

# Rödl & Partner

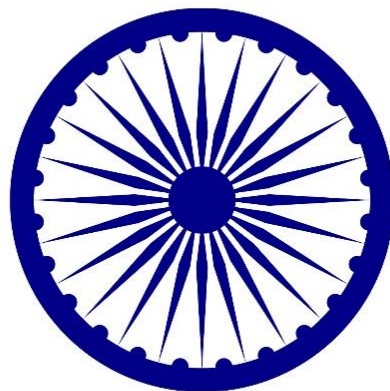
NEWSFLASH INDIA

ADDING VALUE

Issue:  
July  
2019

Latest news on compliance, tax and business in India

[www.roedl.de/indien](http://www.roedl.de/indien) | [www.roedl.com/india](http://www.roedl.com/india)



## → Regulatory Updates in India:

### SEXUAL HARASSMENT OF WOMEN AT WORK

The Woman Development and Child Welfare Departments of Government of Telangana and Government of Maharashtra have released notifications dated 1 and 4 July 2019.

These notifications are as per the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal Act, 2013; abbreviated: POSH Act, 2013) and have accordingly issued timeline within which organisations/employers are required to register Internal Complaints Committee (ICC) as constituted under the POSH Act, 2013. As per the POSH Act, 2013 every organisation/employer with ten or more than ten employees shall constitute an ICC. The ICC shall consist a presiding officer (who shall be a woman employed at a senior level at workplace), minimum two employee members (preferably committed to the cause of women) and, one member from an NGO or organisation committed to the cause of women or a person familiar with the issues relating to sexual harassment. Further, a minimum of one-half of the total members shall be women.

The said notifications are however for the purpose of supervising the compliance of legislative requirement of constitution of the ICCs by the organisations/employers. Further are the key points for notifications of both states in this manner:

#### NOTIFICATIONS IN MAHARASHTRA

- The registration has to be done via an “offline” [application](#) in the prescribed form and submitted with the concerned Sub-Divisional Magistrate.
- The due date for such submissions is on or before 20 July 2019.
- Please note the language of this notification is in Marathi, and there is no translated notification or Registration Form available.
- Please note that the notification does not clarify whether it is applicable for whole of Maharashtra or for the city of Mumbai. Although, it is advisable that all the concerned organisations/employers in whole of Maharashtra shall adhere to this notification as the applicable POSH Act, 2013 mandates for all applicable organisations/employers to constitute ICC and other provisions of the POSH Act, 2013.

#### NOTIFICATIONS IN TELANGANA

- The registration of each ICC has to be made available via a specially created [web-portal](#).
- The notification provides for the due date of such registrations to be on or before 15 July 2019.

Importantly, both notifications provide for penalty to be imposed in case an applicable organisation/employer does not comply with such requirements. Such non-compliance shall attract a fine of INR 50,000/- on the concerned organisation/employer. Although, on bare perusal please note that the notifications do not clarify whether the penalty is levied on failure of establishing an ICC or on failure of registering the ICC, but however, as far as the POSH Act, 2013 is concerned applicable organisation/employer is mandatorily required to constitute such ICC.

#### CONTACT FOR FURTHER INFORMATION



Ursula Hoffmann  
[Ursula.hoffman@roedl.com](mailto:Ursula.hoffman@roedl.com)



Abhisharan Singh  
[Abhisharan.singh@roedl.com](mailto:Abhisharan.singh@roedl.com)

## Imprint

Rödl & Partner Consulting Pvt Ltd  
Lunkad Sky Cruise, Wing-B  
Survey No 210/3, Viman Nagar  
Pune -411014  
T +91 0 2066 2571 00  
[www.roedl.de](http://www.roedl.de) | [www.roedl.com](http://www.roedl.com)

Responsible for the content:  
Ursula Hoffmann  
[Ursula.hoffman@roedl.com](mailto:Ursula.hoffman@roedl.com)

and

Abhisharan Singh  
[Abhisharan.singh@roedl.com](mailto:Abhisharan.singh@roedl.com)

Layout/Type:  
Karuna Advani  
[Karuna.advani@roedl.com](mailto:Karuna.advani@roedl.com)

This Newsletter offers non-binding information and is intended for general information purposes only. It is not intended as legal, tax or business administration advice and cannot be relied upon as individual advice. When compiling this News-letter and the information included herein, Rödl & Partner used every endeavor to observe due diligence as best as possible, nevertheless Rödl & Partner cannot be held liable for the correctness, up-to-date content or completeness of the presented information.

The information included herein does not relate to any specific case of an individual or a legal entity, therefore, it is advised that professional advice on individual cases is always sought. Rödl & Partner assumes no responsibility for decisions made by the reader based on this Newsletter. Should you have further questions please contact Rödl & Partner contact persons.