

Office of the Regional Joint Director of
Collegiate Education, Rajamahendravaram.

Memo.No.551/B1/2024,

Dated: 01-07-2024.

Sub:- Department of WCDA&SC - Supreme Court of India - Judgement dated 12.05.2023 in Civil Appeal No. 2482 of 2014 - Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013 - Constitution of Internal Committee (IC) under Section 4 (1) of the Act - Certain instructions - Issued.

Read:- U.O.Note No.WDC 01/2081497/2024-PROG-II-A1, Dept. of Women, Children, Differently Abled and Senior Citizens (PROG.II) Dept., Dt.26.06.2024 along with enclosures received in Memo.No.1/Spl. OP-V/2024, Dt.27-06-2024 of the Commissioner of Collegiate Education, A.P., Mangalagiri.

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While enclosing herewith copies of the reference read above, the Principals of Government / Aided Degree Colleges and Government B.Ed., / B.P.Ed., Colleges in Zone - I & II are requested to implement the orders of the Government by duly constituting Internal Committees under Section 4 (1) of Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013 and furnish the names of the Committee Members to the undersigned immediately so as to enable to submit the same to the Commissioner of Collegiate Education, A.P., Mangalagiri for taking further action in the matter.

This should be treated as "Most Urgent".

**Sd/- S. SHOBHA RANI
REGIONAL JOINT DIRECTOR
OF COLLEGIATE EDUCATION
RAJAMAHENDRAVARAM.**

Encls:- As above.

To

The Principals of Government Degree Colleges in Zone - I & II.

The Principals of Aided Degree Colleges in Zone - I & II.

The Principals of Government B.Ed., / B.P.Ed., Colleges in Zone - I & II.

Copy to submitted to the Commissioner of Collegiate Education, A.P., Mangalagiri for favour of information.

Spare-1.

// t.c.f.b.o. //


SUPERINTENDENT
1/7/24

OFFICE OF THE COMMISSIONER OF COLLEGIATE EDUCATION,
ANDHRA PRADESH, MANGALAGIRI.

Memo No.1/Spl. OP-V/2024,

Dated :27/06/2024

Sub: Department for WCDA&SC-Supreme Court of India - Judgement dated 12.05.2023 in Civil Appeal No. 2482 of 2014 - Sexual Harassment of Women at work place (Prevention, Prohibition and Redressal) Act, 2013 -Constitution of Internal Committee (IC) under Section 4 (1) of the Act - Compliance - Reg.

Ref:- U.O.Note No.WDC 01/2081497/2024-PROG-II-A1, dated 26.06.2024

while enclosing a copy of the orders of the Government orders cited above, the Regional Joint Directors of Collegiate Education, Guntur, Kadapa and Rajahmundry are hereby directed to communicate the same to the Principals of the all the Government/ Aided/ BEd., /B.PEd., and AP Residential Government degree College, Palnadu for strict implementation of the orders of the Government by duly constituting internal committees immediately and such names of the committee members be submitted to the department forthwith so as to enable to submit a report to Government in the matter.

Further the Regional Joint Directors of Collegiate Education are also directed to constitute internal committee in their Offices and communicate the names of the members immediately.

(This has the approval of Commissioner of Collegiate Education)

Dr. Krishna Chappidi
Joint Director of Collegiate Education.

To
The Regional Joint Directors of Collegiate Education, Guntur, Kadapa and Rajahmundry.

Copy to the Establishment Section of this Office for favour information and for the constitution of the committee in the Office of the CCE.

Copy to Academic Guidance Officer for proper monitoring of the issues.
Copy to CCE Peshi.

MOST IMMEDIATE**SUPREME COURT MATTER**

GOVERNMENT OF ANDHRA PRADESH
DEPARTMENT FOR WOMEN, CHILDREN, DIFFERENTLY ABLED AND
SENIOR CITIZENS (PROG.II)

U.O. Note No.WDC01/2082497/2024-PROG-II-A1,

Dt:26/06/2024.

Sub:Dept., for WCDA&SC – **Supreme Court of India – Judgment dt: 12.05.2023 in Civil Appeal No. 2482 of 2014** – Sexual Harassment of Women at Work place (Prevention, Prohibition and Redressal) Act, 2013 – Constitution of Internal Committee (IC) under Section 4(1) of the Act – Compliance – Reg.

- Ref:1.Sexual Harassment of Women at Work place (Prevention, Prohibition and Redressal) Act, 2013.
2.D.O. Lr. No. 3384/W.P.A2/2013, Dt: 03.03.2014 of the Principal Secretary to Govt., Dept., for WCDA&SC.
3.Order dt: 12.05.2023 of the Hon'ble Supreme Court of India, New Delhi in Civil Appeal No. 2482 of 2014.
4.Order dt: 09.04.2024 of the Hon'ble Supreme Court of India in Miscellaneous Application Diary No. 22553/2023.
5.Lr. No. WDC01/2082497/2024/Prog.II/A2, Dt: 26.04.2024 of the Principal Secretary to Govt., Dept., for WCDA&SC.
6.U.O. Note No. 2438656/A1/SU.I/2024, Dt: 24.05.2024 of the G.A (SU.I) Dept.,

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Attention of the Secretariat Departments in the address entry is invited to the references cited, wherein it was requested to constitute Internal Committees in their Departments under Sec 4(1) of the Sexual Harassment of Women at Work place (Prevention, Prohibition and Redressal) Act, 2013.

2. The Hon'ble Supreme Court of India vide order dt: 09.04.2024, in Miscellaneous Application Diary No. 22553/2023 observed that despite specific directions issued by the Court in para 77 of the Judgment dt: 12th May, 2023 passed in Civil Application No. 2482 of 2014, affidavits are still awaited almost a year since the said direction were issued for strict compliance and directed the Chief Secretaries to complete the exercise as directed and file appropriate affidavits within four weeks.

3. The Departments are therefore, requested once again to take immediate action to constitute Internal Committees (If not done yet), without fail and furnish a copy to the Dept., for WCDA&SC for filing compliance affidavit in the Apex Court.

(P.T.O.)

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4. This may be treated as **"MOST IMMEDIATE"** and the copy of the orders of constitution of the Internal Committees shall be furnished by **28.06.2024** without fail as the compliance affidavit has to be filed by the Chief Secretary before the Hon'ble Supreme Court.

G JAYALAKSHMI
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Agriculture & Co-operation Department
The Animal Husbandry & Fisheries Department
The Backward Classes Welfare Department
The Consumer Affairs, Food & Civil Supplies Department
The Energy & Infrastructure & Investment Department
The Environment, Forests, Science & Technology Department
The General Administration Department
The Health, Medical & Family Welfare Department
The Higher Education Department
The Home Department
The Housing Department
The Industries & Commerce Department
The LFB&IMS Department
The Minorities Welfare Department
The Municipal Administration & Urban Development Department
The Planning Department
The Public Enterprises Department
The RSAD Department
The Revenue Department
The School Education Department
The Social Welfare & Tribal Welfare Department
The Skill Development, Entrepreneurship and Innovation Department
The Transport, Roads & Buildings Department
The Water Resources Department

//FORWARDED :: BY ORDER//


SECTION OFFICER

8938962/2024/OP-WOCB1

GOVERNMENT OF ANDHRA PRADESH
GENERAL ADMINISTRATION (SU.I) DEPARTMENT

U.O.Note No.2438656/A1 /SU.I/2024

Dated : 24.05.2024



Sub: - GAD - SU.I - Supreme Court of India - Judgement dt : 12.05.2023 in Civil Appeal No.2482 of 2014 - Sexual Harassment of Women at Work place (Prevention, Prohibition and Redressal) Act, 2013 - Constitution of Internal Committee (IC) under Section 4 (1) of the Act - Reg.

Ref: U.O.Note No.WDC01/2082497/2024/Prog.II/A2, W.C.D.A & S.C (PROG.II) Dept., dated: 07.05.2024.

The Spl.CS/Prl.Secy/E.O. Prl.Secy/Secy/E.O.Secy to Government dealing with (OP)matters are informed that, the Hon'ble Supreme Court of India vide orders, dated : 12.05.2023 in Civil Appeal No.2482 of 2014, while passing directions noted that there are lapses in enforcement of the Sexual Harassment of Women at Work place (Prevention, Prohibition and Redressal) Act, 2013 and issued certain directions and directed to file a compliance affidavit. The Apex court vide order dated: 09.04.2024, in Miscellaneous Application Diary No (S) 22553/2023 observed that despite specific directions issued by this court, affidavits are still awaited almost a year since the said directions were issued for strict compliance and directed the Chief Secretaries of all the State Governments/UTs to complete the exercise as directed and file appropriate affidavits within four weeks.

2. The Section 4(1) of the Sexual harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 provides that :

"Every employer of a workplace shall, by an order in writing, constitute a committee to be known as the 'Internal Complaints Committee';

Provided that where the offices or 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."

3. The Women Children Differently Abled & Senior Citizens Department have requested to constitute the Internal Complaints Committees, immediately under Section 4(1) of the Sexual harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 read with amendment issued thereto without fail and ensure that they function effectively and furnish Annual reports as per Sec.21(1) of the Act to the employer and also requested to furnish copies of the orders constituting the Committee to their Department for records within a week.

4. Therefore, all the Spl.CS/Prl.Secy/E.O.Prl.Secy/Secy/E.O.Secy to Government dealing with (OP) matters are requested to kindly constitute the Internal Complaints Committees immediately under Section 4(1) of the Sexual harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 read with amendment issued thereto, and ensure that they function effectively and furnish Annual reports as per Sec.21(1) of the Act to the employer and also requested to furnish copies of the orders constituting the Committee to the Women Children Differently Abled & Senior Citizens Department, under copy to this department, within a week positively.

DR. POLA BHASKAR
SECRETARY TO GOVERNMENT (SER. & HRM) (FAC)

To

The Spl.CS/Prl.Secy/E.O.Prl.Secy/Secy/E.O.Secy of all OP Departments
(except Law and Finance), A.P. Secretariat, Velagapudi.

Copy to :

The W.C.D.A. & S.C.(OP) Department, A.P.Secretariat, Velagapudi.

// FORWARDED :: BY ORDER //

sub
24/5/24
So prog II

P. V. Ramaramma
SECTION OFFICER 24/5

8022262/2024/PROG.II/WDC01

SUPREME COURT CASE
MOST IMMEDIATE

GOVERNMENT OF ANDHRA PRADESH
 DEPARTMENT FOR WOMEN, CHILDREN, DIFFERENTLY ABLED AND
 SENIOR CITIZENS (PROG.II)

Letter No.WDC01/2082497/2024/Prog.II/A2,

Dated:26/04/2024.

From
 The Principal Secretary to Government,
 Dept. for Women, Children, Differently Abled and
 Senior Citizens
 A.P. Secretariat, Velagapudi.

To
 All the Secretariat Heads of Department, A.P., Secretariat.
 The Director, WD & CW, A.P., Guntur.
 All the Collectors & District Magistrates in the State.
 All the Superintendents of Police in the State.

Sir,

Sub: Dept. for WCDA & SC – Supreme Court of India - Judgment dt:
 12.05.2023 in Civil Appeal No. 2482 of 2014 - Sexual
 Harassment of Women at Work place (Prevention, Prohibition
 and Redressal) Act, 2013 – Constitution of Internal committee
 (IC) under Section 4(1) of the Act – Compliance affidavit - Reg.

Ref: 1. Sexual Harassment of Women at Workplace (Prevention,
 Prohibition and Redressal) Act, 2013.
 2. The Repealing and Amending Act, 2016 (No. 23 of 2016)
 dt:06.05.2016 of Law and Justice, GoI.
 3. D.O. Lr.No.3384/W.P.A2/2013, Dt:03.03.2014 of the Principal
 Secretary to Government, Dept. for WCDA & SC.
 4. Order dt: 12.05.2023 of the Hon'ble Supreme Court of India,
 New Delhi in Civil Appeal No. 2482 of 2014.
 5. Order dt: 09.04.2024 of the Hon'ble Supreme Court of India,
 in Miscellaneous Application Diary No. 22553/2023.

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Attention is invited to the captioned subject.

2. The Hon'ble Apex Court in Visakha Vs State of Rajasthan & Ors has
 directed to strictly observe the prescribed guidelines and norms in all work
 places for the preservation and enforcement of the right to gender equality
 of the working women.

(P.T.O.)

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3. Accordingly, the Government of India have enacted the Protection of Women from Sexual Harassment at Workplace (prevention, Prohibition and Redressal) Act, 2013, with the aim to provide safe and secure work environment to women. The Act upholds women's fundamental right to equality as guaranteed under Article 14 and 15 of the Constitution of India, right to live with dignity under Article 21 and right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe working environment free from sexual harassment as provide under Article 19(1) (g) of the constitution. The rules under this Act came into force w.e.f. 9th December, 2013. The right to work with dignity and protection against Sexual exploitation are recognized as human rights and hence this Act has been placed in the statute book.

4. Section 4(1) of the Sexual harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 provides that:

"Every employer of a workplace shall, by an order in writing, constitute a Committee to be known as the 'Internal complaints Committee';

Provided that where the offices or 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".

5. Vide reference 2nd read above, orders were issued amending Sections 6, 7 and 24 of 'The Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013' as follows;

In Section 6, 7 and 24,-

(i) for the words "Local Complaints Committee, wherever they occur, the words "Local Committee" shall be substituted:

(ii) for the words "Internal Complaints Committee, wherever they occur, the words "Internal Committee" shall be substituted.

6. As per the Sec. 4(1) of Act, 'Internal Committees' shall be constituted by every employer of a workplace including every department/organization/undertaking etc and separately for administrative units at different places.

7. Further, Sec. 5 of the Act, 2013 provides that, "The appropriate Government may notify a district Magistrate or Addl. Dist. Magistrate or the Collector or Deputy Collector as a District Officer for every district to exercise powers or discharge functions under this Act."

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and

Sec. 6 of the Act provides for the constitution and jurisdiction of Local Committee – Whereby every District Officer shall constitute in the district concerned a committee to be known as the Local Committee to receive complaints of sexual harassment from establishments where Internal Committee has not been constituted due to having less than ten workers or if the complaint is against the employee himself.

8. Accordingly orders were issued vide G.O. Ms. No.24, Dept. for WCDA & SC (Prog.II) Dt:20.08.2014, notifying the Collectors & District Magistrates as District Officer of POSH Act, 2013 and that the District Officer shall constitute a Local Complaints Committee.

9. Further, vide D.O. Lr.No.3384/WP.A2/2013, dt:03.03.2014, of the Principal Secretary to Government, Dept. for WCDA & SC, all the Secretariat Heads of Department and all the District Collectors in the State were requested to constitute the Local Committees immediately and ensure their effective functioning and also to furnish Annual report as per Sec. 21(1) of the Act to the employer and to the District Collectors.

10. The instructions for constitution of the Internal Committee and Local Committee are reiterated vide Memo No.WDC01/1578503/2021/Prog.II/A2, Dt:02.12.2021.

11. The Hon'ble Supreme Court of India vide orders dt:12.05.2023 in Civil Appeal No.2482 of 2014 filed by Shri Aureliano Fernandes Vs State of Goa and Ors, while passing directions, noted that there are lapses in enforcement of the Sexual Harassment of Women at Work place (Prevention, Prohibition and Redressal) Act, 2013 and issued the following directions and directed to file a complaint affidavit.

- i. The Union of India, all State Governments and Union Territories are directed to undertake a time bound exercise to verify as to whether all the concerned Ministries, Departments, Government organizations, authorities, Public Sector Undertakings, institutions, bodies, etc. have constituted ICCs/LCs/ICs, as the case may be and that the composition of the said Committees are strictly in terms of the provisions of the PoSH Act.
- ii. It shall be ensured that necessary information regarding the constitution and composition of the ICCs/LCs/ICs, details of the e-mail IDs and contact numbers of the designated person(s), the procedure prescribed for submitting an online complaint, as also the relevant rules, regulations and internal policies are made readily available on the website of the concerned Authority/Functionary/ Organisation/ Institution/Body, as the case may be. The information furnished shall also be updated from time to time.

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- iii. A similar exercise shall be undertaken by all the Statutory bodies of professionals at the Apex level and the State level (including those regulating doctors, lawyers, architects, chartered accountants, cost accountants, engineers, bankers and other professionals), by Universities, colleges, Training Centres and educational institutions and by government and private hospitals/nursing homes .
- iv. Immediate and effective steps shall be taken by the authorities/managements/employers to familiarize members of the ICCs/LCs/ICs with their duties and the manner in which an inquiry ought to be conducted on receiving a complaint of sexual harassment at the workplace, from the point when the complaint is received, till the inquiry is finally concluded and the Report submitted.
- v. The authorities/management/employers shall regularly conduct orientation programmes, workshops, seminars and awareness programmes to upskill members of the ICCs/LCs/ICs and to educate women employees and women's groups about the provisions of the Act, the Rules and relevant regulations.
- vi. The National Legal Services Authority(NALSA) and the State Legal Services Authorities(SLSAs) shall develop modules to conduct workshops and organize awareness programmes to sensitize authorities/managements/employers, employees and adolescent groups with the provisions of the Act, which shall be included in their annual calendar.
- vii. The National Judicial Academy and the State Judicial Academies shall include in their annual calendars, orientation programmes, seminars and workshops for capacity building of members of the ICCs/LCs/ICs established in the High Courts and District Courts and for drafting Standard Operating Procedures (SOPs) to conduct an inquiry under the Act and Rules.
- viii. A copy of this judgment shall be transmitted to the Secretaries of all the Ministries, Government of India who shall ensure implementation of the directions by all the concerned Departments, Statutory Authorities, Institutions, Organisations etc. under the control of the respective Ministries. A copy of the judgment shall also be transmitted to the Chief Secretaries of all the States and Union Territories who shall ensure strict compliance of these directions by all the concerned Departments. It shall be the responsibility of the Secretaries of the Ministries, Government of India and the Chief Secretaries of every State/Union Territory to ensure implementation of the directions issued.
- ix. The Registry of the Supreme Court of India shall transmit a copy of this judgment to the Director, National Judicial Academy, Member Secretary, NALSA, Chairperson, Bar Council of India and the Registrar Generals of all the High Courts.
- x. The Registry shall also transmit a copy of this judgment to the Medical Council of India, Council of Architecture, Institute of Chartered Accountants, Institute of Company Secretaries and the Engineering Council of India for implementing the directions issued.

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- xi. Member-Secretary, NALSA is requested to transmit a copy of this judgment to the Member Secretaries of all the State Legal Services Authorities. Similarly, the Registrar Generals of the State High Courts shall transmit a copy of this judgment to the Directors of the State Judicial Academies and the Principal District Judges/District Judges of their respective States.
- xii. The Chairperson, Bar Council of India and the Apex Bodies mentioned in sub-para (ix) above, shall in turn, transmit a copy of this judgment to all the State Bar Councils and the State Level Councils, as the case may be.

12. Further, the Apex court vide order dt:09.04.2024, in Miscellaneous Application Diary No(s) 22553/2023 observed that despite specific directions issued by this court, in para 77 of the judgment date 12th May, 2023 passed in Civil Application No.2482 of 2014, affidavits are still awaited almost a year since the said direction were issued for strict compliances and directed the Chief Secretaries of all the State Governments/UTs to complete the exercise as directed and file appropriate affidavits within four weeks.

13. All the Secretariat Heads of Department are therefore requested to furnish their compliance reports regarding constitution of Internal Committees in the Unit offices in the State under their administrative control, including statutory authorities, Institutions, Organisation etc., immediately to enable the State to file compliance affidavit by the Chief Secretary as directed by the Apex Court.

14. This may be treated **ON TOP PRIORITY** and receipt of the communication may please be acknowledged. **The compliance report shall be furnished by 06.05.2024.**

Yours faithfully,
Sd/- G.JAYALAKSHMI
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//


SECTION OFFICER