



# POSH Act.

THE SUPREME COURT DIRECTIVES. **MADE EASY.**

## Team

#nomeansno

*If you have any questions, please feel free to reach out to us.*

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## “ THE SUPREME COURT DIRECTIVE

The Union of India, all State Governments, and Union Territories are instructed to promptly check if all relevant Ministries, Departments, and public entities have formed ICs in line with the PoSH Act's provisions.

## ✓ INTERPRETATION

This will cascade to both public and private sector entities, leading to District Officers potentially sending bulk notices to organizations for compliance status updates.

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It shall be ensured that necessary information regarding the constitution and composition of the ICCs/LCs/ICs, details of the e-mail IDs and contact numbers of the designated person(s), the procedure prescribed for submitting an online complaint, as also the relevant rules, regulations and internal policies are made readily available on the website of the concerned Authority/Functionary/Organisation/Institution/Body, as the case may be. The information furnished shall also be updated from time to time.

## ✓ INTERPRETATION

All organisations should display details of their Internal Committee members and the process for submitting complaints, both offline and online. This information should be visible within the organisation's premises for visitors and be available on the organisation's website and intranet.

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A similar exercise shall be undertaken by all the Statutory bodies of professionals at the Apex level and the State level (including those regulating doctors, lawyers, architects, chartered accountants, cost accountants, engineers, bankers and other professionals), by Universities, colleges, Training Centres and educational institutions and by government and private hospitals/nursing homes.

## ✓ INTERPRETATION

This highlights a heightened emphasis on compliance within the education sector, encompassing schools, colleges, institutes, and universities, as well as the healthcare sector, including hospitals, nursing homes, and medical centres. Furthermore, professional offices of doctors, lawyers, chartered accountants, and architects are also under scrutiny.

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Immediate and effective steps shall be taken by the authorities/managements/employers to familiarize members of the ICCs/LCs/ICs with their duties and the manner in which an inquiry ought to be conducted on receiving a complaint of sexual harassment at the workplace, from the point when the complaint is received, till the inquiry is finally concluded and the Report submitted.

## ✓ INTERPRETATION

This underscores the urgent necessity for all Internal Committee members to be adequately informed and trained on their roles, investigative procedures, the formulation of recommendations, and the proper submission of reports in related cases.

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The authorities/management/employers shall regularly conduct orientation programmes, workshops, seminars and awareness programmes to upskill members of the ICCs/LCs/ICs and to educate women employees and women's groups about the provisions of the Act, the Rules and relevant regulations.

## ✓ INTERPRETATION

This emphasizes the imperative of widespread awareness regarding the PoSH Act among employees, third-party staff, contract workers, and anyone present at the workplace.

## POSH Act. Compliance Roadmap

With the recent directives from the Apex Court emphasizing adherence to the Prevention of Sexual Harassment (PoSH) Act, it's imperative for all organizations to be fully compliant.

At **NoMeansNo**, we've devised a comprehensive and pragmatic roadmap to assist organizations in not just adhering to the Act but also aligning with the specific directives set by the Supreme Court.



**Craft a Comprehensive HR Policy:**

Draft a robust HR policy that's all-encompassing, focusing on the prevention of sexual harassment at the workplace.

**Review Your Internal Committee:**

It's essential for employers to either set up or review the constitution of their Internal Committee, ensuring its structure adheres to the Act's provisions.

**Capacity Building Workshop:**

Strengthen your committee's capabilities through specialized workshops, honing their skills and understanding of the Act.

**Full Awareness is a Must:**

It's our goal to ensure that every employee is aware of the PoSH Act. Achieve this through in-person sessions or e-learning modules, aiming for 100% completion.

**Visibility Matters:**

Display posters detailing the provisions of the Act and information about the Internal Committee prominently within your premises. Additionally, ensure this information is readily accessible on your official website.

## The Supreme Court Notice

Compliance Requirement

