



Vijaya Rahatkar

Chairperson

Tel.: 011-26944808

भारत सरकार
राष्ट्रीय महिला आयोग
प्लॉट नं. 21, जसोला इंस्टीट्यूशनल एरिया
नई दिल्ली- 110 025
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR WOMEN
PLOT NO.21, JASOLA INSTITUTIONAL AREA,
NEW DELHI-110 025
Website : www.ncw.gov.in
E-mail : chairperson-ncw@nic.in

No. 12867205-32/4/2025

12th June, 2026

Subject: Advisory on Effective implementation and monitoring of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

Dear Chief Secretary,

The National Commission for Women (NCW), constituted under the National Commission for Women Act, 1990, is mandated to safeguard and promote the constitutional and legal rights of women and to review the implementation of laws and safeguards enacted for their protection. In discharge of its statutory functions, the Commission has been continuously monitoring the implementation of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("PoSH Act").

2. Through various complaints, media reports and visits of the Members and Chairperson, it has come to the notice of the Commission that despite the enactment of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("PoSH Act") in the year 2013, there is a visible gap in the implementation of the act. The deficiencies include but are not limited to constitution and functioning of Internal Committees (ICs) and Local Committees (LCs), lack of awareness among employees, procedural irregularities in handling of complaints, non-submission of annual reports, delays in inquiry proceedings, and absence of institutional monitoring mechanisms.

3. The Hon'ble Supreme Court and various High Courts have also from time to time, reiterated that compliance with the provisions of the PoSH Act is mandatory and non-negotiable for all employers, institutions and authorities. Failure to constitute Internal Committees or to comply with statutory obligations under the Act may attract legal consequences under the provisions of the PoSH Act and other applicable laws.

4. Further, the Hon'ble Supreme Court of India through the directions in the matter of *Aureliano Fernandes v. State of Goa & Ors.*, MA No. 22553/2023 and *Janaki Chaudhry & Anr. v. Ministry of Women and Child Development & Ors.* etc. observed that despite the enactment of the PoSH Act more than a decade ago, implementation across institutions remains inadequate and inconsistent. The Hon'ble Court has also directed all States and Union Territories to ensure strict compliance with the provisions of the Act and emphasized that the right to a safe and dignified workplace is an intrinsic constitutional guarantee.

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5. In view of the Hon'ble Supreme Court's directions, and in exercise of its mandate to promote effective implementation of safeguards for women, the National Commission for Women requests all State Governments/Union Territory Administration, to undertake immediate and time-bound measures for ensuring strict compliance with the PoSH Act. The attached Advisory may please be brought to the notice of all organizations/departments/nodal officers etc. under your jurisdiction.

6. The Commission also expects all States/UTs to accord the highest priority in ensuring safe, secure and dignified workplaces for women and to ensure strict enforcement of the statutory and constitutional safeguards under the PoSH Act.

With regards,

Yours sincerely,


(Vijaya Rahatkar)

To

**Chief Secretaries of
All States and Union Territories**



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F.No. 05-34/4/2025 CBC (NCW)

16th June 2026

To,
District Magistrate

Subject: Compliance with POSH Advisory issued by National Commission for Women (NCW) and implementation of POSH provisions

Sir/Madam,

National Commission for Women in furtherance of its mandate to safeguard the rights and interests of women and to promote a safe and secure working environment, has issued an Advisory regarding compliance with the provisions of the **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act)**. Reference letter to Chief Secretary is enclosed.

2. The Advisory emphasizes the necessity of ensuring strict compliance with the provisions of the POSH Act by all establishments, organizations, institutions, offices, and workplaces functioning within the jurisdiction of the District.

3. In this regard, you are requested to take appropriate measures to ensure that:

- Internal Committees (ICs) are duly constituted in all eligible establishments as per the provisions of the POSH Act, 2013;
- Local Committees (LCs) are properly constituted in each district;
- The provisions of the Act are effectively implemented and monitored;
- Regular awareness and sensitization programmes are conducted for employees and stakeholders;
- Necessary records and reports are maintained and submitted in accordance with the statutory requirements;
- Appropriate action is taken to address any instances of non-compliance.

4. You are further requested to disseminate the contents of the NCW Advisory to all concerned departments, offices, institutions, public sector undertakings, local bodies, educational institutions, and other establishments under your jurisdiction and ensure strict compliance with the provisions of the POSH Act, 2013.

The matter may be treated as important and necessary action may be taken at the earliest.

Yours faithfully,

Encl: as above

(Ramawatar Singh)
Deputy Director



**NATIONAL COMMISSION FOR WOMEN
NEW DELHI**

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ADVISORY ON POSH

1. Appointment of District Officer:

Having regard to Sections 5 to 7 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, there is a need for the appropriate Government notifying the District Magistrate or Additional District Magistrate or Collector or Deputy Collector, which would also include the Deputy Commissioner of a district as a District Officer for every district to exercise powers or discharge functions as per Section 20 of the Act;

2. Constitution of Internal Committees (ICs):

Ensure that all Government Departments, Boards, Corporations, Public Sector Undertakings (PSUs), educational institutions, hospitals, local bodies, statutory authorities, and all other establishments have duly constituted Internal Committees strictly in accordance with Section 4 of the PoSH Act, at each of their branch, office or units wherein there are 10 or more employees working at that unit.

2 (a) Verify that Internal Committees are properly constituted including:

- A senior woman employee as Presiding Officer,
- Minimum two members with relevant experience,
- One external Member,
- At least 50% members of ICs must be women.

3. Constitution of Local Committees (LCs) and their Effective Functioning:

Ensure every District Officer constitute in the district concerned, a Committee known as the Local Committee to receive complaints of sexual harassment from establishments stipulated in sub-Section 1 of Section 6 of the Act, where the Internal Committee has not been constituted due to having less than ten workers or if the complaint is against the employer itself or if the complainant is working in the unorganized sector. Also ensure effective functioning of Local Committees in pursuance of Sections 5 and 6 of the Act.

4. Facilitation of Nodal Officers:

District Officer has to facilitate one Nodal Officer in every Block, Taluka and Tehsil in rural or tribal area and ward or municipality in the urban area, to receive complaints and forward the same to the concerned Local Committee within a period of seven days. The jurisdiction of the Local Committee extends to the areas of a district, where it is constituted.

5. Displaying the information of the Nodal Officers on website:

In order that the aggrieved women may be able to make the complaint to the Local Committee, the names of the nodal officer and their designation for each Block, Taluka and Tehsil in the rural or tribal areas and ward or municipality in the urban areas, who would receive the complaints and forward the same to the Local Committee shall be notified on the website of the District Officer who is none other than the District Magistrate or Additional District Magistrate or the Collector or Deputy Collector or the Deputy Commissioner, as the case may be, ex officio.

6. Mandatory Compliance of the provisions of the POSH Act by all Employers:

All employers and heads of institutions may be directed to ensure strict compliance with all statutory obligations under the PoSH Act viz a viz proper constitution of ICs, timely inquiry and disposal of complaints, confidentiality of proceedings, submission of annual reports, organization of awareness programmes, and implementation of recommendations of the ICs/LCs, in a time bound manner.

7. Mandatory POSH Audit:

a. All establishments employing ten (10) or more employees shall conduct an annual POSH Audit.

b. The audit shall assess:

- Constitution and legal compliance of the Internal Committee (IC)
- Appointment of a female Presiding Officer
- Functioning of the IC
- Number, status and timely disposal of complaints
- Confidentiality safeguards
- Training and awareness programs
- Display of mandatory disclosures
- Workplace safety and infrastructure
- She-Box registration and updation

c. The Audit report shall be submitted to:

- District Officer
- District Magistrate/ Deputy Commissioner
- Concerned Administrative Department

d. Failure to conduct the POSH Audit shall be treated as non-compliance.

8. Mandatory Disclosure and Transparency:

Ensure that necessary information regarding the constitution and composition of LCs/ ICs, details including 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 prominent places in the office premises, website of the concerned authority/ functionary/ organization/ institution/ body, as the case may be. The information furnished shall also be updated from time to time.

9. Capacity Building and Sensitization:

Ensure that the authorities/ management/ employers must regularly conduct orientation programmes, workshops, seminars and awareness programmes to upskill members of LCs/ ICs and to educate women employees and women's groups about the provisions of the POSH Act, the rules and relevant regulations.

10. Training of IC/LC members:

Immediate and effective steps shall be taken by the authorities/ managements/employers to familiarize members of the 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.

11. Effective Use of SHe-Box Platform:

All Departments, PSUs, institutions and authorities may be directed to ensure awareness and effective utilization of the SHe-Box (Sexual Harassment electronic Box) platform established by the Government of India for online registration and monitoring of workplace sexual harassment complaints. States/UTs may also encourage linkage, coordination and monitoring mechanisms to ensure timely redressal of complaints received through the SHe-Box platform.

12. Annual Reporting Compliance:

Ensure that all establishments submit annual reports as mandated under Section 21 of the PoSH Act and that consolidated reports are reviewed at the State level for assessing institutional compliance.

13. Protection Against Victimization and Retaliation:

Issue appropriate directions to all authorities to ensure that complainants, witnesses and Committee members are not subjected to retaliation, intimidation, discrimination, adverse transfers, professional prejudice, or workplace harassment during or after inquiry proceedings.

14. Special Focus on Educational and Healthcare Institutions:

Universities, colleges, schools, hostels, coaching institutions, training centers, hospitals and medical establishments may be directed to ensure strict adherence to PoSH compliance standards, considering the vulnerability of students, interns, trainees, residents, research scholars and contractual personnel.

15. Awareness in the Unorganized Sector:

District administrations may undertake awareness campaigns in rural areas, industrial clusters, self-help groups, domestic work sectors and other unorganized workplaces regarding rights and remedies available under the PoSH Act.

16. Workplace Environment and Safety:

States/UTs are advised to guide establishments to:

- a. Promote a **safe, inclusive, and gender-sensitive work environment**,
- b. Adopt a **zero-tolerance policy** towards sexual harassment.
- c. Ensure **adequate infrastructure** such as lighting, safe access, surveillance in common areas, and emergency mechanisms.

17. State Government is advised to:

- Establish a state level monitoring mechanism (e.g., compliance cell/dashboard for POSH).
- Conduct **periodic reviews** at senior administrative levels.
- Issue **necessary guidance** and advisories to establishments and District Authorities,
- Facilitate training of officials and committee members,
- Ensure adherence to judicial directions and statutory obligations.

18. District Authorities are advised to:

- Monitor constitution and functioning of ICs and LCs.
- Review compliance reports and audits.
- Identify and address non-compliance.
- Conduct periodic review meetings.
- Intensive POSH awareness campaign using various mediums.

New Delhi, 12th June, 2026
