GENDER RESOURCE CENTRE
Women and Child Development Department
Block no. : 8, 8th Floor, Udhyog Bhawan, Sector- 11, Gandhinagar

GRC/POSH ACT-Court/2025/1 Date-2-5-2025

Supreme Court matter/Most Urgent

To.
Nodal Officer
All Departments
Sachivalay, Gandhinagar

Subject: Supreme Court Directions on Effective Compliance of the POSH Act, 2013 – Urgent Actions required

Respected Sir / Ma'am,
The Hon'ble Supreme Court of India, in its hearing dated 22nd April, 2025 (MISCELLANEOUS APPLICATION Diary No. 22553/2023, Aureliano Fernandes vs. The State of Goa), has issued comprehensive directions for the effective implementation and compliance of the Prevention of Sexual Harassment (POSH) Act, 2013. It is imperative that the directives outlined by the Supreme Court are implemented within the stipulated timelines to ensure a safe and dignified work environment for all employees across public and private organizations.

Hereby are the Supreme Court Directions:

1. Creation of a Dedicated Section for the PoSH Act, 2013 on the Official Website of the Department and Its Offices:

- Include the latest government resolution related to the PoSH Act, 2013.
- Upload an updated list of Internal Committee members constituted under Section 4 of the Act.

2. Constitute Internal Committee (IC):

- Ensure the formation of ICs from top to bottom level offices as per the act
- Periodically update the ICs
- Compliance to regular meetings being held

3. Mandatory Information Upload on the She-Box Portal:

- Upload the details of the designated Nodal Officer, including their name, contact number, email ID, and office address. Issue directives to department-owned PSUs and affiliated private offices to register on the She-Box portal without exception. Ensure the registration of Department Heads and field offices on the portal.
- Instruct all government and private offices, units, organizations, and educational institutions to upload details of their Internal Committees and submit their annual PoSH compliance reports on the portal.

4. Awareness and Sensitization:

- Conduct intensive awareness and sensitization programmes across the department.
- Target all relevant stakeholders, including government offices, private organizations, and educational institutions.
- Promote comprehensive understanding and effective implementation of the provisions of the PoSH Act, 2013.

The Departments are hereby requested to adhere to the Supreme Court's timeline, with full compliance achieved by 5th May, 2025. The implementation of these directives is critical to fostering a safe, inclusive, and respectful work environment. Further, the Gender Resource Centre, a body of the women and child development department, also conducts various capacity-building programs and orientations on the above topics. You may also contact them at grc@gujarat.gov.in. Your cooperation in ensuring the effective and timely execution of these directions is highly appreciated.
Thank You.

With Regards,
Patel
(Director)

Enclose : As Above

IN THE SUPREME COURT OF INDIA

MISCELLANEOUS APPLICATION DIARY NO. 22553 OF 2023

IN THE MATTER OF:

AURELIANO FERNANDES …APPELLANT

VERSUS

STATE OF GOA AND OTHERS …RESPONDENTS

PROPOSED ISSUES TO BE DISCUSSED IN THE MEETING SCHEDULED TO BE HELD ON 03.05.2025

Padma Priya

PADMAPRIYA
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Dated: 01.05.2025
New Delhi

Ref: Order dated 22.04.2025 passed by the Hon'ble Supreme Court in the case of **Aureliano Fernandes Vs State of Goa and Others**, M.A Diary No. 22553

Sub: **Points/issues for discussion during the conference dated 03.05.2025 -** Review of Compliance with Directions Issued by the Hon'ble Supreme Court under the POSH Act, 2013 and exchange of information and best practices that are being followed in respective states

1. That the Hon'ble Supreme Court of India in the matter of A**ureliano Fernandes Vs State of Goa and Others**, M.A Diary No. 22553 of 2023 vide order dated 03.12.2024 has been issuing detailed directions for ensuring effective implementation of the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("POSH Act").
2. The Hon'ble Supreme Court, has *inter alia*, vide its Order dated 03.12.2024, directed both the Union of India and all the State Governments/Union Territories to file affidavits demonstrating compliance with the following obligations:

    i. The Chief Secretaries of every State shall take steps to identify and notify the Officer to be the District Officer of every District on or before 31.12.2024, if not already done.
    ii. The District Officer shall constitute the Local Committee wherever such committees have not yet been constituted or

there has to be a reconstitution of such committees already constituted on or before 31.01.2025.

iii. The Chief Secretaries of States/Territories shall ensure that the Internal Complaints Committee shall be constituted or reconstituted, as the case may be, having regard to the Section 4 of the 2013 Act in respect of their Government Departments, instrumentalities and agencies of the State Government and public sector units and other units coming under the supervision and control of the State Governments/Union Territories by 31.01.2025.

iv. Similarly, Union of India/Central Government, shall take steps to constitute or re-constitute, as the case may be, the Internal Complaints Committee in respect of a work place, wherever the same has not yet been accomplished on or before 31.01.2025 in respect of its Departments, instrumentalities and agencies.

v. The respective States/Union Territories to file the affidavits in compliance of these directions and copies of the said affidavits shall be e-mailed to learned ASG, learned Amicus Curiae, learned AOR for the petitioner(s) in W.P. No. 1224/2017. The said affidavits shall be filed in the first week of February, 2025 indicating the compliance of the aforesaid directions.

vi. The Legal Services Institutions at the Central, State, District and Taluka levels shall assist an aggrieved woman to make a complaint under the provisions of the 2013 Act as and when approached.

3. That the Hon'ble Court had additionally also passed following directions-:

i. Survey the number of organizations to check the status of ICCs
ii. Appointment of 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 to forward the same to the concerned Local Committee.

4. Vide its Order dated 22.04.2025, the Hon'ble Supreme Court was further pleased to direct that a virtual conference be held on 03.05.2025 between the representatives of the Department of Women and Child Development of respective State Governments and Union of India, the undersigned and the Ld. Counsel for the Petitioner, so that there could be exchange of information and best practices that are being followed in the respective States.

POINTS/ISSUES PROPOSED TO BE DISCUSSED DURING THE MEETING ON 03.05.2025

5. Upon a careful analysis of the compliance status as reflected in the affidavits furnished by the States and Union Territories, the following suggestions are proposed for discussion and consideration in order to ensure meaningful and uniform enforcement of the POSH Act, 2013 across jurisdictions:

I. **Public Notification of District Officers and Nodal Officer Directory**

a. All States/UTs must publicly notify the names and contact details of District Officers, on their official websites as well as Central Government portal, preferably integrated with the SHe-Box platform.

b. These details must be periodically updated especially when there is a transfer or retirement of the existing District Officer.
c. The names, jurisdictions, contact details, and complaint forwarding mechanism for the Nodal Officers in every block, taluka and tehsil in rural or tribal area and ward or municipality in the urban area, should be digitally uploaded to the Central Government portal for public access and SHe-Box integration.

II. Digital Mapping of LCCs and ICCs on the Central Portal

a. States/UTs must ensure that complete details of all constituted Local Complaints Committees (LCCs) and Internal Complaints Committees (ICCs) — including names, contact details, date of constitution/reconstitution, term validity, and district-wise jurisdiction — are digitally uploaded to the Central Government portal in a structured and easy to access format.
b. In districts/establishments where LCCs and ICCs have not been constituted or only directions have been issued and committees are yet to be operationalised, the status must be clearly reflected on the portal to ensure accountability and public transparency.
c. Employers should be required to submit an annual ICC constitution report through a structured online form, linked to the Portal at Central and State Level, with an option for uploading of supporting documents. Example: EPFO and GST Portals.

III. Digital Submission of Annual Surveys by District Officers

a. District Officers to conduct annual surveys or monitoring exercises regarding implementation of the POSH Act in their respective jurisdictions and publish the said survey reports on the district portal which is easily accessible to the citizens.

IV. Digital Database of Legal Aid Mechanism

a. States/UTs to digitally upload information about Legal Services Authority coordination, including information as to Nodal contact person at SLSA/DLSA, Panel of trained legal aid lawyers, Contact mechanism for POSH complainants.
b. The database to also include publicly accessible information regarding the number of sexual harassment complaints received, the action taken pursuant to such complaints including the assignment of legal aid counsel where applicable, and the outcome of inquiries conducted by the respective Internal or Local Complaints Committees, among other relevant details.

V. Functional Upgradation of SHe-Box Portal

To ensure effective implementation of the POSH Act, 2013 and facilitate a seamless grievance redressal mechanism for complainants across jurisdictions, the following functional upgrades are proposed for the SHe-Box Portal:

a. **Multilingual Interface:** The portal should incorporate multilingual support covering major regional languages, to ensure accessibility for complainants across diverse linguistic backgrounds.
b. **Interactive Compliance Dashboard:** An interactive dashboard should be developed to reflect real-time State/UT-wise compliance data regarding constitution of ICCs, LCCs, appointment of District and Nodal Officers, and complaint disposal rates.
c. **Confidentiality and Data Protection:** Enhanced security protocols must be implemented to ensure confidentiality of complainants.
d. The portal should publish quarterly reports summarising the number of complaints received, legal aid extended, action taken, and outcomes, thereby promoting transparency and institutional accountability.

VI. Best Practices being followed by some States and which may be adopted by other states as well:

a. **Andhra Pradesh:** The Legal & Social counsellors of Domestic Violence cells, One Stop Centers & Andhra Pradesh Women Commission are participating as members in grievance redressal process

b. **Himachal Pradesh:** HP Institute of Public Administration (HIPA) is conducting training to the Members & Chairperson of Local committee and the manner & procedure to be followed for conducting enquiry under the PoSH Act.

c. **Mizoram:** State has constituted State Level & District Level Implementation Committee under "Mission Shakti". These committees have been established for monitoring the safety and the security of the women and further implementation and observation of the varied provisions of the Scheme.

d. **Tamil Nadu:** State has launched the Internal Committee Portal on 14.08.2024. This portal serves as a centralized platform to monitor the formation and functioning of Internal Committees in workplaces. The portal is accessible at https://www.tnswd-poshicc.tn.gov.in/ords/r/wsswdicc/swicc/home

e. **Uttar Pradesh:** Director, Information and Public Relations Department, Uttar Pradesh has been directed to publish a free press release in 2-2 prominent Hindi and English daily newspapers having wide publicity in the State of U.P. regarding the implementation of the provisions of POSH Act.

f. Workshops and Training programmes are being conducted in some of the States to spread awareness about the POSH Act.

VI. Any other suggestions/observations/inputs that the States/Central Government may wish to share and discuss to ensure effective and meaningful implementation of the POSH Act.

Padma Priya

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Dated: 01.05.2025
New Delhi

ITEM NO.14 COURT NO.7 SECTION III

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

MISCELLANEOUS APPLICATION Diary No(s). 22553/2023

[Arising out of impugned final judgment and order dated 12-05-2023 in C.A. No. 2482/2014 passed by the Supreme Court of India]

AURELIANO FERNANDES Petitioner(s)

VERSUS

THE STATE OF GOA & ORS. Respondent(s)

Ms. Padma Priya, learned counsel has been appointed as Amicus Curiae.

WITH
MA 1688/2023 in C.A. No. 2482/2014 (III)
FOR CLARIFICATION/DIRECTION ON IA 131628/2023
FOR EXTENSION OF TIME ON IA 248631/2023
FOR EXEMPTION FROM FILING O.T. ON IA 114246/2024
IA No. 131628/2023 - CLARIFICATION/DIRECTION
IA No. 114246/2024 - EXEMPTION FROM FILING O.T.
IA No. 248631/2023 - EXTENSION OF TIME

W.P.(C) No. 1224/2017 (PIL-W)
IA No. 74098/2019 - EARLY HEARING APPLICATION
IA No. 107538/2022 - EXEMPTION FROM FILING O.T.
IA No. 95766/2018 - EXEMPTION FROM FILING O.T.
IA No. 29686/2018 - EXEMPTION FROM FILING O.T.
IA No. 127408/2022 - EXEMPTION FROM FILING O.T.
IA No. 12835/2018 - INTERVENTION/IMPLEADMENT

Date : 22-04-2025 This petition was called on for hearing today.

CORAM :
HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) :Mr. Sanjay Parikh, Sr. Adv.
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Ms. Esha Shekhar, Adv.
Ms. Sanjana Grace Thomas, Adv.
Ms. Kritika, Adv.
Ms. Tara Elizabeth Kurien, Adv.
Mr. D.p.singh, Adv.

Mr. Dharmendra Kumar Sinha, AOR
By Courts Motion, AOR

For Respondent(s) : Mr. Sahil Bhalaik, AOR
Mr. Tushar Giri, Adv.

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Date: 2025.04.24
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Reason:

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Mr. Shivam Mishra, Adv.
Mr. Gowtham Polanki, Adv.
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Mr. S K Singhania, Adv.
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Ms. Abha R. Sharma, Adv.
Ms. Chhavi Khandelwal, Adv

UPON hearing the counsel the Court made the following

O R D E R

Registry to show the name of Shri Arvind S., learned counsel for the Union Territory of Puducherry, in the Cause List.

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Ms. Padma Priya, learned Amicus Curiae submitted that pursuant to the directions issued by this Court on 03.12.2024, there have been certain compliances which have been made by the respective State Governments and Union Territories. However, there is no complete compliance of all the directions. In this regard, learned Amicus Curiae has submitted a Status Report collating the details of compliances which have been made by the State Governments as well as the Union Territories (U.Ts) and also the details of there being no complete compliance of our directions issued on the aforesaid date. She therefore, submitted that she would issue a communication to all the learned counsel appearing for the respective State Governments and Union Territories to file further affidavits so as to bring out complete compliance of the directions issued by this Court on the aforesaid date. She further submitted that the chart would be prepared on receipt of the said affidavits with regard to further compliances that have to be made. In this regard, her submission was that mere issuance of directions by the State Governments/U.Ts to the local authorities for compliance with the orders of this Court without there being a follow-up action to ensure that there has in fact being an obedience to the order of this Court would be of no avail. According to learned Amicus Curiae, the State Governments and U.Ts must bring to the notice of this Court that not only there has been communication of the directions issued by this Court but more

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importantly, compliance of the said directions inasmuch as the appointment of the District Officers, constitution or re-constitution of the Internal Complaints Committee at the work places must be made in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (for short, `the 2013 Act') and at the earliest.

In the circumstances, we direct the State Governments and Union Territories to file follow-up affidavits, so as to indicate that there has been compliance of the directions issued by this Court on 03.12.2024 inasmuch as pursuant to the communications made by the State Governments to the local authorities, there has been constitution of the Internal Complaints Committee at the work places and further the provisions of the Act have been complied with. The said affidavits shall be filed on or before 09.05.2025.

Further, the Union of India shall also file its respective affidavits with regard to compliance of the directions issued on 03.12.2024. For ease of reference, the directions issued are extracted below –

"(1) The Chief Secretaries of every State shall take steps to identify and notify the Officer to be the District Officer of every District on or before 31.12.2024, if not already done.

(2) The District Officer shall constitute the Local Committee wherever such committees have not yet been

contd..

constituted or there has to be a reconstitution of such committees already constituted on or before 31.01.2025.

(3) The Chief Secretaries of States/Territories shallensure that the Internal Complaints Committee shall be constituted or re-constituted, as the case may be, having regard to the Section 4 of the 2013 Act in respect of their Government Departments, instrumentalities and agencies of the State Government and public sector units and other units coming under the supervision and control of the State Governments/Union Territories by 31.01.2025.

(4) Similarly, Union of India/Central Government, shall take steps to constitute or re-constitute, as the case may be, the Internal Complaints Committee in respect of a work place, wherever the same has not yet been accomplished on or before 31.01.2025 in respect of its Departments, instrumentalities and agencies.

(5) The respective States/Union Territories to file the affidavits in compliance of these directions and copies of the said affidavits shall be e-mailed to learned ASG, learned Amicus Curiae, learned AOR for the petitioner(s) in W.P. No. 1224/2017. The said affidavits shall be filed in the first week of February, 2025 indicating the compliance of the aforesaid directions.

(6) The Legal Services Institutions at the Central, State, District and Taluka levels shall assist an aggrieved woman to make a complaint under the provisions of the 2013 Act

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as and when approached.

The Registry of this Court is directed to provide Login-ID to learned Amicus Curiae assisting this Court in this case so as to have access to all the pleadings, affidavits and other documents etc. filed by the respective counsel in this case."

Learned Amicus Curiae further submitted that the directions with regard to appointment of Nodal Officers in terms of sub-Section (2) of Section 6 of 2013 Act have not been complied with by certain States as well as the Union Territories, while it has been done so by others.

The State Governments and the Union Territories are directed to indicate in detail the appointment of the Nodal Officers as well as the uploading of the same on the respective websites and to indicate details of the same in the affidavit to be filed by the respective States as well as the Union Territories.

Further, as requested by learned A.S.G. appearing for the Union of India, a virtual conference between the representatives of the Department of Women and Child Development of the respective State Governments and Union Territories with the representatives of the same Department of the Union of India and the learned Amicus Curiae as well as learned counsel for the petitioner(s) could be held on 03.05.2025 at 11.00 a.m., so that there could be an exchange of information and best practices that are being followed in

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the respective States.

Learned counsel for the respective State Governments and Union Territories may also be present in the said meeting.

Learned Amicus Curiae to inform the learned standing counsel/counsel for the State of Arunanchal Pradesh and Union Territory of Daman and Diu about today's proceedings so as to comply with the directions issued by this Court on 03.12.2024 as well as the directions issued today.

It is needless to observe that learned counsel representing the States as well as Union Territories would transmit the affidavits to be filed by them to the learned Amicus Curiae and learned counsel for the petitioner(s) by email at the earliest.

List on 14.05.2025.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(DIVYA BABBAR)
COURT MASTER (NSH)