

## Training for Prevention of Sexual Harassment (PoSH) Act, 2013 and Guidelines for formation of “Internal Committee (IC)” Training to “Internal Committee” Members & Policy Drafting Compliance Monitoring, Advisory and Annual Report Filing

(applicable to any organization (Private, Govt, Semi-govt, NGO) with 10 or more employees,  
including students for schools and colleges)

### 1. PoSH Act, 2013 Guidelines for Internal Committee (IC)

Formation of **Internal Committee** (earlier Internal Complaints Committee - ICC) is **mandatory** as per the **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013** — commonly called the **PoSH Act, 2013**.

- **PoSH Act, 2013** — [Act No. 14 of 2013], notified on **22 April 2013**, effective from **9 Dec. 2013**.
- The **Internal Committee** requirement is under **Section 4** of the Act.

### 2. Additional Maharashtra State Mandate:

**GR No. POSH 2014/C.R. 86/Social Justice-4**, dated **17<sup>th</sup> May 2016** — Maharashtra Government made it compulsory for all organizations to **constitute an Internal Committee (IC) and register it** with the **District Officer/DM/ADM**.

### 3. Mandatory Requirements for Organizations (with 10 or more employees) under PoSH Act:

If an organization has **10 or more employees**, **MANDATORILY** it must:

Requirement	Details
<b>Internal Committee (IC)</b>	Must constitute an Internal Committee at every branch/office with prescribed composition
<b>PoSH Policy</b>	Must have a written <b>Anti-Sexual Harassment Policy</b> and communicate it to employees, students, etc.
<b>Training &amp; Awareness</b>	Regular awareness programs and training for employees and IC members.
<b>Annual Report</b>	IC must submit an <b>Annual Report</b> every year to the District Officer mentioning number of complaints received, disposed, etc.
<b>Display Noticeboards and website</b>	Must prominently display at the workplace: <ul style="list-style-type: none"><li>- Contact details of the IC</li><li>- Consequences of sexual harassment</li><li>- PoSH Policy summary</li></ul>
<b>Registration of IC</b>	IC must be <b>registered</b> with the DO/DM/ADM.

**4. PoSH Act (2013) and Vishaka Guidelines (1997) made it compulsory to,**

1. Every employer must provide mechanisms to prevent sexual harassment.
2. A complaint mechanism must be set up, headed preferably by a woman and involving third-party NGOs or other bodies.
3. Disciplinary action must be taken against offenders.
4. Ensure employee awareness of their rights.
5. Strict confidentiality must be maintained.

**5. Compliance Requirements (Mandatory):**

1. Device PoSH Policy
2. Constitute and register the IC committee with DO/DM/ADM
3. Conduct regular PoSH awareness sessions for the employees and new hires
4. Training records to be maintained
5. Capability building sessions for IC (IC members training)
6. Conducting IC quarterly meetings and maintaining minutes of meetings
7. Filing annual report before 31<sup>st</sup> January every year + there are other compliances

**6. Non-compliance penalty:**

1. A penalty of up to **INR 50,000/-** for,
  - a) Failure to constitute Internal Committee (IC)
  - b) Failure to act upon recommendations of IC
  - c) Failure to file an annual report to the DO/DM/ADM
  - d) Contravening (violate) or attempting to contravene (trying to violate) or abetting contravention (helping someone to violate) of the Act or rules.
2. Where an employer repeats a breach under the act, they shall be subject to,
  - a) Twice the punishment or higher punishment if prescribed under any other law of same offence.
  - b) **Cancellation/withdraw/non-renewal of registration/license required for carrying on business or activities.**

## Extract of PoSH Act 2013 [Act No. 14 of 2013] w.e.f 9<sup>th</sup> Dec. 2013

2	THE GAZETTE OF INDIA EXTRAORDINARY	[PART II -
	Be it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows:--	
	CHAPTER I	
	PRELIMINARY	
Short title, extent and commencement	1. (1) This Act may be called the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.	
	(2) It extends to the whole of India.	
	(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.	

### Chapter 1, Section 1 (Page No. 3)

	CHAPTER VI	
	DUTIES OF EMPLOYER	
	19. Every employer shall --	Duties of employer.
	(a) provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;	
	(b) display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting, the Internal Committee under sub-section (1) of section 4;	
	(c) organise workshops and awareness programmes at regular intervals for sensitising the employees with the provisions of the Act and orientation programmes for the members of the Internal Committee in the manner as may be prescribed;	

### Chapter 6, Section 19 (Page No. 10 and 11)

26. (1) Where the employer fails to--	Penalty for non-compliance with provisions of Act.
(a) constitute an Internal Committee under sub-section (1) of section 4;	
(b) take action under sections 13, 14 and 22; and	
(c) contravenes or attempts to contravene or abets contravention of other provisions of this Act or any rules made thereunder,	
he shall be punishable with fine which may extend to fifty thousand rupees.	
(2) If any employer, after having been previously convicted of an offence punishable under this Act subsequently commits and is convicted of the same offence, he shall be liable to--	
(i) twice the punishment, which might have been imposed on a first conviction, subject to the punishment being maximum provided for the same offence:	
Provided that in case a higher punishment is prescribed under any other law for the time being in force, for the offence for which the accused is being prosecuted, the court shall take due cognizance of the same while awarding the punishment;	
(ii) cancellation, of his licence or withdrawal, or non-renewal, or approval, or cancellation of the registration, as the case may be, by the Government or local authority required for carrying on his business or activity.	

### Chapter 8 Section 26(1) and 26(2) (Page No. 12)



## Services provided by us through MOU with our NGO Yashaswikriti Bhavah Foundation

### PoSH Compliance and Training Services

#### 1. Drafting and Customizing the PoSH Policy

- Creation of a clear, legally compliant, and customized Anti-Sexual Harassment Policy tailored to your organization. It should be finalized by the client.

#### 2. Formation and Registration of the Internal Committee (IC)

- Assistance in constituting the IC as per the PoSH Act and aid in completing registration with the District Officer (where applicable).

#### 3. Annual PoSH Awareness Programs for All Employees

- Conducting engaging and practical sessions for all employees and new hires, covering rights, responsibilities, and complaint mechanisms.

#### 4. Maintenance of Training and Awareness Records

- Guidance to set-up proper documentation of trainings for audit and legal purposes.

#### 5. Capability Building and Specialized Training for IC Members

- Deep-dive workshops for IC members on inquiry procedures, legal nuances, documentation, and sensitivity handling.

#### 6. Facilitating Quarterly IC Meetings

- Assisting in conducting IC meetings, drafting and maintaining Minutes of Meetings as per legal requirements. (If we are added as external member)

#### 7. Support in Filing the Mandatory Annual Report

- Aid to prepare and file the Annual Report to the DO/DM before 31<sup>st</sup> January every year.

#### 8. Providing Ready-to-Use Drafts and Formats

- Supplying templates for complaint forms, inquiry notices, witness depositions, inquiry reports, settlement agreements, IC formation, etc. (client should change formats as per their requirements)

**9. PoSH Posters and Workplace Communication Material**

- Providing attractive, compliant workplace posters and digital materials for employee sensitization.

**10. Third-party External Member Services for IC**

- If required, act as an External Member on your organization's Internal Committee.
- Our expert trainer is a director of a **registered NGO, Yashaswikriti Bhavah Foundation (CIN U88900MH2025NPL440298)**

**11. Advisory on PoSH Complaints Handling**

- On-demand expert advisory support during actual complaint inquiry processes.

**12. Mock Drills / Roleplay Sessions**

- Conducting realistic mock inquiries for IC members to practice handling sensitive cases professionally.

**13. PoSH Audit and Gap Assessment**

- Conduct a detailed audit to assess current PoSH compliance status and recommend corrective actions.

**KAMLESH KURANKAR****Certified PoSH Trainer by SkillDeck and Skill-India, NSDC, A Govt. of India Initiative for Skill Development**

Founder and CEO

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