

POSH PULSE NEWSLETTER

PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

JULY, 2025 EDITION



KEY HIGHLIGHTS :-

- Whether Conciliation process is a mandatory step under the POSH framework?
- Delhi High Court vs. Bombay High Court: Rights of female advocates to file POSH complaints.
- Rajasthan Government mandates strict POSH compliance, including IC formation and SHe-Box registration.
- Supreme Court rules POCSO cases cannot be quashed based on compromise between parties.



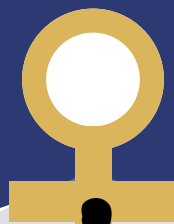
VIKRANT RANA
Managing Partner

The POSH Act has been in effect for over a decade now but yet there remains a significant gap in publicly accessible data that consolidates information across employees and companies. We at S.S. Rana are dedicated to provide you with insightful updates on the ever-evolving dynamics of POSH law. In this edition, we bring to your knowledge and crucial legal developments on POSH law that would help you in having a holistic understanding of this nuanced law.



ANURADHA GANDHI
Managing Associate

Through this edition, we have explored the little known nuances of the POSH Act. It tackles concerns regarding ambiguity and grey areas of the Act by utilizing a standard earmarked by principles of natural justice. Alongwith it explores recent developments, it addresses the leaky pipeline with regards to the implementation and enforcement of the POSH law. We intend to provide a ongoing resource that can aid you in navigating complex issues related to POSH.



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* Applicability of the POSH Act to Female Advocates: A legal and judicial overview

Are female advocates entitled to protection under the POSH Act, 2013? Does the POSH Act extend its shield to women in the legal profession, or do they fall outside its ambit?

To understand the current legal position on this issue- our article explores the evolving judicial interpretations and contrasting views, thereby raising critical questions about the applicability of POSH protections to advocates practicing under their aegis.

To know more about this evolving legal debate and its implications for women in law, delve into our full article at the link below:



<https://ssrana.in/posh-law/articles/applicability-of-the-posh-act-to-female-advocates-a-legal-and-judicial-overview/>

* Is conciliation mandatory before initiating a POSH Inquiry under the POSH Act?

When a complaint of sexual harassment arises in the workplace, the POSH Act, 2013 lays down a structured mechanism for redressal. But before diving into a formal inquiry, one critical question often surfaces:

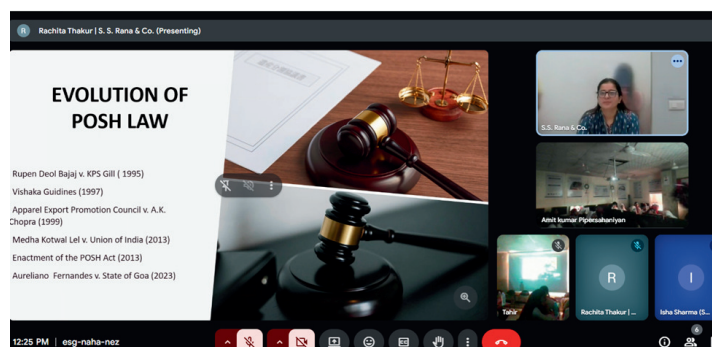
- Is it compulsory to attempt conciliation before initiating an inquiry?
- Who has the authority to initiate and conduct the conciliation process?
- When is the conciliation process considered complete or valid?

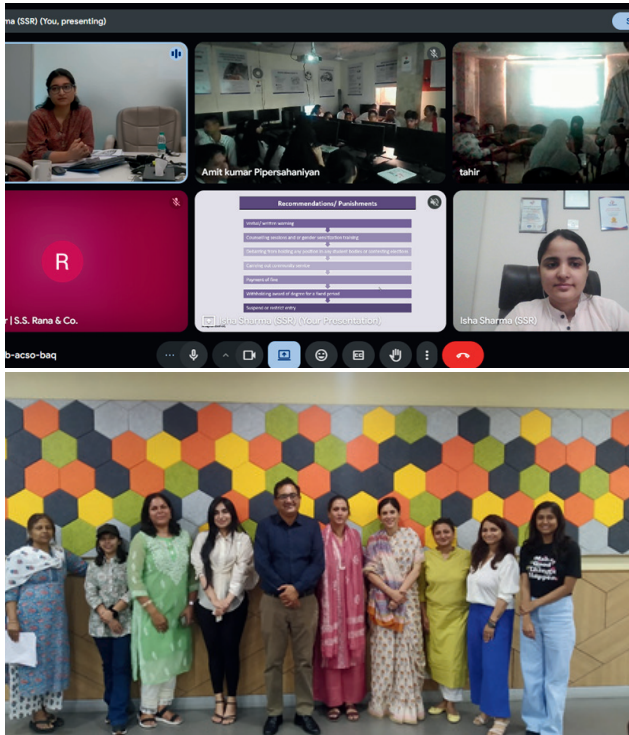
To bring clarity to this nuanced issue, we examined a renowned judicial pronouncement that underscores the importance of following due process.

To know more about this in detail, please refer to our article below:



<https://ssrana.in/posh-law/articles/is-conciliation-mandatory-before-initiating-a-formal-inquiry-under-the-posh-act/>





* Sexual assault in cases of minors cannot be closed based on compromise between parties

Is a compromise between parties enough to quash a case of sexual assault against a minor? Can such a serious offence be treated as a private dispute and set aside?

In a significant judgment, the Hon'ble Supreme Court has made it clear: Sexual assault involving minors cannot be quashed solely on the basis of compromise. These cases are not just personal matters, they are grave crimes that impact public interest, demand accountability, and require legal scrutiny.

To understand the legal reasoning and implications of this judgment, delve into our full article at the link below:

<https://ssrana.in/articles/sexual-assault-in-case-of-minor-cannot-be-closed-based-on-compromise-between-parties/>

* Rajasthan State Government Notification on POSH Compliance

In a significant move reinforcing the seriousness of compliance under the POSH Act, 2013, the Government of Rajasthan, District Collector and District Magistrate of Jaipur, released a public notice reiterating strict adherence to the provision of the POSH Act across all private establishments, government departments and public sector undertakings.

To know more about this notification and what compliances are to be taken care of, please refer to our article below:

<https://ssrana.in/posh-law/news-event/news/rajasthan-state-government-notification-on-posh-compliance/>

