of the HEI;

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- (d) Commission" means the University Grants Commission established under section 4 of the University Grants Commission Act, 1956 (3 of 1956);
- (e) "covered individuals" are persons who have engaged in protected activity such as filing a sexual harassment charge, or who are closely associated with an individual who has engaged in protected activity and such person can be an employee or a fellow student or guardian of the offended person;
- (f) "employee" means a person as defined in the Act and also includes, for the purposes of these Regulations trainee, apprentice (or called by any other name), interns, volunteers, teacher assistants, research assistants, whether employed or not, including those involved in field studies, projects, short-visits and camps;
- (g) "Executive Authority" means the chief executive authority of the HEI, by whatever name called, in which the general administration of the HEI is vested. For public funded institutions the Executive Authority means the Disciplinary Authority as indicated in Central Civil Services (Classification, Control and Appeal) Rules, 1965 or its equivalent rules;
- (h) "Higher Educational Institution" (HEI) means a university within the meaning of clause (j) of section 2, a college within the meaning of clause(b) of sub-section (1) of section 12A and an institution deemed to be a University under section 3 of the University Grants Commission Act, 1956 (3 of 1956);
- (i) "Internal Complaints Committee" (ICC) means Internal Complaints Committee to be constituted by an HEI under sub regulation (1) of regulation 4 of these regulations. Any existing body already functioning with the same objective (like the Gender Sensitization Committee Against Sexual Harassment (GSCASH)) should be reconstituted as the ICC;

Provided that in the latter case the HEI shall ensure that the constitution of such a Body is as required for ICC under these regulations. Provided further that such a Body shall be bound by the provisions of these regulations;

- (j) "protected activity" includes reasonable opposition to a practice believed to violate sexual harassment laws on behalf of oneself or others such as participation in sexual harassment proceedings, cooperating with an internal investigation or alleged sexual harassment practices or acting as a witness in an investigation by an outside agency or in litigation;
- (k) "sexual harassment" means-
- "An unwanted conduct with sexual undertones if it occurs or which is persistent and which demeans, humiliates or creates a hostile and intimidating environment or is calculated to induce submission by actual or threatened adverse consequences and includes any one or more or all of the following unwelcome acts or behaviour (whether directly or by implication), namely;-
 - any unwelcome physical, verbal or non verbal conduct of sexual nature;
 - demand or request for sexual favours;
 - making sexually coloured remarks
 - physical contact and advances; or
 - showing pornography"

- (ii) any one (or more than one or all) of the following circumstances, if it occurs or is present in relation or connected with any behaviour that has explicit or implicit sexual undertones-
 - (a) implied or explicit promise of preferential treatment as quid pro quo for sexual favours; (b) implied or explicit threat of detrimental treatment in the conduct of work;
 - (c) implied or explicit threat about the present or future status of the person concerned; (d) creating an intimidating offensive or hostile learning environment;
 - (e) humiliating treatment likely to affect the health, safety dignity or physical integrity of the person concerned;

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THE GAZETTE OF INDIA : EXTRAORDINARY

[PART III—SEC. 4]

- (l) “student” means a person duly admitted and pursuing a programme of study either through regular mode or distance mode, including short-term training programmes in a HEI;
 Provided that a student who is in the process of taking admission in HEIs campus, although not yet admitted, shall be treated, for the purposes of these regulations, as a student of that HEI, where any incident of sexual harassment takes place against such student;
 Provided that a student who is a participant in any of the activities in a HEI other than the HEI where such student is enrolled shall be treated, for the purposes of these regulations, as a student of that HEI where any incident of sexual harassment takes place against such student;
- (m) “third Party Harassment” refers to a situation where sexual harassment occurs as a result of an act or omission by any third party or outsider, who is not an employee or a student of the HEI, but a visitor to the HEI in some other capacity or for some other purpose or reason;
- (n) “victimisation” means any unfavourable treatment meted out to a person with an implicit or explicit intention to obtain sexual favour;
- (o) “workplace” means the campus of a HEI including-
 - (a) Any department, organisation, 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 appropriate HEIs;
 - (b) Any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereof in HEIs;
 - (c) Any place visited by the employee or student arising out of or during the course of employment or study including transportation provided by the Executive Authority for undertaking such journey for study in HEIs.’

3. Responsibilities of the Higher Educational Institution- (1) Every HEI shall,-

- (a) Wherever required, appropriately subsume the spirit of the above definitions in its policy and regulations on prevention and prohibition of sexual harassment against the employees and the students, and modify its ordinances and rules in consonance with the requirements of the Regulations;
- (b) publicly notify the provisions against sexual harassment and ensure their wide dissemination;
- (c) organise training programmes or as the case may be, workshops for the officers, functionaries, faculty and students, as indicated in the SAKSHAM Report (Measures for Ensuring the Safety of Women and Programmes for Gender Sensitization on Campuses) of the Commission, to sensitize them and ensure knowledge and awareness of the rights, entitlements and responsibilities enshrined in the Act and under these regulations;
- (d) act decisively against all gender based violence perpetrated against employees and students of all sexes recognising that primarily women employees and students and some male students and students of the third gender are vulnerable to many forms of sexual harassment and humiliation and exploitation;
- (e) publicly commit itself to a zero tolerance policy towards sexual harassment;
- (f) reinforce its commitment to creating its campus free from discrimination, harassment, retaliation or sexual assault at all levels;

- (g) create awareness about what constitutes sexual harassment including hostile environment harassment and quid pro quo harassment;
- (h) include in its prospectus and display prominently at conspicuous places or Notice Boards the penalty and consequences of sexual harassment and make all sections of the institutional community aware of the information on the mechanism put in place for redressal of complaints pertaining to sexual

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harassment, contact details of members of Internal Complaints Committee, complaints procedure and so on. Any existing body already functioning with the same objective (like the Gender Sensitization Committee Against Sexual Harassment (GSCASH)) should be reconstituted as the ICC; Provided that in the latter case the HEI shall ensure that the constitution of such a Body is as required for ICC under these regulations. Provided further that such a Body shall be bound by the provisions of these regulations;

- (i) inform employees and students of the recourse available to them if they are victims of sexual harassment;
- (j) organise regular orientation or training programmes for the members of the ICC to deal with complaints, steer the process of settlement or conciliation, etc., with sensitivity;
- (k) proactively move to curb all forms of harassment of employees and students whether it is from those in a dominant power or hierarchical relationship within HEIs or owing to intimate partner violence or from peers or from elements outside of the geographical limits of the HEI;
- (l) be responsible to bring those guilty of sexual harassment against its employees and students to book and initiate all proceedings as required by law and also put in place mechanisms and redressal systems like the ICC to curb and prevent sexual harassment on its campus;
- (m) treat sexual harassment as a misconduct under service rules and initiate action for misconduct if the perpetrator is an employee;
- (n) treat sexual harassment as a violation of the disciplinary rules (leading up to rustication and expulsion) if the perpetrator is a student;
- (o) ensure compliance with the provisions of these regulations, including appointment of ICC, within a period of sixty days from the date of publication of these regulations;
- (p) monitor the timely submission of reports by the ICC;
- (q) prepare an annual status report with details on the number of cases filed and their disposal and submit the same to the Commission.

3.2 Supportive measures.—(1) The rules, regulations or any such other instrument by which ICC shall function have to be updated and revised from time-to-time, as court judgments and other laws and rules will continue to revise the legal framework within which the Act is to be implemented.

(2) The Executive Authority of the HEIs must mandatorily extend full support to see that the recommendations of the ICC are implemented in a timely manner. All possible institutional resources must be given to the functioning of the ICC, including office and building infrastructure (computers, photocopiers, audio-video, equipment, etc.), staff (typists, counselling and legal services) as, well as a sufficient allocation of financial resources.

(3) Vulnerable groups are particularly prone to harassment and also find it more difficult to complain. Vulnerability can be socially compounded by region, class, caste, sexual orientation, minority identity and by being differently abled. Enabling committees must be sensitive to such vulnerabilities and special needs.

(4) Since research students and doctoral candidates are particularly vulnerable the HEIs must ensure that the guidelines for ethics for Research Supervision are put in place.

(5) All HEIs must conduct a regular and half yearly review of the efficacy and implementation of their anti-sexual harassment policy.

- (6) All Academic Staff Colleges (now known as Human Resource Development Centres

(HRDCs) and Regional Centres for Capacity Building (RCCBs) must incorporate sessions on gender in their orientation and refresher courses. This should be across disciplines, and preferably mainstreamed using the UGC SAKSHAM Report which provides indicative modules in this regard.

(7) Orientation courses for administrators conducted in HEIs must have a module on gender sensitization and sexual harassment issues. Regular workshops are to be conducted for all sections of the HEI community.

(8) Counselling services must be institutionalised in all HEIs and must have well trained full-time counsellors.

(9) Many HEIs having large campuses have a deficit in lighting and are experienced as unsafe places by the institutional community. Adequate lighting is a necessary aspect of infrastructure and maintenance.

(10) Adequate and well trained security including a good proportion or balance of women security staff is necessary. Security staff must receive gender sensitization training as a part of conditions of appointment.

(11) HEIs must ensure reliable public transport, especially within large campuses between different sections of the HEI, hostels, libraries, laboratories and main buildings, and especially those that do not have good access for day scholars. Lack of safety as well as harassment is exacerbated when employees and students cannot depend on safe public transport. Reliable transport may be considered by HEIs to enable employees and students to work late in libraries, laboratories and to attend programmes in the evenings.

(12) Residential HEIs should accord priority to construction of women's hostels. For the growing population of young women wishing to access higher education, hostel accommodation is desirable in both urban and rural areas and at all levels of higher education which provides a modicum of protection from harassment of all kinds.

(13) Concern for the safety of women students must not be cited to impose discriminatory rules for women in the hostels as compared to male students. Campus safety policies should not result in securitization, such as over monitoring or policing or curtailing the freedom of movement, especially for women employees and students.

(14) Adequate health facilities are equally mandatory for all HEIs. In the case of women this must include gender sensitive doctors and nurses, as well as the services of a gynaecologist.

(15) The Women's Development Cells in colleges shall be revived and funded to be able to carry out the range of activities required for gender sensitization and remain autonomous of the functioning of anti sexual harassment committees and ICCs. At the same time they shall extend their activities to include gender sensitization programmes in consultation with ICCs and help to disseminate anti- sexual harassment policies on campuses on a regular basis. The 'cultural' space and the 'formal academic space' need to collaborate to render these workshops innovative, engaging and non-mechanical.

(16) Hostel Wardens, Provosts, Principals, Vice Chancellors, Legal Officers and other functionaries must be brought within the domain of accountability through amendments in the rules or Ordinances where necessary.

4. Grievance redressal mechanism.—(1) Every Executive Authority shall constitute an Internal Complaints Committee (ICC) with an inbuilt mechanism for gender sensitization against sexual harassment.

The ICC shall have the following composition:-

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(a) A Presiding Officer who shall be a woman faculty member employed at a senior level (not below a Professor in case of a university, and not below an Associate Professor or Reader in case of a college) at the educational institution, nominated by the Executive Authority;

Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the workplace referred to in sub-section 2(o);

Provided further that in case the other offices or administrative units of the workplace do not have a senior level woman employee, the Presiding Officer shall be nominated from any other workplace of the same employer or other department or organization;”

- (b) two faculty members and two non-teaching employees, preferably committed to the cause of women or who have had experience in social work or have legal knowledge, nominated by the Executive Authority;
 - (c) Three students, **if the matter involves students**, who shall be enrolled at the undergraduate, master's, and research scholar levels respectively, elected through transparent democratic procedure;
 - (d) one member from amongst non-government organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment, nominated by the Executive Authority.
- (2) At least one-half of the total members of the ICC shall be women.
 - (3) Persons in senior administrative positions in the HEI, such as Vice- Chancellor, Pro Vice-Chancellors, Rectors, Registrar, Deans, Heads of Departments, etc., shall not be members of ICCs in order to ensure autonomy of their functioning.
 - (4) The term of office of the members of the ICC shall be for a period of three years. HEIs may also employ a system whereby one –third of the members of the ICC may change every year.
 - (5) The Member appointed from amongst the non-governmental organizations or associations shall be paid such fees or allowances for holding the proceedings of the Internal Committee, by the Executive Authority as may be prescribed.
 - (6) Where the Presiding Officer or any member of the Internal Committee:
 - (a) contravenes the provisions of section 16 of the Act; or
 - (b) has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him; or
 - (c) he has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or
 - (d) has so abused his position as to render his continuance in office prejudicial to the public interest, such Presiding Officer or Member, as the case may be, shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provisions of this section."

5. Responsibilities of Internal Complaints Committee (ICC) - The Internal Complaints Committee shall:

- (a) provide assistance if an employee or a student chooses to file a complaint with the police;

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- (b) provide mechanisms of dispute redressal and dialogue to anticipate and address issues through just and fair conciliation without undermining complainant's rights, and minimize the need for purely punitive approaches that lead to further resentment, alienation or violence;
- (c) protect the safety of the complainant by not divulging the person's identity, and provide the mandatory relief by way of sanctioned leave or relaxation of attendance requirement or transfer to another department or supervisor as required during the pendency of the complaint, or also provide for the transfer of the offender;
- (d) ensure that victims or witnesses are not victimised or discriminated against while dealing with complaints of sexual harassment; and
- (e) ensure prohibition of retaliation or adverse action against a covered individual because the employee or the student is engaged in protected activity.

6. The process for making complaint and conducting Inquiry – The ICC shall comply with the procedure prescribed in these Regulations and the Act, for making a complaint and inquiring into the complaint in a time bound manner. The HEI shall provide all necessary facilities to the ICC to conduct the inquiry expeditiously and with required privacy

7. Process of making complaint of sexual harassment - An aggrieved person is required to submit a written complaint to the ICC within three months from the date of the incident and in case of a series of incidents within a period of three months from the date of the last incident.

Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Committee shall render all reasonable assistance to the person for making the complaint in writing;

Provided further that the ICC may, for the reasons to be accorded in the writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the person from filing a complaint within the said period.”

Friends, relatives, Colleagues, Co-students, Psychologist, 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 or death.

8. Process of conducting Inquiry- (1) The ICC shall, upon receipt of the complaint, send one copy of the complaint to the respondent within a period of seven days of such receipt.

(2) Upon receipt of the copy of the complaint, the respondent shall file his or her reply to the complaint along with the list of documents, and names and addresses of witnesses within a period of ten days.

(3) The inquiry has to be completed within a period of ninety days from the receipt of the complaint. The inquiry report, with recommendations, if any, has to be submitted within ten days from the completion of the inquiry to the Executive Authority of the HEI. Copy of the findings or recommendations shall also be served on both parties to the complaint.

(4) The Executive Authority of the HEI shall act on the recommendations of the committee within a period of thirty days from the receipt of the inquiry report, unless an appeal against the findings is filed within that time by either party.

(5) An appeal against the findings or /recommendations of the ICC may be filed by either party before the Executive Authority of the HEI within a period of thirty days from the date of the recommendations.

(6) If the Executive Authority of the HEI decides not to act as per the recommendations of the ICC, then it shall record written reasons for the same to be conveyed to ICC and both the parties to the proceedings. If on the other hand it is decided to act as per the recommendations of the ICC, then a show cause notice, answerable within ten days, shall be served on the party against whom action is decided to be taken. The Executive Authority of the HEI shall proceed only after considering the reply or hearing the aggrieved person.

(7) The aggrieved party may seek conciliation in order to settle the matter. No monetary settlement should be made as a basis of conciliation. The HEI shall facilitate a conciliation process through ICC, as the

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case may be, once it is sought. The resolution of the conflict to the full satisfaction of the aggrieved party wherever possible, is preferred to purely punitive intervention.

(8) The identities of the aggrieved party or victim or the witness or the offender shall not be made public or kept in the public domain especially during the process of the inquiry.

9. Interim redressal-The HEI may,

(a) transfer the complainant or the respondent to another section or department to minimise the risks involved in contact or interaction, if such a recommendation is made by the ICC;

(b) grant leave to the aggrieved with full protection of status and benefits for a period up to three months;

(c) restrain the respondent from reporting on or evaluating the work or performance or tests or examinations of the complainant;

(d) ensure that offenders are warned to keep a distance from the aggrieved, and wherever necessary, if there is a definite threat, restrain their entry into the campus;

(e) take strict measures to provide a conducive environment of safety and protection to the complainant against retaliation and victimisation as a consequence of making a complaint of sexual harassment.

10. Punishment and compensation- (1) Anyone found guilty of sexual harassment shall be punished in accordance with the service rules of the HEI, if the offender is an employee.

(2) Where the respondent is a student, depending upon the severity of the offence, the HEI may,-

(a) withhold privileges of the student such as access to the library, auditoria, halls of residence, transportation, scholarships, allowances, and identity card;

- (b) suspend or restrict entry into the campus for a specific period;
 - (c) expel and strike off name from the rolls of the institution, including denial of readmission, if the offence so warrants;
 - (d) award reformatory punishments like mandatory counselling and, or, performance of community services.
- (3) The aggrieved person is entitled to the payment of compensation. The HEI shall issue direction for payment of the compensation recommended by the ICC and accepted by the Executive Authority, which shall be recovered from the offender. The compensation payable shall be determined on the basis of-
- (a) mental trauma, pain, suffering and distress caused to the aggrieved person;
 - (b) the loss of career opportunity due to the incident of sexual harassment;
 - (c) the medical expenses incurred by the victim for physical, psychiatric treatment;
 - (d) the income and status of the alleged perpetrator and victim; and (e)
- the feasibility of such payment in lump sum or in instalments.

11. Action against frivolous complaint.—To ensure that the provisions for the protection of employees and students from sexual harassment do not get misused, provisions against false or malicious complaints have to be made and publicised within all HEIs. If the ICC concludes that the allegations made were false, malicious or the complaint was made knowing it to be untrue, or forged or misleading information has been provided during the inquiry, the complainant shall be liable to be punished as per the provisions of sub-regulations (1) of regulations 10, if the complainant happens to be an employee and as per sub-regulation (2)

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of that regulation, if the complainant happens to be a student. 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.

12. Consequences of non-compliance.—(1) The Commission shall, in respect of any institution that will fully contravenes or repeatedly fails to comply with the obligations and duties laid out for the prevention, prohibition and redressal of sexual harassment of employees and students, take one or more of the following actions after providing due notice: -

- (a) withdrawal of declaration of fitness to receive grants under section 12B of the University Grants Commission Act, 1956.
 - (b) removing the name of the university or college from the list maintained by the Commission under clause (f) of section 2 of said Act, 1956;
 - (c) withholding any grant allocated to the institution;
 - (d) declaring the institution ineligible for consideration for any assistance under any of the general or special assistance programmes of the Commission;
 - (e) informing the general public, including potential candidates for employment or admission, through a notice displayed prominently in the newspapers or other suitable media and posted on the website of the Commission, declaring that the institution does not provide for a zero tolerance policy against sexual harassment;
 - (f) recommending the affiliating university for withdrawal of affiliation, in case of a college;
 - (g) recommending the Central Government for withdrawal of declaration as an institution deemed to be university, in case of an institution deemed to be university;
 - (h) recommending the appropriate State Government for withdrawal of status as university in case of a university established or incorporated under a State Act.
 - (i) taking such other action within its powers as it may deem fit and impose such other penalties as may be provided in the University Grants Commission Act, 1956 for such duration of time till the institution complies with the provisions of these regulations.
- (2) No action shall be taken by the Commission under these regulations unless the Institution has been given an opportunity to explain its position and an opportunity of being heard has been provided to it.

[Advt.-III/4/Exty./53]

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