

Reminder-I

**GOVT. OF NCT OF DELHI**  
**SERVICES DEPARTMENT: COORDINATION BRANCH**  
**DELHI SECRETARIAT, 5<sup>TH</sup> LEVEL, 'A' WING**  
**I.P. ESTATE, NEW DELHI-110002**

F.10(540)/Coord./ICC/2023/081751914/ 10/7-1020

Date:- 22-05-24

To

All the ACS/Principal Secretaries/ Secretaries/HODs/  
Head of all Departments/Autonomous Bodies  
Govt. of NCT of Delhi.

**Sub:-Regarding Prevention of Sexual Harassment of Women at Workplace.**

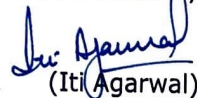
Madam/Sir,

Kindly refer to this office letter No.F.10(540)/Coord./ICC/2023/081751914/ 694-700 dated 28.03.2024(copy attached), wherein it was requested to forward the ATR to Women & Child Development Department, Govt. Of NCT of Delhi on gaps observed by Committee to examine the functioning of all the 'Internal Complaint Committee (ICCs)' set up under "Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" in respect of all the Departments/Organizations under Govt. of NCT of Delhi. But, the requisite ATR from all the Department concerned are still awaited from concerned Departments/Autonomous Bodies of Govt. of NCT of Delhi/New Delhi.

In this connection, the Chief Secretary, Delhi has directed to submit the ATR and comments in the matter latest by 06.05.2024 positively.

It is therefore, once again requested to forward the requisite ATR alongwith comments directly to Women & Child Development Department, Govt. Of NCT of Delhi being Nodal Department at the earliest so that file may be submitted for kind perusal of the Chief Secretary, Delhi.

Yours faithfully,

  
(Iti Agarwal)

Dy. Secretary(Services)

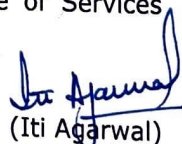
Encl: As above.

F.10(540)/Coord./ICC/2023/081751914/ 10/7-1020

Date: 22-05-24

Copy for information and necessary action to the following:-

1. Staff Officer to the Chief Secretary, GNCTD.
2. The Director, Women & Child Development Department, Govt. of NCT of Delhi, 2<sup>nd</sup> Floor, ISBT, Kashmere Gate, Delhi-110006 with the request to forward the complied ATR and comments from all the concerned Departments at the earliest.
3. The Section Officer (Coordination Branch), Services Department, Govt. of NCT of Delhi with the request to upload the order on the website of Services Department and also sent through e-mail.

  
(Iti Agarwal)

Dy. Secretary(Services)

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**GOVT. OF NCT OF DELHI**  
**SERVICES DEPARTMENT: COORDINATION BRANCH**  
**DELHI SECRETARIAT, 5<sup>TH</sup> LEVEL, 'A' WING**  
**I.P. ESTATE, NEW DELHI-110002**

**F.10(540)/Coord./ICC/2023/081751914/ 694-700**

**Date:- 28-03-24**

To

All the ACS/Principal Secretaries/ Secretaries/HODs/  
Head of all Departments/Autonomous Bodies  
Govt. of NCT of Delhi.

**Sub:-Regarding Prevention of Sexual Harassment of Women at Workplace.**

Madam/Sir,

With reference to the subject cited above, I am directed to inform you that this Department vide order dated 04.10.2023 had constituted a Committee to examine the functioning of all the 'Internal Complaint Committee (ICCs)' set up under "Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" in respect of all the Departments/Organizations under Govt. of NCT of Delhi with the approval of Chief Secretary, Delhi.

The Committee in its Report dated 14.12.2023 has revealed some gaps in implementation of POSH Act, 2013. The details of the gaps in which departments are required to take administrative action for implementation of the Act are as under:-

Sl. No.	Gaps observed by the Committee	Action to be taken
01.	Lack of sensitivity to the issue of sexual harassment at work place as despite prior intimations through e-mails to 235 Departments, the filled up questionnaire was received only from 124 Departments and remaining 111 Departments were failed to fill the Questionnaire despite reminders.	The Committee has observed that 111 Departments have failed to fill up and submit the Questionnaire devised by the Committee (Copy enclosed). Therefore, the Departments who have not submitted the reply to the questionnaires are requested to submit the same to Department of Women and Child Development, Govt. of NCT of Delhi <b>latest by 05.04.2024</b> under intimation to this Department.
2.	Improper constitution of ICCs as in most organizations, the composition of ICCs is not strictly in consonance with the provisions of the Act.	All HODs are requested to ensure that the composition of ICCs of their Departments is as per POSH Act, 2013 consisting of one representation from External Member. Therefore, all HODs may furnish a certificate to this effect to Department of Women and Child Development, Govt. of NCT of Delhi alongwith copy of order of appointment of Internal Complaint Committee (ICCs) in respect of their Department under intimation to Services Department, <b>latest by 15.04.2024.</b>



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3.	Lack of dissemination of information regarding ICCs	All the departments shall furnish a certificate to the effect that the details of composition of ICCs has been displayed at prominent places in their offices and furnish the same to the Department of Women and Child Development, Govt. of NCT of Delhi under intimation to Services Department <b>latest by 15.04.2024</b> . The department will also upload photographs of the places alongwith the orders regarding composition ICCs on their websites.
4.	Improper understanding of the statutory role of the ICCs as the member of the ICCs are not aware ICCs has the same power as are vested in a Civil Court under the code of Civil Procedure, 1908 also the timeline specified under the POST Act and rules are not being followed.	In respect of observations of the Committee as detailed under Sl.Nos. 4,5 and 6, all HODs are requested :-  (i) To direct the concerned Officers of their respective departments to hold familiarization session with the Members of their respective ICCs while providing copies of POSH Act, 2013, relevant CCS (Conduct) Rules and CCS (CCA) Rules as applicable in the matter and other extent guidelines on the subject matter followed by discussion thereon for guidance and clarity of doubts, if any.
5.	Challenges in inquiry procedure as the Committee noted that at times inquiry into the complaint of sexual harassment at the workplace is not in accordance with the relevant rules and in line with the principles of nature justice.	(ii) Also at the time of marking complaints/ enquiry to the Committee, the aforesaid relevant documents be provided with the complaint /enquiry to the Members of the Committee for their guidance.
6.	Insufficient knowledge of the recording the recommendation.	Further, Department of Women and Child Development, Govt. of NCT of Delhi shall develop a common check list as per DoPT's guidelines & CCS (CCA) Rules, 1965 and relevant provisions POSH Act for the purpose of conducting of the inquiry by the ICCs and circulate the same to all HODs for further servicing of the same to the Members of the ICCs by the Departments concerned with the directions that every enquiry report to be submitted alongwith the check list.  All HODs shall complete this exercise <b>latest by 30.04.2024</b> and furnish a compliance report to this effect to WCD Department under intimation to this Department.  Department of Women and Child Development, Govt. of NCT of Delhi will draft and circulate the check list by <b>15.4.2024</b> . It will examine and incorporate suggestions (if made) that are be relevant and appropriate.

Contd.

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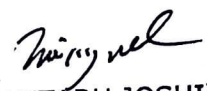
Here, it is pertinent to mention that the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013, is a pioneering legislation with a horizontal mechanism and rights framework for the prevention, punishment, and redressal of Sexual harassment complaints. It will never succeed in providing the dignity and respect that women deserve at the workplace unless and until there is strict adherence to the enforcement regime and a proactive approach by the stakeholders. As a result, each employer is legally mandated to constitute the ICCs and carry out all other duties vested in the employer as per section 19 of the said Act.

In view of the above, all the Head of Departments are requested to issue immediate necessary directions to all concerned to take action in the matter in a time bound manner. This may please be accorded **TOP PRIORITY**.

This issues with the prior approval of the Chief Secretary, Delhi.

Yours faithfully,

Encl: As above

  
(AMITABH JOSHI)  
DY. SECRETARY (SERVICES)

**F.10(540)/Coord./ICC/2023/081751914/ 694-700** Date: 28-03-24

Copy for information and necessary action to the followings:-

1. The Staff Officer to the Chief Secretary, GNCTD.
2. The Secretary, Women & Child Development Department, Govt. of NCT of Delhi, 2<sup>nd</sup> Floor, ISBT, Kashmere Gate, Delhi-110006.
3. PS to the Pr. Secretary (Services), Services Department, GNCTD
4. PA to Special Secretary (Services), Services Department, GNCTD
5. PA to Dy. Secretaries (Services), Services Department, GNCTD
6. The Section Officer(CDN), Services Department, GNCTD with the request to upload this order on the website of Services Department.

  
(AMITABH JOSHI)  
DY. SECRETARY (SERVICES)