

HITESH KUMAR, IAS



Addl. Deputy Commissioner,  
Gurugram

D.O No : 326

Dated : 27/4/2023

To

All Non-Govt organisation  
(Companies, Hospitals, Banks, Labs schools etc)

Subject:

Gurugram  
POSH ACT COMPLIANCE CHECKLIST (COMPREHENSIVE).

This is to bring to your urgent attention about the formation of an Internal Committee is legally mandated by the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. As per the Act, It is mandatory for the Internal Committee of your organization to provide an Annual Report in the prescribed format to the District Probation Officer. It has been observed from our records that your organization has not filed the Annual Report pertaining to compliance of Sexual Harassment of Women at Workplace (Prevention, Prohibition and redressal) Act, 2013 for the year 1<sup>st</sup> January, 2022 to 31<sup>st</sup> December, 2022.

1. Policies:

- i. Have you prepared and implemented an internal Sexual Harassment of Women at Workplace (Prevention, Prohibition and redressal) Act, 2013 Policy in your organization? If yes, reference number of the policy: .....
- ii. Is sexual harassment specified as a form of misconduct under the employment contract or service rules, or the standing orders (if standing orders are applicable to your business)?

If yes, amendment reference number: .....

- iii. Have you created an Internal Committee (IC) for office as per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and redressal) Act, 2013?

2. Notices :

- i. Have you displayed sufficient notices informing employees about your organization's stance on sexual harassment and the consequences of indulging in such acts?

If yes, please attach a sample of the notice.....

- ii. Have you provided sufficient information about the members of the IC in prominent places in Hindi as well as English and regional language (applicable if you have more employees/vendors/subvendors/contract labours etc from a particular region who cannot read English and Hindi) the organization, so that employees and staff can reach them.

If yes, please attach a sample of display.....

3. Employee awareness and assistance :

- i. Do you conduct periodic workshops or seminars to sensitize employees about the stance of your organization on sexual harassment and about the consequences of engaging in any conduct that amounts to sexual harassment ?

If yes, please provide the year wise the number of workshop conducted in year 2021 & 2022 (year ending 31<sup>st</sup> December).

- ii. Have you made efforts to make employees aware about their rights under the act? If yes, please mention briefly about such communication.....
- iii. Is there any system or process to provide assistance to an employee who has been sexually harassed, in approaching the complaints committee and in dealing with psychological and other effects of sexual harassment? If yes, please mention briefly about the system: .....
- iv. Does the organization provide assistance to the harassed employee to make criminal complaint in the police station?

4. Internal Committee:

(Section 4 (i) of the act states that every employer of a workplace shall, by an order in writing, constitute a Committee to be known as "Internal Committee" **(Please attach order copy of Internal Committee).**

Provided that where the offices or the administrative units of the workplace are located at different places or divisional or sub-divisional level, the Internal Committee shall be constituted at all administrative units or offices.)

Do you have required number of members in the IC as per the conditions laid down in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and redressal) Act, 2013?

If yes, names of the IC members:

Sr. No.	Name of the members	Office Designation	Contact number	Email Id
1	Presiding officer (Should be a senior level woman) :			
2	External Member :			
3				
4				
5				

Have you conducted an orientation program for the IC members?

If yes, please provide dates of such programmes: .....

Do you conduct capacity and skill building workshops for the IC members?

If yes, please provide the year wise the number of workshop conducted in year 2021 & 2022.

Do you provide necessary facilities to the IC for dealing with sexual harassment proceedings? .....

5. Compliance with complaints committee recommendations:

Have you followed the recommendations of the IC/LC (as applicable) regarding the interim measures?

Have you implemented the IC/LC's (as applicable) recommendations as per the final award?

Do you monitor functioning and performance of the IC at a broad level?

For example: whether the complaints follow the prescribed time limits and procedures?  
Whether conciliation and the interim measures were considered?

6. Reports:

Does the IC forward an annual report containing necessary details of sexual harassment case proceedings to the prescribed authorities?

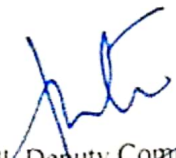
Do you include information about pending and resolved sexual harassment cases in the annual report of your company?

7. Annual Report:

The attached your annual report which the Complaints Committee shall prepare u/s 21, shall have the following details:-

No. of Complaints of sexual harassment received in the year	
No. of complaints disposed off during the year	
No. of complaints pending for more than ninety days	
No. of workshop or awareness programme against sexual harassment carried out	
Nature of action taken by employer of District Officer	

Please note that formation of an Internal Committee and submission of required details and annual report as specified in Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, is legally mandatory; failure to comply with provisions of the Act will be subject to penalty as prescribed in the said Act.

  
Addl. Deputy Commissioner,  
Gurugram-cum-District Officer  
Under POSH Act, 2013