

“Shadows of Silence: Sexual Harassment and Exploitation at the Workplace in India”

(A Legal Discourse on Workplace Violence, Labor Welfare, and Constitutional Safeguards under BNS, BNSS, and Labor Laws)

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Abstract

In the heart of India’s booming economy, millions of women continue to navigate workplaces shadowed by silence and fear. Years post a system-wide reform, sexual harassment continues to be one of the most serious obstacles to equality and dignity in the workplace. The 2024 introduction of the Bharatiya Nyaya Sanhita (BNS) and the Bharatiya Nagarik Suraksha Sanhita (BNSS) marks a significant milestone in India's legal regime for workplace violence. Only in 2024 does a grievant have the potential remedies of either civil or criminal recourse under dual-track due process. Hope for constructive change confronts another equally disheartening reality. For 96% of the working women in the unorganized sectors, there is either no Local Committee under the POSH Act, or the Local Committee is rendered completely ineffectual, leaving much discussion of 'justice' to theoretical realities.

This research encapsulates historical constitutional protections that arise out of Articles 14, 15, 19(1)(g) and 21 while showing systemic barriers, social stigma, economic vulnerability, and institutional inaction, continue to erode the meaning of these rights, particularly taking from recent landmark judgments and the research of civil society and legal scholars that clearly demonstrates the distance between the writing and the experience of gig and domestic workers.

The paper argues that actual change cannot occur without enforcement, a gender-neutral law, and timely ILO Convention 190 ratification. So, unless the country reconciles rights with remedies, it will remain stagnant in the "shadows of silence" at work, especially in areas meant for empowerment.

Keywords: Workplace Harassment, Gender Justice, Labor Rights, Legal Reform, Informal Economy

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1. Introduction

India's legal structure, designed to address workplace sexual harassment, has recently been updated with the introduction of the Bharatiya Nyaya Sanhita (BNS) and the Bharatiya Nagarik Suraksha Sanhita (BNSS) on July 1st, 2024, providing a paradoxical sense of progress and a simultaneous sense of paralysis. While the new criminal codes provide a firm deterrent, especially the additional creation of 'quid pro quo' harassment as a new offense akin to rape under BNS Clause 69, the civil redressal structure remains, for 96% of working women in India (the estimated % of women in the unorganized sector), fundamentally broken. Local Committees (LCs), which are an employee's primary resource per the POSH Act, are either largely non-existent or non-functioning. All of this has created a shadow of silence for vulnerable workers who theoretically have rights but practically have no possibility of any intervention.

The new "dual-track" system permits an individual to pursue a civil proceeding (which will be called POSH) and a criminal proceeding (which will be called BNS) at the same time. The new system presents both opportunities and complexities to this social justice issue. A BNSS will require an expedited criminal process; new legislation requires that a BNSS investigation into sexual offenses must be completed in less than two months, which is much better than the delayed historical processes. But our system has many friction points, such as fractured standards of proof (POSH requires 'preponderance of probabilities' as the standard, and the BNS requires 'beyond a reasonable doubt'), and we continue to have unanswered questions about what evidence will be admissible in either proceeding, and what limitations exist in using evidence in alternative proceedings. For the labor class, systemic barriers such as the fear of losing livelihood, social stigma, and long-term distrust of authorities exacerbate their challenges, and the institutional failure of the LCs results in any perceived legal protections being empty.

The report concludes that without immediate, targeted reforms, the new legislation will not be able to reach the informal economy. Following the Supreme Court of India's judgement in Aureliano Fernandes (2023), a ticking judicial clock requires a nationwide audit of all Internal and Local Committees by September 2025 - an opportunity for progress. Key strategic imperatives moving forward are to operationalize LCs in every district immediately, amend the law to make the legislation gender neutral, extend high-risk protections to gig workers, and ratify ILO C-190 with other appropriate instruments that would be required to align with global standards and mitigate competition for market access risks for exporters who employ gig workers. Not only does the omission leave the informal economy subject to injustice, but places states or employers not following the law at risk of judicial contempt and economic loss.

2. Research Scope & Methodology

This report offers a strategic analysis of India's legal framework for preventing and addressing sexual harassment in the workplace, with particular emphasis on its context and ineffectiveness

for the labor class and the unorganized sector. This population, which consists of 96% of India's female workers, is the population that experiences the greatest vulnerability to exploitation and the least amount of service through legal systems. This analysis draws on a substantial review and synthesis of primary legal texts, including the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (the Sexual Harassment Act), as well as the new Bharatiya Nyaya Sanhita (the BNS), 2023, and the Bharatiya Nagarik Suraksha Sanhita (the BNSS), 2023. It also draws upon findings from landmark Supreme Court judgments, reports by a number of civil society actors such as the Martha Farrell Foundation, and the work of legal and compliance domain experts. The aim is to go beyond enforcement of the law in a solely legal discourse and think through practical ways of translating the legal framework into action for policymakers, employers, unions, and civil society actors to address the significant gap between intention and reality.

3. Constitutional Guarantees & Their Limits

Fundamental rights underpin a safe workplace, but lack enforcement for informal workers

The legal framework for protection against sexual harassment at work is grounded in the fundamental rights enshrined in the Constitution of India. The enactment of the POSH Act was even specifically developed to give effect to these constitutional protections, to convert abstract rights into a tangible legal mechanism. However, for the majority of informal workers, those constitutional guarantees remain largely aspirational due to systemic enforcement failures.

3.1 Article 14/15 Equality vs. Caste-Gender Realities

Marginalized women face multiple layers of discrimination in the reality of equality

Articles 14 (Right to Equality) and 15 (Prohibition of Discrimination on grounds of sex) of the Constitution provide the foundation for gender equality, making sexual harassment a violation of a woman's fundamental right to equality. The POSH Act is a direct legislative enactment of that principle. However, for wage-earning women, especially those who are variations of Dalit, Adivasi, and Bahujan, formal equality is compromised by multiple layers of discrimination based on caste, class, and gender. Because of this intersectionality, marginalized women are also more likely to be victims of harassment, and they are more likely to then experience further social stigma and have less power to seek justice.

3.2 Article 19(1)(g) & 21: The Right to Work with Dignity

Legal Interpretations that Have Unlocked the Path to POSH

The Supreme Court's broad and generous interpretation under the Constitution has been critical to this. Article 19(1)(g) - the right to practice any profession - has been interpreted to carry with it, implicitly, the right to a work environment that is safe and free from risks to personal safety

(e.g., sexual harassment). However, more critically, the Article 21 Right to Life and Personal Liberty has been interpreted in the Courts to include a Right to Live with Dignity. The groundbreaking Vishaka Guidelines established that sexual harassment in the workplace is a violation of constitutional rights and paved the way to the eventual passage of the POSH Act, 2013.

4. Dual-Track Structure: POSH, BNS & BNSS

Effective July 1, 2024, India will now have a dual-track system for addressing sexual harassment in the workplace, which will enable people to pursue both tort and criminal law actions against a harasser. Whereas POSH, in a civil workplace inquiry-based approach, is prescriptive in the allocation of funds, BNS and BNSS will pursue the opposite state-sponsored, criminal justice system-oriented approach. This intersecting system will produce a potentially rich and dynamic overlay, but likewise, a confusing array of possibilities, gaps, and challenges.

4.1 POSH Act Essentials - Broad Definitions, ICC/LCC Requirements, Section 14 Deterrent

The POSH Act, 2013, oversees a working environment for women. Its salient features include:

- **Broad Definitions:** The Act broadly defines 'sexual harassment' to include unwanted physical contact, requests for sexual favors, unwelcome comments of a sexual nature, sharing pornographic material, and other unwelcome sexual conduct. There is also an expansive definition of 'employee' and 'workplace' that includes occasional, daily wage, and contractual workers for any place visited in connection with work.
- **Committees Required:** An internal committee (IC) must be set up at each branch of employers of 10 or more workers. For the unorganized sector and for establishments with less than 10 workers, there is a required district-level Local Committee (LC).
- **Complaints and Inquiry:** The complaint must be filed within three months (with a possible further three-month extension).² The committee must complete its inquiry within 90 days.
- **Section 14 Deterrent:** The Act has a provision (section 14) to act against the complainant for "false or malicious" complaints, which critics indicate creates an overbroad deterrent to reporting for actual victims who may not have evidence, especially among vulnerable labor class victim populations.

4.2 BNS Sexual-Offence

The Bharatiya Nyaya Sanhita (BNS), enacted in 2023 to replace the Indian Penal Code, does create game-changing provisions, while continuing to leave significant gaps.

- **Clause 69- Criminalizing Quid Pro Quo:** One of the most significant changes is Clause 69, which classifies sexual intercourse obtained through 'deceitful means' as an offense, with a false promise of employment, promotion being specifically noted. This act is now defined as rape and is punishable with a prison term of up to 10 years, which has now elevated what was a civil offense under POSH into a serious criminal offense.
- **Section 75 - Sexual Harassment:** The offense of sexual harassment continues as an offense in the BNS, under Section 75, which bears similarities to IPC Section 354A, with similar penalties of a maximum of three years imprisonment. This Section is binding on all contexts, including workplaces.
- **Critical Gaps:** The BNS has faced criticism of not being gender-neutral, and key offenses such as rape (Clause 63) and assault with intent to disrobe (Clause 76) continue to frame victims only as female. This, coupled with the lack of IPC Section 377, sees men and transgender individuals with no equivalent criminal recourse against sexual exploitation. The law also controversially retains the marital rape exception.

4.3 BNSS Procedural Fast Track

The Bharatiya Nagarik Suraksha Sanhita (BNSS) 2023 has been introduced in place of the CrPC with a focus on process reforms to facilitate speedy justice.

- **Timelines:** In some incidents of sexual crime, investigations must be completed within two months. FIRs must be written within three days of electronic complaints, and verdicts passed within 45 days of trial completion.
- **Technology Use:** The BNSS requires the use of audio-visual recording processes for all forms of "search and seizure" and recording the statements of victims of sexual offences, specially designed for individuals with disabilities. This is being enacted to promote transparency and accountability.

5. Realities of Compliance - quantified gap in the functionality of ICs and LCs

There may have been and seems to have been a solid statutory framework in the book, but for marginalized communities, the reality of compliance and accompanying implementation is that this system fails them. The gap between what Internal Committees (ICs) and Local Committees (LCs) are designed to do and their abilities is the single obstacle to justice.

5.1 Internal Committees - Post-Aureliano observation - SHe-Box registrations and lapse of standard procedures

In the wake of strict observations made by the Supreme Court in Aureliano Fernandes v. State of Goa (2023), increased focus has been put on the procedural sanctity of ICs. Mass non-compliance and "undue haste" were observed by the Supreme Court, and a finding in a report of

an IC was quashed, ordering a fresh inquiry. Consequently, it ordered a time-bound, all-India survey to confirm the membership of ICs as of September 23, 2025. It is now also compulsory for all organizations to self-certify their ICs on the SHe-Box government web portal, a procedural step towards preparing a verifiable list of compliant organizations.

5.2 Local Committees: The 29% Existence Problem

For 96% of women employed in the unorganized sector, the Local Committee is the government's formal safety net. But it is a holey net. LCs are typically labeled as ineffective or "defunct."

- **Work and Life:** The Martha Farrell Foundation, in its study, reported that only 29% of districts had adopted LCs. Even of those that were present, a mere 11% addressed grievances. More than half (56%) didn't even respond to RTI applications, even about how they were functioning, reflecting an extreme lack of transparency.
- **Systemic Failures:** Such committees lack a non-conformist constitution, ignorance of their members, and a virtually complete absence of official monitoring or funding. For home-based workers, the LC becomes useless by diluting its effectiveness by merely forwarding complaints to the police without providing any civil remedy.

5.3 Deficits in Awareness & Training

There remains low-key awareness of rights under the POSH Act amongst MSMEs and informal workers. A majority of these workers-illiterate workers from marginalized groups-do not even know about LCs or about their rights to a safe workplace. This is also supplemented by the lack of ability on the part of LCs to implement required awareness programs on the ground and the lack of intent or ability on the part of employers to display details pertaining to compliance by them under POSH, as mandated under Section 19(b) of the Act.

6. Sector Spotlights

Some parts of the hidden economy are themselves susceptible to unique vulnerabilities to which existing law is ill-equipped to respond. With their ambiguous employment status, workers in these sectors create enormous gaps in responsibility.

Sector	Workforce Size	Key Vulnerability	Current Legal Coverage	Immediate Fix
Gig/Platform	7.7 million	Classified as 'independent contractors', no mandatory IC, fluid 'workplace'.	POSH coverage is ambiguous and contested; BNS criminal provisions apply universally.	Voluntary establishment of an ICC-equivalent mechanism.
Domestic Work	3–50 million women	Work occurs in private homes; the employer is often the respondent.	POSH applies only via the largely defunct LCs; the remedy is often just police referral.	Appointment of accessible Nodal Officers at the ward/municipality level.
Construction	57 million	Migratory workforce, male-dominated sites, remote locations.	ICs are rare; LCs are geographically and practically inaccessible.	Mobile grievance camps and on-site awareness drives.

6.1 Gig Workers & the Karnataka HC Test Case

The legal status of gig workers represents a glaring blind spot. While the POSH Act has a sufficiently broad definition of "employee" to include contract workers, platforms characterize their workers as 'independent contractors' to avoid assuming responsibilities of an employer, including the creation of an IC. Such ambiguity is the central issue in a case sub judice in the Karnataka High Court that considers whether the significant control and supervision a gig worker is under by aggregators establishes an employer-employee relationship. A ruling on behalf of workers may mark a monumental precedent that will assist millions of gig workers to be directly recognized under the protection of the POSH Act.

6.2 Domestic Workers & Exclusively Police Referral - Void of Civil Remedies

The POSH Act offers little practical redress for India's many domestic workers, as they rely on an ineffective Local Committee - even when it does work, it relays complaints to the police, cutting off access to civil remedies and workplace-specific solutions, such as compensation, transfer or paid leave - the workers' only recourse is therefore the much more serious criminal justice system that does not offer the benefit of an internal inquiry.

7. Analysis of the Criminal Justice Pipeline - From FIR to Judgment under BNSS

The BNSS simplifies the envisioned criminal justice pipeline and is intended to add a level of transparency and efficiency to it. The effectiveness of the BNSS in workplace sexual harassment

will depend on the evidence collection process and how it weighs and interfaces with the separate process the POSH inquiry.

7.1 Evidence Matrix for Workplace Offences

The standard of proof required for a criminal workplace sexual harassment matter to be proven is 'beyond a reasonable doubt', which requires the evidence to be sound. Apart from victim testimony, there are important types of evidence, including:

- **Electronic Communications:** Emails, text messages, or chats that show evidence of an unwelcome advance or a systematic pattern of harassing conduct.
- **Video Footage:** CCTV from offices, elevators, or parking lots could assist in verifying an occurrence of the incident.
- **Access Records:** Digital or physical records that establish that both parties were in proximity to each other at a given time.
- **Documents from Human Resources:** Documents related to performance evaluations, documented promotions, or documented requests for a transfer, which could help to show motive in cases of "quid pro quo".
- **Colleagues' Statements:** Accounts provided by a colleague who may or may not have witnessed the incident, or who attested to the distress experienced by the victim after the incident.

7.2 IC v. Police Investigation - Double Jeopardy and Admissibility

Although a victim can still file a complaint to the POSH inquiry and make a police report, the two inquiries do not and cannot hold the same evidentiary standards and legal rules. It is possible for the POSH inquiry to find a charge substantiated by 'preponderance of probabilities' or some standard less than beyond a reasonable doubt, but this finding will have no meaning to admissibility at a court of criminal law. Such circumstances could create rare situations in which a person is guilty of some act by an IC's inquiry, but acquitted in a court of law. Or the opposite, if a person is found guilty of a criminal offense in a court of law but found 'not substantiated' by the IC. Given the acute awareness of meting out justice for survivors and accused persons, it might address some unresolved legal issues for survivors and accused persons with respect to prejudice and double jeopardy.

8. The Evolution of Law and the Pressure of Enforcement

The Supreme Court and judicial activism lately have put more pressure on employers and state governments to take action to comply with the POSH Act.

8.1 Aureliano Fernandes (2023) -Standard of Natural Justice Reset

In the year 2023, the Supreme Court of India issued its proclamation in Aureliano Fernandes v. State of Goa and Ors as a paean to the end of the safe harbors for the enforcement of the POSH Act. The Court expressed that while "undue haste" for procedural fairness cannot be condoned before the conclusion of a POSH proceeding, any principles of natural justice must take primacy in a POSH investigation and hearing. The Court, somewhat disturbingly, based upon unidentifiable findings of systemic non-compliance, ordered a time-bound, national survey to verify the composition of all committees and processes of their function by September 23, 2025 - implying that the order would extend to all employers of committees and district administrations, and included threats of contempt.

8.2 High Court Relations - Gig-Workers Status, LCC Writs

High Courts seem to be filling the gap with the implementation of the POSH Act (2013). Example being the Karnataka High Court has either heard the status of gig workers for employee status and public interest litigations, hearing before both the state and district administering to form and enact Local Committees. (and not only Karnataka, as 700 domestic workers in Delhi are also advocating to create Local Committees in their domiciled working district). In addition, Local Committees are yet additional judicial engagement, creating a pincer movement of accountability from the top down (Supreme Court), and from the bottom up (High Court Writs)

9. Global Benchmarks and Gap Analysis

India has a plethora of framework of laws, that needs to also be understood, in that it failed create a system of laws that relates to best practice, or compliance with ILO Convention 190 (C190) on Violence and Harassment, its pertinence is, India has not ratified C190 which creates the protections gap for UK's worker in India and compliance risk related to UK's exports.

9.1 Table: POSH/BNS vs. C190/R206

Feature	POSH Act / BNS	ILO Convention 190 (C190)	Key Gap for India
Scope of Harm	Restricted to 'sexual harassment'.	Covers all 'violence and harassment,' including physical, psychological, sexual, and economic harm, and explicitly includes gender-based violence (GBV).	A narrow definition leaves victims of non-sexual but gender-based violence unprotected.
Protected Persons	Primarily protects 'women'. Not consistently gender-neutral.	Protects all 'workers and other persons in the world of work' irrespective of contractual status, including job applicants, trainees, and volunteers.	Lack of protection for men and transgender workers creates a significant equality gap.
Informal Sector	Protection is theoretical; it relies on non-functional Local Committees.	Explicitly applies to the informal economy and recognizes the important role of public authorities in protecting these workers.	Over 90% of the workforce lacks a practical and accessible redressal mechanism.
Scope of 'Workplace'	Covers places visited during employment.	Extends to commuting, work-related travel, social activities, and digital communications.	Harassment occurring during commutes or via digital means is in a grey area.
Domestic Violence	Not recognized as a workplace issue.	Recognizes the impact of domestic violence on work and encourages mitigation measures like paid leave and flexible work.	Survivors of domestic violence lack workplace support, affecting their employment and safety.

9.2 Risk to Exporters from Market Access

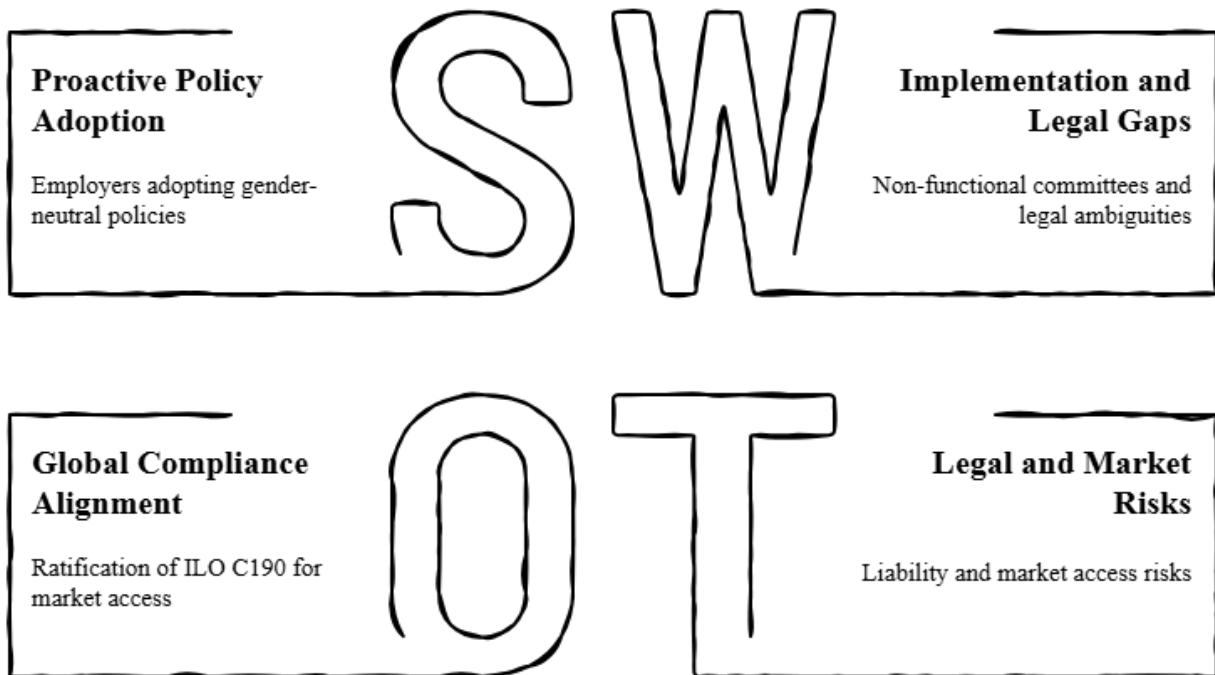
While C190 remains unratified, we frequently ask what compliance gives an indication of a breakdown of domestic policy; even still, this C190 compliance now becomes a very real emerging economic bonafide (risk). A case in point is that all of the global brands in the garment (apparel) sector have issued publicly available supplier codes of conduct and audit conditions that mandate all suppliers achieve C190 compliance as part of their ESG practice. If an Indian exporter cannot exhibit effective C190 compliance, they will not only be unable to participate in the global supply chain, but they will not gain acceptance from a global brand as a supplier. This

does mean that if the Indian industry stakeholder, and for the export-relevant MSMEs, have a market-based obligation to lobby unions or other territorial groups to have C190 ratified and compliance to occur.

10. Strategic gaps & risk matrix

There are a number of strategic and risk-averse issues in the shape of our existing legal and institutional environment context. We have ranked those issues in this matrix against both the likelihood of those issues resulting in systemic failure and the risk of potential consequences to workers.

POSH/BNS Implementation SWOT



Gap / Risk	Likelihood	Impact	Rationale & Mitigation
Failure of Local Committees (LCs)	Very High	Catastrophic	Data shows LCs are almost entirely non-functional, leaving 96% of women workers without recourse. Mitigation: Urgent state-level funding and operationalization, appointment of Nodal Officers.
Gig Worker Legal Ambiguity	High	High	Platforms exploit the 'independent contractor' status to evade POSH duties. A landmark court ruling could create massive liability overnight. Mitigation: Platforms should voluntarily create ICC equivalents; the government must clarify legal status.
POSH/BNS Procedural Conflict	High	Medium	Differing standards of proof and evidence rules will lead to contradictory verdicts, eroding trust in both systems. Mitigation: The Judiciary must issue clear guidelines on evidence admissibility and managing parallel proceedings.
Lack of Gender Neutrality	Certain	Medium	POSH and key BNS sections protect only women, exposing employers to discrimination claims and violating constitutional equality. Mitigation: Legislative amendment to make laws gender-neutral; employers should adopt gender-neutral internal policies now.
Non-Ratification of ILO C190	Certain	Growing	Creates a growing market access risk for exporters as global buyers mandate C190 compliance in supply chains. Mitigation: The Government should initiate the ratification process; industry bodies should advocate for it.
Chilling Effect of Section 14	High	High	The threat of penalties for 'false' complaints deters the most vulnerable workers from reporting genuine harassment. Mitigation: Parliament should amend or suspend Section 14, especially for the informal sector.

11. Concerned Stakeholder Action Playbooks

Closing the justice gap is everybody's business.

11.1 Employers (MSMEs & Households)

MSMEs with 10+ workers are required to form an IC at once. All employers, including families, have to implement a simple zero-tolerance code of conduct, exhibit rights and LCC contact information in local languages, and implement simple awareness sessions. Toolkits and templates provided by the government have to be used to track for free.

11.2 Platform Companies

Platform enterprises need to come out of the veil of legal uncertainty and claim credit as 'principal employers'. They need to develop and promote a strong, legally sound in-house grievance redressal system, equivalent to an IC, for all workers. Besides staying away from court cases and regulatory action, this will give them ESG-conscious capital. They need to collaborate with government agencies and co-design plain rules of the gig economy. All such measures will enable them to remain in sync with the changing nature of work.

11.3 Unions & NGOs

The unions will be forced to work together for ratification of ILO C190. 6 The NGOs and the unions will be required to initiate targeted, grass-roots campaigns in local languages to sensitize the workers working in the informal sector regarding their POSH and BNS/BNSS rights. NGOs can play a critical role as neutral external members of ICs and LCs and in delivering primary survivor support services such as legal aid and counseling. They can be charged with monitoring and reporting on LC functioning to make up for performance.

12. Reform Roadmap for Policy 2025-2030

As previously mentioned, anticipated reforms will require comprehensive reform agendas to bridge gaps in the law and justice system. Thus, this forecast is a costed and time-bound plan with indicators for performance.

12.1 Institutional Strengthening

Action: State governments will support the establishment, funding, and implementation of Local Committees (LCs) - as inclusive community hubs in all districts - including the engagement of the Nodal Officer at the local municipality/ward as the first point of contact for informal workers.

Timeline: 3 years (2025-2028).

Budget: Funded staff and operational costs at the district (not including honorarium of nomad officer(s)) for a funded LCC budget of 5-10 lakh/LCs in several hundred crores represents a national cost. Possible sources of the budget are state budgets, labor welfare boards, and CSR/ESG funding.

KPIs for success: By 2028, 100% all districts will have LCs operating; a 40% increase in awareness of LCs amongst the class of workers informing labor; a decrease in time until complaint resolution by 20%.

12.2 Legislative Change

Action: A Law needs to be introduced in Parliament, amending the POSH Act, for the Premier's Bill to have the following significant amendments:

- Amending the language to recommend it would include all employees (regardless of gender).
- The time frame for employees to register a Complaint about workplace sexual harassment is extended to 1 year from 3 months. This is in recommendation to amend the law, under the 2024 Private Members Bill (to see vegetate 1).
- To remove the penalty provision, or to suspend it - meaning the penalty would not apply for complaints that are coined 'false or malicious' so as not to reduce the chilling effect of the statutes in general.
- To amend the POSH Act to clarify 'employer' to mean the terms of platform aggregators as the 'principal employers' when referring to gig workers.

Timeframe: Delivered to parliament in 12 -18 months

KPI's: To have the Bill passed and Royal assent; Gazette updated POSH Rules

12.3 Ratification of C190 and incorporation into Labor Codes

Action: The ratification of the ILO C190 by the Central Government - For the Convention C190 to be ratified, the Central Government will also have to ratify Resolution Recommendation 206 as well. Otherwise, you cannot embed the Convention into the POSH Act or into the Labor Codes.

Timeframe: To start the ratification of Convention C190 in 24 months

KPIs: Ratification instrument submitted to the ILO; inter-ministerial committee for monitoring incorporation into national law.

13. Conclusion

The window to move from "shadows of silence" to systemic safety

India stands at the crossroads. The new criminal codes increase more at stakes for harassers in the workplace, but their full potential will never be realized unless the machinery of civil redressal, particularly for the 96% of women working in the unorganized sector, is put in order. The 'shadows of silence' that cloak the labor class are not due to the absence of law, but a ghastly failure of enforcement. The Supreme Court's 2025 deadline for a countrywide compliance audit imposes an inevitable timeline of action. The States need to act fast to operationalize Local Committees, Parliament needs to harmonize the POSH Act with greater representation, and

platform companies need to come on board. The next 24 months will tell if India can convert its strong legal foundation into real safety and dignity for all its workers.

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