

Maharashtra Government
Office of Additional Labor Commissioner, New Administrative Building No.2 4th Floor,
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No. अकाआ/मदवुआ/काठिमलेंछ/अं.त.समीती/5781/2024

Date 26th Sept 2024

Subject: Regarding formation of Internal Committee under Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rule 09.12.2013 at the Workplace.

Reference: 1. Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules dated 09.12.2013.

2. Department of Women and Child Development, Government Order: मकचौ-2013/प्र.क्र.63/मकक, dated 19.06.2014.

3 As per the instructions given by Hon. Additional Collector and District Officer (का.ठी.म.लै.छा.अ) in the meeting dated 20/09/2024.

In the context of the above, we are informed that under Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules, dated 09.12.2013, any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the appropriate Government or the local authority or a Government company or a corporation or a cooperative society or any private sector organisation or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-governmental organisation, unit or service provider carrying on commercial, professional, vocational, educational, entertainment, industrial, health services or financial activities including production, supply, sale, distribution or service or hospitals or nursing homes or any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereto, It is mandatory for every employer who has 10 or more officers/employees/workers/individuals to constitute an Internal Committee in their establishment as mentioned in the Act. The Committee should include as follows:

(A) A Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees:

Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the workplace.

Provided further that in case the other offices or administrative units of the workplace do not have a senior level woman employee, the Presiding Officer shall be nominated from any other workplace of the same employer or other department or organization.

(B). At least two Members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge.

c. One member from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.

Provided, that at least 50% of the total members to be so nominated should be women.

The Presiding Officer and every Member of the Internal Committee shall be appointed by the employer and shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer

However, as per the provisions of Section 26 of the said Act, if an employer does not: (a) Has not constituted an Internal Committee.

(b) Does not take action as per Section 13.14 and 22 of the Act

(c) Contravenes or attempts to contravene or abets contravention of other provisions of the Act or any rules made thereunder,

the employer shall be liable for a fine of up to Fifty thousand rupees will be imposed and if the same is repeated, double the penalty or their license may be revoked.

It is directed to all Organizations that if they have not constituted the Internal Committee as per the Law to do so and share the information of such constitution in the attached format over email at **adclngp@gmail.com** within three (3) days from the date of receipt of this letter.

Signed

(Mai. M. Paunikar)

Office of Inspector of Shops/ Facilitator Upper Labor Commissioner, Nagpur