

Finin2min

[Labour Publication Series](#)

Labour & Manpower Law Publication Series

Part 5 - Inquiry and evidence

POSH Act and Rules | Statutory text/source record, practical procedure, controls, remedies and Q&A.

Review date: 2026-07-18 Authors: CA Nikhil Gupta & Kajri Singh Source modules:

16

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POSH Act and Rules Inquiry and evidence four-step compliance flowchart

Finin2min decision flow — identify the law, complete the statutory process and preserve evidence.

Source protocol. Retained provision/rule pages and official documents are consolidated below. The signed Gazette and current authority portal prevail over normalised formatting.

Decision flow

Coverage→Statutory trigger→Procedure/form→Evidence→Remedy/appeal

Official source

[Open current official source](#)

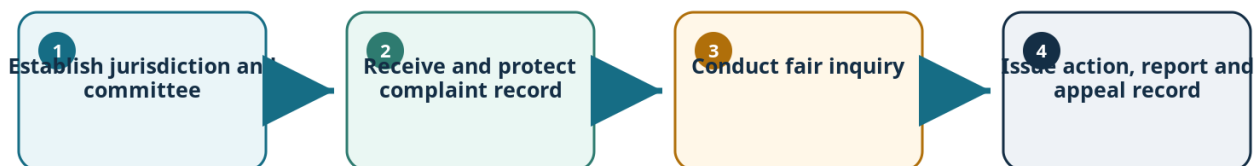
Finin2min Summary - Chapter in 2 Minutes

This chapter turns inquiry and evidence into an operational control file. It covers Complaint And Inquiry Timeline, Natural Justice And Inquiry, Rule 01 Short Title And Commencement, Rule 02 Definitions; the practical sequence is to classify coverage and event date, apply the provision and mapped Rule, complete the form/register, calculate the entitlement or exposure, and retain evidence for inspection, claim or appeal.

Part 5 - Inquiry and evidence

FININ2MIN LEGAL FLOW

POSH Act and Rules — Inquiry and evidence



Law → trigger → procedure → evidence. Confirm the operative Central/State instrument on the event date.

Use this flow with the chapter provision map, implementation controls, evidence checklist, limitation/forum review and remedy framework. Confirm the operative Central and State instruments on the event date.

Part 5 - Inquiry and evidence

Finin2min implementation explanation

Maintain a controlled implementation file for Part 5 - Inquiry and evidence: coverage and event date, operative Central/State instrument, responsible owner, approval and authority, form/portal step, due date, calculation basis, supporting evidence, exception, escalation and closure proof. Reconcile payroll, HR, finance, contractor and legal records before sign-off.

Practical example

During inquiry, one party submits screenshots without source devices. Preserve originals, metadata, witness context, service and opportunity to respond; separate admissibility/reliability assessment from the final factual finding.

Calculation / control template

Control calculation: verified population or transaction base $\times$ applicable notified rate/amount $\times$ eligible period, adjusted for statutory inclusions, exclusions, ceilings, interest, compensation and prior payments. Reperform the calculation from retained source data.

Current-law control: verify the operative Central/State instrument, notification, form, portal and binding judgment on the event date. Numerical amounts in examples are illustrative unless expressly sourced.

Who is covered

Every workplace, employer, Internal Committee, Local Committee, aggrieved woman, respondent and inquiry participant must follow the applicable complaint and confidentiality framework.

Main obligations and rights

- Complaint And Inquiry Timeline
- Natural Justice And Inquiry
- Rule 01 Short Title And Commencement
- Rule 02 Definitions
- Rule 03 Fees Or Allowances For External Member Of Internal Committee
- Rule 04 Person Familiar With Issues Relating To Sexual Harassment

Key thresholds and timelines

- Authors: Nikhil Gupta & Kajri Singh Data reviewed on 17 July 2026 Step Central time rule Complaint Within 3 months of incident/last incident;
- Copy to respondent Within 7 working days under Rule 7.
- Respondent reply Within 10 working days of receipt under Rule 7.
- Inquiry report Provide within 10 days of completion.

Forms, registers and evidence

- Register
- Return
- Nomination
- Retain classification, calculation, approval, communication, acknowledgement and payment/filing proof.

Employer risk snapshot

Highest practical risks: committee defects, limitation errors, confidentiality breach or non-implementation of recommendations.

Employee/worker remedy snapshot

Core protection: a time-bound complaint process, interim protection, confidentiality and appeal under the statutory framework. Confirm the authority, limitation and appeal route stated in this chapter.

Old law / transition

Apply the instrument effective on the event date and preserve any accrued right, saved notification, pending proceeding or scheme-specific transition.

Five-point professional checklist

1. Freeze the event date, establishment, location and person/worker classification.
2. Identify the controlling section/paragraph, mapped Rule, notification and appropriate Government.
3. Repreform the calculation or decision test and document every exception or approval.
4. Complete the prescribed form/register/portal step and retain acknowledgement, payment and communication evidence.
5. Record the remedy, forum, limitation, appeal path and State variation before sign-off.

Finin2min takeaway: for inquiry and evidence, the defensible answer is not a policy label - it is the event-date law, the mapped procedure, the calculation and a complete evidence trail.

[Download one-page Finin2min cheat sheet](#)

Complaint And Inquiry Timeline

Complaint and inquiry timeline | Finin2min Skip to content finin min Home POSH hub Complaint and inquiry timeline POSH practical guide Complaint and inquiry timeline Finin2min operating guidance linked to the Act, Rules and current official implementation material. Authors: Nikhil Gupta & Kajri Singh Data reviewed on 17 July 2026 Step Central time rule Complaint Within 3 months of incident/last incident; committee may extend by up to 3 further months for recorded reasons. Copy to respondent Within 7 working days under Rule 7. Respondent reply Within 10 working days of receipt under Rule 7. Inquiry Complete within 90 days. Inquiry report Provide within 10 days of completion. Employer/District Officer action Within 60 days of recommendation. Appeal Within 90 days of recommendation. Workflow Receive and acknowledge without demanding a legally unnecessary format. Assist the aggrieved woman where the complaint cannot be put in writing. Check forum, limitation and any extension reasons. Consider conciliation only on her request and without monetary settlement. Serve the complaint, receive response, identify issues and evidence. Conduct hearings with quorum and natural justice; control confidentiality. Complete inquiry, deliver reasoned report and track action. Preserve appeal dates and annual-report data. Primary provisions Use the section and rule repository

and the source register . Apply State rules, service rules and current forum details before acting. Guides Applicability Committee Timeline Reporting SHe-Box Checklist

Finin2min implementation decode

The committee checks jurisdiction, limitation, conflict and interim-risk issues before fixing the process calendar. Access is restricted, evidence is indexed and every communication is issued through an authorised channel.

- Identify actor, trigger, threshold and territorial authority.
- Map form, record, portal, fee and due date.
- Separate substantive entitlement from procedure, remedy and penal consequence.
- Retain the official instrument and event-date evidence.

Natural Justice And Inquiry

Natural justice and inquiry procedure | Finin2min Skip to content finin min Home POSH hub Natural justice and inquiry procedure POSH practical guide Natural justice and inquiry procedure Finin2min operating guidance linked to the Act, Rules and current official implementation material. Authors: Nikhil Gupta & Kajri Singh Data reviewed on 17 July 2026 Minimum process controls Rule 7 requires service of the complaint, a response opportunity, natural justice, advance notice before termination or ex parte action, no legal practitioner representation before the Committee, and a minimum of three members including the Presiding Officer or Chairperson. Evidence discipline Maintain an indexed record of complaint, response, electronic records, witness statements, hearing notices, attendance, objections, procedural orders and reasons. Give both parties a fair opportunity on material used for findings. Reasoned report Separate allegations, issues, evidence, credibility assessment, findings, statutory analysis and recommendations. Avoid moral commentary, assumptions based on delay or stereotype, and findings outside the allegations without due notice. Supreme Court emphasis: The 2023 Aureliano Fernandes judgment treats procedural fairness and adherence to the statutory mechanism as central, not optional. Primary provisions Use the section and rule repository and the source register . Apply State rules, service rules and current forum details before acting. Guides Applicability Committee Timeline Reporting SHe-Box Checklist

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Rule 01 Short Title And Commencement

Rule 1 - Short title and commencement | Finin2min Skip to content finin min Home POSH hub Rule 1 POSH Rules, 2013 · G.S.R. 769(E) Rule 1: Short title and commencement The Rules commenced with their Gazette publication on 9 December 2013. Central Rule 9 December 2013 Data reviewed on 17 July 2026 Rule text 1. Short title and commencement. - (1) These rules may be called the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013. (2) They shall come into force on the date of their publication in the Official Gazette. Transcribed from the Ministry of Women and Child Development Gazette PDF. For live reliance, open the official PDF in the source register. Finin2min explanation The Rules commenced with their Gazette publication on 9 December 2013. Linked Act sections Section 1 Section 29 Implementation control Assign an owner, preserve the evidence required by this Rule, record deadlines and check whether State rules or applicable service rules add a requirement. Rule navigation POSH hub Employer checklist Section-rule map Official sources

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Rule 02 Definitions

Rule 2 - Definitions | Finin2min Skip to content finin min Home POSH hub Rule 2 POSH Rules, 2013 · G.S.R. 769(E) Rule 2: Definitions These definitions support the procedural Rules and import undefined expressions from the Act. Central Rule 9 December 2013 Data reviewed on 17 July 2026 Rule text 2. Definitions. - In these rules, unless the context otherwise requires,- (a) “Act” means the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013); (b) “complaint” means the complaint made under section 9; (c) “Complaints Committee” means the Internal Committee or the Local Committee, as the case may be; (d) “incident” means an incident of sexual harassment as defined in clause (n) of section 2; (e) “section” means a section of the Act; (f) “special educator” means a person trained in communication with people with special needs in a way that addresses their individual differences and needs; (g) words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act. Transcribed from the Ministry of Women and Child Development Gazette PDF. For live reliance, open the official PDF in the source register. Finin2min explanation These definitions support the procedural Rules and import undefined expressions from the Act. Linked Act sections Section 2 Section 29 Implementation control Assign an owner, preserve the evidence required by this Rule, record deadlines and check whether State rules or applicable service rules add a requirement. Rule navigation POSH hub Employer checklist Section-rule map Official sources

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Rule 03 Fees Or Allowances For External Member Of Internal Committee

Rule 3 - Fees or allowances for external member of Internal Committee | Finin2min Skip to content finin min Home POSH hub Rule 3 POSH Rules, 2013 · G.S.R. 769(E) Rule 3: Fees or allowances for external member of Internal Committee The employer bears the prescribed external-member sitting and travel

cost. The amounts are the text of the Central Rules; check any applicable State rule or later notification before payment. Central Rule 9 December 2013 Data reviewed on 17 July 2026 Rule text 3. Fees or allowances for Member of Internal Committee.

- (1) The Member appointed from amongst non-government organisations shall be entitled to an allowance of two hundred rupees per day for holding the proceedings of the Internal Committee and also the reimbursement of travel cost incurred in travelling by train in three tier air condition or air conditioned bus and auto rickshaw or taxi, or the actual amount spent by him on travel, whichever is less. (2) The employer shall be responsible for the payment of allowances referred to in sub-rule (1). Transcribed from the Ministry of Women and Child Development Gazette PDF. For live reliance, open the official PDF in the source register. Finin2min explanation The employer bears the prescribed external-member sitting and travel cost. The amounts are the text of the Central Rules; check any applicable State rule or later notification before payment. Linked Act sections Section 4 Section 29 Implementation control Assign an owner, preserve the evidence required by this Rule, record deadlines and check whether State rules or applicable service rules add a requirement. Rule navigation POSH hub Employer checklist Section-rule map Official sources

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Rule 04 Person Familiar With Issues Relating To Sexual Harassment

Rule 4 - Person familiar with issues relating to sexual harassment | Finin2min Skip to content finin min Home POSH hub Rule 4 POSH Rules, 2013 · G.S.R. 769(E)

Rule 4: Person familiar with issues relating to sexual harassment Expertise can arise through at least five years of relevant social work or familiarity with labour, service, civil or criminal law. The statutory appointment clause and current SHE-Box empanelment process should also be checked. Central Rule 9 December 2013 Data reviewed on 17 July 2026 Rule text 4. Person familiar with issues relating to sexual harassment. - Person familiar with the issues relating to sexual harassment for the purpose of clause (c) of sub-section (1) of section 7 shall be a person who has expertise on issues relating to sexual harassment and may include any of the

following:- (a) a social worker with at least five years' experience in the field of social work which leads to creation of societal conditions favourable towards empowerment of women and in particular in addressing workplace sexual harassment; (b) a person who is familiar with labour, service, civil or criminal law. Transcribed from the Ministry of Women and Child Development Gazette PDF. For live reliance, open the official PDF in the source register. Finin2min explanation Expertise can arise through at least five years of relevant social work or familiarity with labour, service, civil or criminal law. The statutory appointment clause and current SHe-Box empanelment process should also be checked. Linked Act sections Section 6 Section 7 Section 29 Implementation control Assign an owner, preserve the evidence required by this Rule, record deadlines and check whether State rules or applicable service rules add a requirement. Rule navigation POSH hub Employer checklist Section-rule map Official sources

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Rule 05 Fees Or Allowances For Chairperson And Members Of Local Committee

Rule 5 - Fees or allowances for Chairperson and members of Local Committee | Finin2min Skip to content finin min Home POSH hub Rule 5 POSH Rules, 2013 · G.S.R. 769(E) Rule 5: Fees or allowances for Chairperson and members of Local Committee The District Officer funds the prescribed Local Committee allowances and travel reimbursement under the Central Rules, subject to applicable jurisdictional provisions. Central Rule 9 December 2013 Data reviewed on 17 July 2026 Rule text 5. Fees or allowances for Chairperson and Members of Local Committee. - (1) The Chairperson of the Local Committee shall be entitled to an allowance of two hundred and fifty rupees per day for holding the proceedings of the said Committee. (2) The Members of the Local Committee other than the Members nominated under clauses (b) and (d) of sub-section (1) of section 7 shall be entitled to an allowance of two hundred rupees per day for holding the proceedings of the said Committee and also the reimbursement of travel cost incurred in travelling by train in three tier air condition or air conditioned bus

and auto rickshaw or taxi, or the actual amount spent by him on travel, whichever is less. (3) The District Officer shall be responsible for the payment of allowances referred to in sub-rules (1) and (2). Transcribed from the Ministry of Women and Child Development Gazette PDF. For live reliance, open the official PDF in the source register. Finin2min explanation The District Officer funds the prescribed Local Committee allowances and travel reimbursement under the Central Rules, subject to applicable jurisdictional provisions. Linked Act sections Section 6 Section 7 Section 8 Section 29 Implementation control Assign an owner, preserve the evidence required by this Rule, record deadlines and check whether State rules or applicable service rules add a requirement. Rule navigation POSH hub Employer checklist Section-rule map Official sources

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Rule 06 Complaint Of Sexual Harassment By Another Person

Rule 6 - Complaint of sexual harassment by another person | Finin2min Skip to content finin min Home POSH hub Rule 6 POSH Rules, 2013 · G.S.R. 769(E) Rule 6: Complaint of sexual harassment by another person The rule prevents incapacity, death or inability from blocking access to the complaint mechanism and specifies consent safeguards. Central Rule 9 December 2013 Data reviewed on 17 July 2026 Rule text 6. Complaint of sexual harassment. - For the purpose of sub-section (2) of section 9,- (i) where the aggrieved woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by her relative or friend; her co-worker; an officer of the National Commission for Women or State Women's Commission; or any person who has knowledge of the incident, with her written consent; (ii) where she is unable to complain on account of mental incapacity, a complaint may be filed by her relative or friend; a special educator; a qualified psychiatrist or psychologist; the guardian or authority under whose care she is receiving treatment or care; or a person with knowledge of the incident jointly with one of those persons; (iii) where she is unable to complain for any other reason, a person with knowledge of the incident may file with her written consent; (iv) where she is dead, a person with knowledge of the incident may file

with the written consent of her legal heir. Transcribed from the Ministry of Women and Child Development Gazette PDF. For live reliance, open the official PDF in the source register. Finin2min explanation The rule prevents incapacity, death or inability from blocking access to the complaint mechanism and specifies consent safeguards. Linked Act sections Section 6 Section 9 Section 29 Implementation control Assign an owner, preserve the evidence required by this Rule, record deadlines and check whether State rules or applicable service rules add a requirement. Rule navigation POSH hub Employer checklist Section-rule map Official sources

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Rule 07 Manner Of Inquiry Into Complaint

Rule 7 - Manner of inquiry into complaint | Finin2min Skip to content finin min Home POSH hub Rule 7 POSH Rules, 2013 · G.S.R. 769(E) Rule 7: Manner of inquiry into complaint This is the central procedural backbone: copies, service, reply time, natural justice, absence protocol, no legal practitioners and minimum quorum. Central Rule 9 December 2013 Data reviewed on 17 July 2026 Rule text 7. Manner of inquiry into complaint. - (1) Subject to section 11, the complainant shall submit six copies of the complaint with supporting documents and names and addresses of witnesses. (2) The Complaints Committee shall send a copy to the respondent within seven working days. (3) The respondent shall file a reply with documents and witness details within ten working days of receipt. (4) The inquiry shall follow the principles of natural justice. (5) The Committee may terminate proceedings or proceed ex parte after three consecutive absences without sufficient cause, but only after fifteen days' advance written notice. (6) Parties shall not bring a legal practitioner to represent them before the Committee. (7) At least three Committee members, including the Presiding Officer or Chairperson, must be present. Transcribed from the Ministry of Women and Child Development Gazette PDF. For live reliance, open the official PDF in the source register. Finin2min explanation This is the central procedural backbone: copies, service, reply time, natural justice, absence protocol, no legal practitioners and minimum quorum. Linked Act sections Section 9 Section 10 Section 11 Section 29 Implementation control Assign

an owner, preserve the evidence required by this Rule, record deadlines and check whether State rules or applicable service rules add a requirement. Rule navigation POSH hub Employer checklist Section-rule map Official sources

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Rule 08 Other Relief During Pendency Of Inquiry

Rule 8 - Other relief during pendency of inquiry | Finin2min Skip to content finin min Home POSH hub Rule 8 POSH Rules, 2013 · G.S.R. 769(E) Rule 8: Other relief during pendency of inquiry These prescribed measures supplement the transfer and leave relief listed in section 12. Central Rule 9 December 2013 Data reviewed on 17 July 2026 Rule text 8. Other relief to complainant during pendency of inquiry. - At the written request of the aggrieved woman, the Complaints Committee may recommend that the employer restrain the respondent from reporting on her work performance or writing her confidential report and assign that function to another officer; or, in an educational institution, restrain the respondent from supervising her academic activity. Transcribed from the Ministry of Women and Child Development Gazette PDF. For live reliance, open the official PDF in the source register. Finin2min explanation These prescribed measures supplement the transfer and leave relief listed in section 12. Linked Act sections Section 12 Section 29 Implementation control Assign an owner, preserve the evidence required by this Rule, record deadlines and check whether State rules or applicable service rules add a requirement. Rule navigation POSH hub Employer checklist Section-rule map Official sources

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Rule 09 Manner Of Taking Action For Sexual Harassment

Rule 9 - Manner of taking action for sexual harassment | Finin2min Skip to content finin min Home POSH hub Rule 9 POSH Rules, 2013 · G.S.R. 769(E) Rule 9: Manner of taking action for sexual harassment Where service rules do not prescribe action, the rule supplies a non-exhaustive range of disciplinary recommendations. Central Rule 9 December 2013 Data reviewed on 17 July 2026 Rule text 9. Manner of taking action for sexual harassment. - Except where service rules exist, when the allegation is proved the Committee may recommend action including written apology, warning, reprimand or censure, withholding promotion, withholding pay rise or increments, termination from service, counselling or community service. Transcribed from the Ministry of Women and Child Development Gazette PDF. For live reliance, open the official PDF in the source register. Finin2min explanation Where service rules do not prescribe action, the rule supplies a non-exhaustive range of disciplinary recommendations. Linked Act sections Section 13 Section 29 Implementation control Assign an owner, preserve the evidence required by this Rule, record deadlines and check whether State rules or applicable service rules add a requirement. Rule navigation POSH hub Employer checklist Section-rule map Official sources

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- Identify actor, trigger, threshold and territorial authority.
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Rule 10 Action For False Or Malicious Complaint Or False Evidence

Rule 10 - Action for false or malicious complaint or false evidence | Finin2min Skip to content finin min Home POSH hub Rule 10 POSH Rules, 2013 · G.S.R. 769(E) Rule 10: Action for false or malicious complaint or false evidence Action requires

a specific finding of malice, knowing falsity or forged/misleading material; mere failure to prove a complaint is insufficient under section 14. Central Rule 9 December 2013 Data reviewed on 17 July 2026 Rule text 10. Action for false or malicious complaint or false evidence. - Except where service rules exist, where the Committee concludes that the allegation was malicious, the complaint was knowingly false, or a forged or misleading document was produced, it may recommend action in accordance with rule 9. Transcribed from the Ministry of Women and Child Development Gazette PDF. For live reliance, open the official PDF in the source register. Finin2min explanation Action requires a specific finding of malice, knowing falsity or forged/misleading material; mere failure to prove a complaint is insufficient under section 14. Linked Act sections Section 14 Section 29 Implementation control Assign an owner, preserve the evidence required by this Rule, record deadlines and check whether State rules or applicable service rules add a requirement. Rule navigation POSH hub Employer checklist Section-rule map Official sources

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Rule 11 Appeal

Rule 11 - Appeal | Finin2min Skip to content finin min Home POSH hub Rule 11 POSH Rules, 2013 · G.S.R. 769(E) Rule 11: Appeal The prescribed appeal text refers to the 1946 Standing Orders Act. Deployment should cross-link the current Industrial Relations Code transition page and applicable service-rule forum rather than presenting one universal forum. Central Rule 9 December 2013 Data reviewed on 17 July 2026 Rule text 11. Appeal. - Subject to section 18, an aggrieved person may appeal covered recommendations, confidentiality action or non-implementation to the appellate authority notified under the Industrial Employment (Standing Orders) Act, 1946. The forum must be read with the applicable service rules and the current labour-law transition. Transcribed from the Ministry of Women and Child Development Gazette PDF. For live reliance, open the official PDF in the source register. Finin2min explanation The prescribed appeal text refers to the 1946 Standing Orders Act. Deployment should cross-link the current Industrial Relations Code transition page and applicable service-rule

forum rather than presenting one universal forum. [Linked Act sections](#) [Section 18](#) [Section 29](#) [Implementation control](#) [Assign an owner](#), preserve the evidence required by this Rule, record deadlines and check whether State rules or applicable service rules add a requirement. [Rule navigation](#) [POSH hub](#) [Employer checklist](#) [Section-rule map](#) [Official sources](#)

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Rule 12 Penalty For Contravention Of Confidentiality

Rule 12 - Penalty for contravention of confidentiality | [Finin2min](#) [Skip to content](#)
[finin min](#) [Home](#) [POSH hub](#) [Rule 12](#) [POSH Rules, 2013](#) · [G.S.R. 769\(E\)](#) [Rule 12](#):
Penalty for contravention of confidentiality This prescribed recovery is separate from any service-rule consequence and must be applied with section 17. Central Rule 9 December 2013 Data reviewed on 17 July 2026 Rule text 12. Penalty for contravention of section 16. - Subject to section 17, if a person contravenes section 16, the employer shall recover five thousand rupees as penalty from that person. Transcribed from the Ministry of Women and Child Development Gazette PDF. For live reliance, open the official PDF in the source register. [Finin2min explanation](#)
This prescribed recovery is separate from any service-rule consequence and must be applied with section 17. [Linked Act sections](#) [Section 16](#) [Section 17](#) [Section 29](#) [Implementation control](#) [Assign an owner](#), preserve the evidence required by this Rule, record deadlines and check whether State rules or applicable service rules add a requirement. [Rule navigation](#) [POSH hub](#) [Employer checklist](#) [Section-rule map](#) [Official sources](#)

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Rule 13 Manner To Organise Workshops And Awareness

Rule 13 - Manner to organise workshops and awareness | Finin2min Skip to content finin min Home POSH hub Rule 13 POSH Rules, 2013 · G.S.R. 769(E) Rule 13: Manner to organise workshops and awareness A policy alone is insufficient. The Rule requires dissemination, employee awareness, Committee training, contact disclosure and recurring capacity building. Central Rule 9 December 2013 Data reviewed on 17 July 2026 Rule text 13. Manner to organise workshops, etc. - Subject to section 19, every employer shall formulate and widely disseminate an internal policy; orient Internal Committee members; conduct employee awareness and dialogue programmes; conduct capacity and skill building for Committee members; declare Committee member names and contact details; and use State Government modules for workshops and sensitisation. Transcribed from the Ministry of Women and Child Development Gazette PDF. For live reliance, open the official PDF in the source register. Finin2min explanation A policy alone is insufficient. The Rule requires dissemination, employee awareness, Committee training, contact disclosure and recurring capacity building. Linked Act sections Section 3 Section 4 Section 19 Section 24 Section 29 Implementation control Assign an owner, preserve the evidence required by this Rule, record deadlines and check whether State rules or applicable service rules add a requirement. Rule navigation POSH hub Employer checklist Section-rule map Official sources

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- Retain the official instrument and event-date evidence.

Rule 14 Preparation Of Annual Report

Rule 14 - Preparation of annual report | Finin2min Skip to content finin min Home POSH hub Rule 14 POSH Rules, 2013 · G.S.R. 769(E) Rule 14: Preparation of annual report The five fields should reconcile with the employer's annual reporting, District Officer submission, SHe-Box data and, for companies, Board's Report figures. Central Rule 9 December 2013 Data reviewed on 17 July 2026 Rule text 14. Preparation of annual report. - The annual report under section 21 shall state: (a) complaints received during the year; (b) complaints disposed during the year; (c) cases pending for more than ninety days; (d) workshops or awareness programmes conducted; and (e) nature of action taken by the employer or District Officer. Transcribed from the Ministry of Women and Child Development Gazette PDF. For live reliance, open the official PDF in the source register. Finin2min explanation The five fields should reconcile with the employer's annual reporting, District Officer submission, SHe-Box data and, for companies, Board's Report figures. Linked Act sections Section 21 Section 22 Section 23 Section 29 Implementation control Assign an owner, preserve the evidence required by this Rule, record deadlines and check whether State rules or applicable service rules add a requirement. Rule navigation POSH hub Employer checklist Section-rule map Official sources

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- Identify actor, trigger, threshold and territorial authority.
- Map form, record, portal, fee and due date.
- Separate substantive entitlement from procedure, remedy and penal consequence.
- Retain the official instrument and event-date evidence.

Forms, records, portal and due-date control

Control	Evidence
Coverage and registration	Entity, location, headcount/category, registration number and portal acknowledgement.
Recurring compliance	Attendance/service, wage/benefit calculation, return/register, payment and employee communication.
Event compliance	Complaint, injury, termination, nomination, claim, inspection or dispute file with limitation diary.

Employer, employee and professional checklists

Employer

- Assign responsible officer and backup.
- Configure HRIS/payroll/portal controls.
- Complete statutory communication and retain proof.

Employee/worker

- Retain contract, identity, attendance, payment and correspondence.
- Use the prescribed complaint/claim route within limitation.

Professional

- Confirm current text, Rules, notification and State variation.
- Reconcile calculation, form, authority, remedy and evidence.

Penalties, remedies, appeals and limitation

Create a remedy matrix rather than one combined conclusion: entitlement or arrears; interest/damages; administrative order; civil penalty; prosecution; compounding; company/officer liability; claim forum; appeal; writ/judicial review; and event-date limitation.

Case-law principles

Decision

Vishaka v. State of Rajasthan

Aureliano Fernandes v. State of Goa

Medha Kotwal Lele v. Union of India

Current-use principle

The constitutional prevention framework remains foundational; the 2013 Act now supplies the statutory process.

Constitution of committees, training and implementation require real institutional compliance, not paper appointments.

Workplace mechanisms must be effective, independent and capable of enforcing protections.

State variation alert

Verify the appropriate Government and final State instrument. State forms, authorities, fees, rates and portal routes must be maintained in the location compliance register.

Finin2min Q&A

Which law and version should be applied?

Use the current text of POSH Act and Rules, the commencement notification, the applicable Central or State Rules and any later instrument effective on the event date.

How is the appropriate Government identified?

Classify ownership/control, sector, establishment and contractor relationship before selecting the Central or State authority.

Can a company policy override the statutory protection?

No. A policy may improve a benefit or control, but it cannot contract out of a mandatory statutory floor.

What evidence should be retained?

Retain the classification memo, source instrument, form/portal record, calculation, approval, employee communication, acknowledgement and payment or authority proof.

Do the Central Rules apply to every establishment?

No. They govern the Central sphere. State Rules and State notifications must be checked where the State is the appropriate Government.

How should a historical event be tested?

Apply the law and subordinate instrument effective on the event date, then use the repeal-and-savings provision for pending rights and proceedings.

What happens when portal practice conflicts with the statute?

Record the conflict, follow the higher legal instrument, seek authority clarification where necessary and preserve screenshots and correspondence.

Can criminal and monetary consequences arise together?

They may. Separate wages/benefits, interest, damages, civil penalty, prosecution, compounding and director/officer liability.

Is a contractor arrangement enough to shift liability?

No. Principal-employer and contractor liabilities depend on the specific provision and facts; the contract should allocate evidence and recovery without diluting worker rights.

What is the first professional review step?

Freeze the event date and facts, identify the applicable provision, then map Rules, forms, notification status, authority, limitation and evidence.

What is the operational focus of section 1 - complaint-and-inquiry-timeline?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 2 - natural-justice-and-inquiry?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 3 - rule-01-short-title-and-commencement?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 4 - rule-02-definitions?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 5 - rule-03-fees-or-allowances-for-external-member-of-internal-committee?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 6 - rule-04-person-familiar-with-issues-relating-to-sexual-harassment?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 7 - rule-05-fees-or-allowances-for-chairperson-and-members-of-local-committee?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

What is the operational focus of section 8 - rule-06-complaint-of-sexual-harassment-by-another-person?

The section must be decomposed into actor, trigger, threshold, procedure, exception, consequence and evidence. Read the full official text and the mapped Rules before applying the Finin2min control summary.

[← Previous: Complaint, conciliation and limitation](#)[Next: Interim relief, report and action →](#)

Practical transaction application

Use the chapter for policy design, Internal Committee constitution, vendor/workplace coverage, complaint intake, conciliation, inquiry, interim measures, disciplinary action, annual reporting and M&A compliance diligence.

Authority, consent and execution controls

Verify the Internal Committee constitution, Presiding Officer, external member, quorum, conflict checks and employer authority to implement recommendations. Management cannot substitute itself for the Committee, and party consent cannot waive confidentiality or mandatory process safeguards.

Stamp duty and registration alerts

Complaints, inquiry records and recommendations generally require confidentiality and controlled retention rather than registration. Settlement or employment instruments may still require State stamp review; confidentiality is not a reason to omit legally required reporting.

Evidence and document-retention checklist

Retain the operative law/rule version, classification note, approvals, signed instruments, statutory forms, portal acknowledgements, registers, calculations, bank proof, correspondence, inspection records, service proof, decision and appeal file. Apply the longer of the statutory retention rule, litigation hold, tax/

audit need and contractual requirement; restrict access to personal and sensitive data.

Performance, delivery and payment controls

Maintain a restricted case file with complaint date, service, responses, hearing record, evidence index, interim relief, report, implementation and appeal notice. Separate need-to-know access from payroll or disciplinary execution.

Breach, loss, mitigation and remedy framework

On detecting a breach, stop continuing exposure, preserve evidence, quantify employee and government dues, identify affected persons, make lawful corrective payment/filing, notify the authorised decision-maker, assess self-disclosure or compounding where available, and reserve contractual recovery against responsible vendors without delaying statutory remediation.

Limitation and forum controls

Track the complaint window, extension reasons, inquiry timeline, employer action and appeal period. Use the Internal/Local Committee and statutory appellate route; employment-contract forum clauses cannot displace the statutory mechanism.

Arbitration and mediation interface

Conciliation is available only within the statutory boundaries and must not be based on monetary settlement. External mediation or arbitration cannot replace the Committee inquiry where the complaint proceeds under the Act.

Company, partnership, GST and tax overlays

For a company, align board/delegation and officer-in-default controls; for an LLP or partnership, identify the designated partner/partner and authorised employer representative. Labour dues can affect transaction price, indemnities, director/partner exposure and insolvency claims. Salary/TDS, perquisite, contractor TDS, GST on outsourced services and accounting provisions must be reconciled without treating tax treatment as proof of labour-law classification.