

Anvay Insights – October 2024

In today's rapidly evolving landscape, we aim to provide you with timely updates, expert analysis, and practical tips.



www.thelegalswan.com



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The Legal Swan(TLS) Viewpoint



Lights, Camera, Exploitation: Justice Hema Committee's Findings on Women in Malayalam Cinema

The Justice Hema Committee, established by the Kerala government in July 2017...

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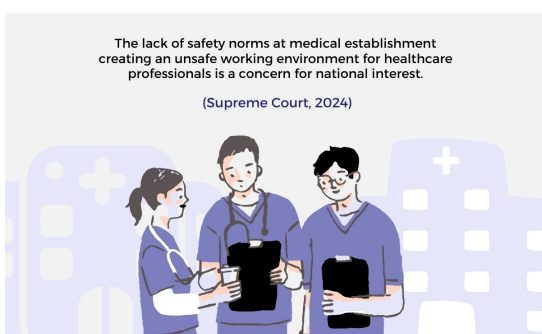
Ask us Anything

If an employee uses unparliamentary language, sexually coloured remark, sexual gestures, Will this fall under sexual harassment?

Yes, as any verbal, non-verbal, physical conduct which is unwelcome and sexual in nature constitutes sexual harassment.

Please feel free to write your query to connect@thelegalswan.com and we will try to answer that in our next edition.

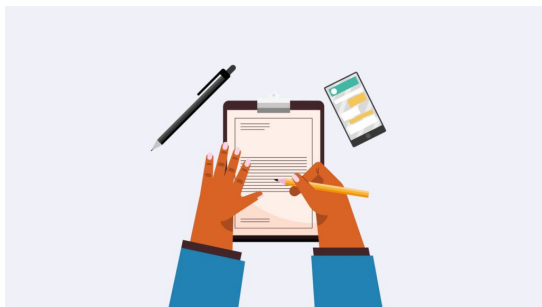
In the News



Supreme Court: Lack of safety norms at medical establishments is a concern for national interest

On 9th August 2024, a post graduate doctor, who was on a 36-hour duty shift, was found...

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Can you give us a certificate?

It's that time of the year again when organizations start gearing up towards completion of their POSH compliances.

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TLS Upcoming Programs

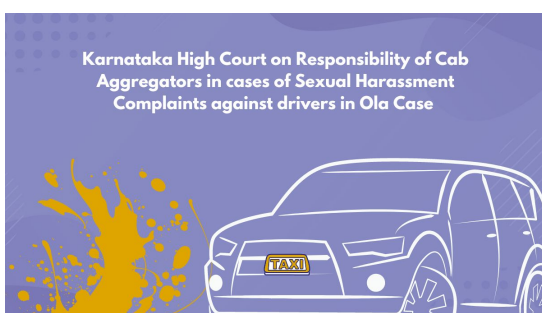
Panel Discussion on POSH and its connection with other Employment Laws at Anvay Insights, 2024



The upcoming panel discussion, featuring a representative from AZB & Partners, will delve into critical legal considerations surrounding the handling of POSH complaints. Key topics include whether a Respondent can be placed on paid or unpaid leave once a complaint is filed, and whether a resignation can be suspended if submitted during the notice period or post-complaint filing. The panel will also explore the Internal Committee's (IC) authority to recommend withholding a Respondent's Provident Fund or Gratuity amounts following an inquiry, addressing the legalities and potential repercussions of such actions.

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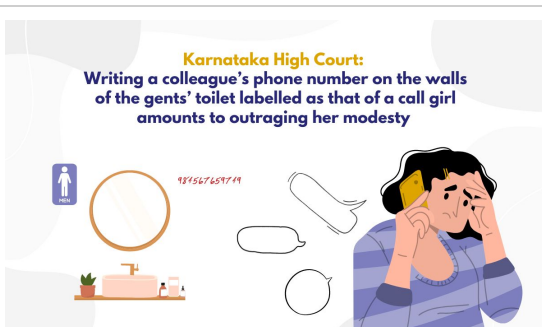
In the Courts



Karnataka High Court on Responsibility of Cab Aggregators in cases of Sexual Harassment Complaints against drivers in Ola Case

The Petitioner saw the driver watching a pornographic video during her Ola ride...

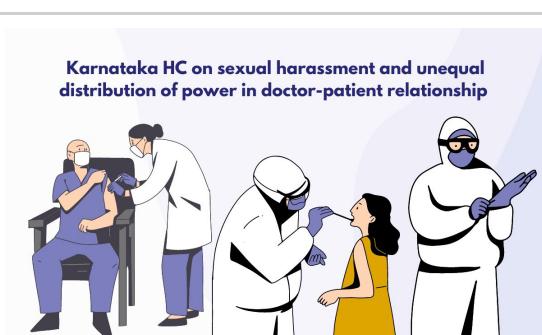
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Karnataka High Court: Writing a colleague's phone number on the walls of the gents' toilet labelled as that of a call girl amounts to outraging her modesty

The aggrieved is a married woman who worked at a Primary Health centre...

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Karnataka HC on sexual harassment and unequal distribution of power in doctor-patient relationship

When the aggrieved went for her appointment, the doctor asked her to lie down for examination. He first put his stethoscope...

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Calcutta High Court on Allowing Delays in Filing Sexual Harassment Complaints

The aggrieved filed a complaint of sexual harassment before the Local Committee after 6 months had already passed...

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Other TLS Updates

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Writs and Appeals on POSH: Where are they headed?

Broad points of discussion:

- How are appellate courts being identified currently?
- What are the broad grounds of appeals right now?
- Under what circumstances are writs being filed?
- What are IC liabilities in such situations?
- What are org liabilities in such situations?

27th Sep, 2024

4PM to 5PM

Virtual

Speaker:

Adv. Nitin Kulkarni
Labour & Industrial Courts Practitioner

Speaker:

Adv. Anuja Terkar
Labour & Industrial Courts Practitioner

Moderator:

Adv. Shivangi Prasad
Founder & Director, The Legal Swan

We are thrilled to introduce a new series of Learning and Development Sessions titled “Anvay Insights,” exclusively designed for Internal Committee (IC) members of the Organizations we partner with. Building on the success of our initiative “Anvay: A Global Dialogue” launched last year, we received overwhelming support

from 72 Indian & Global Speakers and 300+ attendees. Your appreciation has inspired us to continue this journey of learning!

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Who are We?

At **The Legal Swan**, we are building blocks of workplace safety. Through **POSH at Work** (www.poshatwork.com) we provide 360° Solutions against Sexual Harassment and through **Respekt** (www.respekt.in) 360° Solutions for Diversity, Equity, Inclusion & Belonging. Through **Anvay** (www.anvayglobal.com) we aim to shape the global narrative around these subjects.

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Thank you for subscribing to Anvay Insights!

We hope you find the information useful as you work towards fostering respectful and inclusive workplaces. Please feel free to share your feedback or suggestions for future topics

on connect@thelegalswan.com.

Let's build blocks of workplace safety together!

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