

POSH PULSE - A NEWSLETTER

PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

APRIL- MAY, 2025 EDITION 

KEY HIGHLIGHTS :-

- The impact of procedural lapses on POSH complaints, underscoring the need for compliance and diligence.
- The Hon'ble Supreme Court on applicability of POSH Act to Political Parties: ECI to recommend on applicability.
- The Labour Welfare Department, Tamil Nadu to focus on enhancing employee well-being and safety.
- Mumbai: strengthened workplace safety laws : Recalling private establishments to register with the She-Box .
- The Haryana Labour Department introduced new guidelines to empower women working night shifts.



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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*** Can POSH Complaints be filed beyond limitation period specified under the POSH Act?**

Can a sexual harassment complaint be filed at any time? Or does the law has defined a stipulated timeframe for the same?

What happens if a complaint is filed after the prescribed period- can it still be accepted?

These are some of the pressing questions that often arise in the context of workplace sexual harassment.

In this article, we unpack the rule of limitation, examining the time frame within which a complaint of sexual harassment must ideally be filed and explored the key factors that are being considered while dealing with delayed complaints.

To bring clarity, we have shed light on a renowned case wherein the Mumbai High Court had highlighted the consequences of time-barred complaints and the ongoing challenge in prosecuting sexual harassment cases, where evidence often relies on testimonial accounts rather than tangible proof.

To know more, read our article here:

 [Mumbai Court dismisses Tanushree Dutta's #MeToo Case](#)



*** POSH Act and its relevance to Political Parties in India**


In the wake of increasing awareness around workplace safety and gender equality, one critical question stands out-does POSH Act applies to political parties?

This very issue recently found its way to the Supreme Court through a Public Interest Litigation (PIL), sparking debate. The Court delved into the crux of the matter by examining key definitions under the Act- what constitutes a workplace and who qualifies as an employee?

So, where do political parties stand under the POSH framework? Is protection under the Act extended to them?

Find out the answers in our latest article, where we decode the scope of the Act and the court's analysis to India's political structure.

To know more, read our article here:

 [POSH Act and Its Relevance to Political Parties in India](#)



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* Can Procedural Issues Derail the POSH Complaints?

While the intent of the POSH Act is to provide a robust framework for redressal of sexual harassment complaints, the efficacy of the system largely hinges on the procedural integrity followed by the Internal Committee (IC).

In practice, however, there are several cases that have highlighted that procedural lapses-whether due to ignorance of law, lack of training or intentional neglect- can jeopardize the very purpose of the redressal mechanism.

Our article delves into a similar issue, highlighting whether procedural lapses under the POSH Act can derail a complaint, examining legal precedents, the importance of compliance and what organizations and IC must keep in mind to ensure justice is not only done but seen to be done.

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



[Can Procedural Issues Derail the POSH Complaint...](#)



*New Guidelines to Empower Women working during night shifts: Haryana Government Labour Department.

In a major stride towards promoting safer and inclusive workplaces, the Haryana Government Labour Department had rolled out a notification aimed at bolstering the safety and security of women working during night shifts i.e., from 08:00 P.M. to 06:00 A.M.

This new notification goes further, offering a detailed compliance framework for employers, aimed at mitigating risks and ensuring women's dignity, security and well-being during late working hours.

To know more about what these guidelines are, please refer to our article below:



[New Guidelines to Empower Women working during Night Shifts: Haryana Government Labour Department](#)



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SR Strengthening Workplace Safety for Women Empowerment

In a significant move aimed at bolstering workplace safety for women, the Ministry of Women and Child Development (MWCD), Government of India, launched the **new SHe-Box portal** on August 29, 2024.

Key Highlights of this improved version of SHe-Box portal:



* Maharashtra (Mumbai) - Registration of the Internal Committee on the SHe-Box portal.

In a move to tighten the enforcement of workplace safety laws for women, the District Women and Child Development Officer, the Mumbai City, had issued a public appeal reminding all private establishments of their statutory obligations under the POSH Act, 2013 vide Notification No. DGIPR/2025-26/480.

To ensure transparency and accountability, the Central Government had directed all establishments to register their IC details on the SHe-Box portal.

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



[Maharashtra \(Mumbai\) – Registration of the Internal Committee on the She-Box Portal](#)

*Tamil Nadu Government New Notification on Ensuring Employee Well-Being and Safety

Tamil Nadu Government Notification- Shops and Establishments can now operate 24x7 basis on all days for the next three years- but with a strong employee welfare framework in place.

One of the mandatory condition-Strict Compliance with the POSH Act. Every establishment having 10 or more employees must constitute an Internal Committee to ensure a safe and inclusive working environment.

To know more about what these guidelines are, please refer to our article below:



[Tamil Nadu Government New Notification on ensuring Employee Well-Being and Safety](#)

