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## Compliance of the Directions given by the Hon'ble Supreme Court of India on the Prevention of Sexual Harassment (PoSH) Act, 2013 – Reg.

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All India Council for Technical Education(no-reply) <admin@aicte-india.org>

Fri, Jun 23, 2023 at 2:15 PM

To: directortias@tecnia.in

To,

The VCs/Directors/Principals/In-charges  
All the AICTE approved Institutions/Colleges/Universities

**Subject : Compliance of the Directions given by the Hon'ble Supreme Court of India on the Prevention of Sexual Harassment (PoSH) Act, 2013 – Reg.**

Sir/Madam,  
Greetings from AICTE!

In order to sensitize the issue related to the maintenance of safe working environment, the Ministry of Education (MoE) vide letter F.No.18-2/2023-U.5 dated 13<sup>th</sup> June, 2023 (**copy attached**) has forwarded the Directions given by the Hon'ble Supreme Court of India under Prevention of Sexual Harassment (PoSH) Act, 2013 for strict compliance by all the Higher Educational Institutions/Universities across the country. The Hon'ble Supreme Court of India vide its Order dated 12/05/2023 has directed to issue the following directions to fulfil the promise that the Prevention of Sexual Harassment (PoSH) Act holds out to working women all over the country:

1. The Union of India, all State Govt. and Union Territories are directed to undertake its time bound exercise to verify as to whether all the concerned Ministries/Departments, Govt. organizations, authorities, PSU's and institutions, bodies etc. have constituted ICCs/LCs/ICs as the case may be and that the composition of the said committee are strictly in terms of the provisions of the PoSH Act;
2. It shall be ensured that necessary information regarding the constitution and composition of the ICCs/LCs/ICs, details of the email Ids and contact nos. 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/organization/institutions/bodies, as the case may be. The information furnished shall also be updated from time to time;
3. 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 centers and educational institutions and by the Govt. and Private hospitals/nursing homes;
4. 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 enquiry ought to be conducted on receiving a complaint on Sexual Harassment on the work place from the point when the complaint has been received, till the enquiry is finally concluded and the reports submitted;
5. The authorities/managements/employers shall regularly conduct orientation programs, workshops, seminars and awareness programs to upskill members of the ICCs/LCs/ICs to educate women employees and women's group about the provisions of the act, rules and relevant regulations;
6. A copy of this judgement shall be transmitted to the Secretaries of all the Ministries, Govt. of India who shall ensure implementation of the directions by all the concerned departments, statutory authorities, institutions, organizations etc. under the control of the respective Ministries. A copy of the judgement 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 responsibilities of the Secretaries of the Ministries, Govt. of India and Chief Secretaries of every State/Union Territory to ensure implementation of the directions issued;
7. The Hon'ble Supreme Court of India has also directed all the departments to file the affidavits within eight weeks for reporting compliance.

In view of the gravity & severity of the matter, all the Institutions/Colleges/Universities are requested to adhere the directions given by the Hon'ble Supreme Court of India under Prevention of Sexual Harassment (PoSH) Act, 2013 mandatorily in a time bound manner as the status reports to be received from all the institutions/colleges are to be consolidated & compiled at AICTE HQ, New Delhi for onward transmission to the Ministry for filing an affidavit for reporting compliance to the Hon'ble Supreme Court of India. Accordingly, the status reports in compliance of the above directions should reach to **Dr. Neetu Bhagat, Dy. Director & Chairperson, ICC, Skill Development Cell (Regulation Bureau), AICTE HQ latest by 24th July, 2023 positively at Email Id: [icc@aicte-india.org](mailto:icc@aicte-india.org)**. In case of non-compliance or delay in the matter leading to cost/contempt etc. shall be the sole responsibility of the institute/college concerned.

Pertinent to mention here that the AICTE in its Approval Process Handbook 2023-24 under Chapter VII Clause 7.15 (i), it is categorically stipulated that each institution shall have an appropriate Internal Complaint Committee (ICC) to address the issues of the faculty and students.

This may be treated **IMMEDIATE** and accorded **TOP PRIORITY**.

PFA: [https://drive.google.com/file/d/1jxot1V0qDwiKNhY-WQ\\_kPXWYgV4vYq5k/view?usp=sharing](https://drive.google.com/file/d/1jxot1V0qDwiKNhY-WQ_kPXWYgV4vYq5k/view?usp=sharing)

**Regards,**  
**Dr. Neetu Bhagat**  
**Deputy Director and Chairperson (ICC)**  
**All India Council For Technical Education Head Office,**  
**Nelson Mandela Marg, Vasant Kunj, New Delhi-110070**

**F.No.18-2/2023-U.5**  
Government of India  
Ministry of Education  
Department of Higher Education  
U.5 Section

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New Delhi, dated the 13<sup>th</sup> June, 2023

To

1. The Chairman, University Grants Commission, Bahadur Shah Zafar Marg, New Delhi.
2. The Chairman, All India Council for Technical Education, Nelson Mandela Marg, Vasant Kunj, New Delhi-110070.

**Subject:- Civil Appeal No.2482 of 2014 (Against the final judgement and order dated 15.03.2012 passed by the High Court of Judicature at Bombay at Goa in W.P.No.602/2011) – Shri Aureliano Fernandes vs. State of Goa & Others.**

Sir,

I am directed to forward herewith a communication No.21189/2012/SEC-III dated 16<sup>th</sup> May, 2023 received from the Hon'ble Supreme Court of India on the above subject (copy enclosed).

2. The Hon'ble Supreme Court vide its Order dated 12.05.2023 has directed to issue the following directions so as to fulfil the promise that the PoSH (Prevention of Sexual Harassment) Act holds out to working women all over the country:-


- i. The Union of India, all State Governments and Union Territories are directed to undertake a timebound 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/ Organization/ Institution/ Body, as the case may be. The information furnished shall also be updated from time to time.
- 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/ managements/ 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. A copy of this judgement 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, Organizations etc. under the control of the respective Ministries. A copy of the judgement 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.
3. The Hon'ble Supreme Court has also directed all Departments to file the affidavits within eight weeks for reporting compliances.
  4. Accordingly, it is requested to take necessary action and direct all Higher Educational Institutions/ Universities under your administrative control to implement the above directions of Hon'ble Supreme Court in order to sensitize the issue related to maintenance of safe working environment as per "Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
  5. Since the matter is time bound, a Status Report/ Action Taken Report for strict compliance in the matter with respect to the Institutions under your administrative control may be furnished to this Department by 20th June, 2023, as the Department is required to file an Affidavit for reporting compliances to the Hon'ble Supreme Court. The matter may be accorded **TOP PRIORITY**.
  6. This issues with the approval of Secretary (HE).

Encl: As above.

Yours faithfully,

  
13.06.2023  
(Subhash Chander)

Director to the Govt. of India  
Tel. No. 011-23074080  
Email: [s.chander@gov.in](mailto:s.chander@gov.in)

Copy to:- PPS to JS(HE)