

Safe Space Newsletter

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Dec, 2025



HELLO
December

Highlights

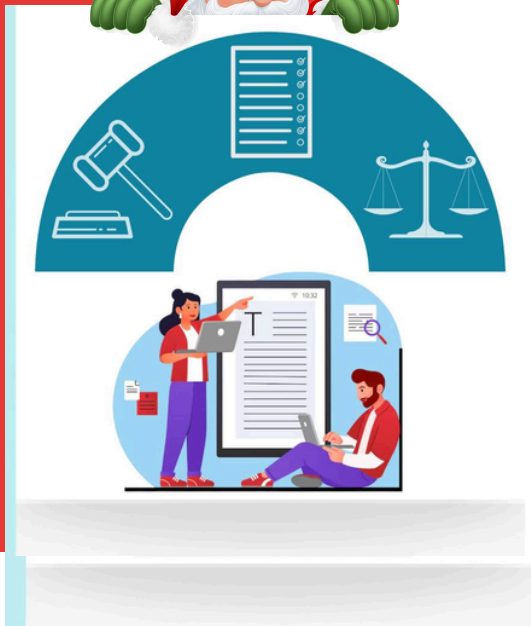
- An article on what happens when the External Member Is Missing in inquiries
- Poster of the month
- Case law
- Safespace Series
- CecureUs Events

December stands as an important month for organisations committed to dignity, equality, and a safe workplace.

As we observe **Human Rights Day on December 10**, it reminds us that ensuring a respectful, inclusive, and safe environment is not just a moral duty but a fundamental right for every individual at work. This period also overlaps with the **16 Days of Activism Against Gender-Based Violence** — a global movement from **November 25 to December 10** urging collective responsibility to prevent violence and promote safer spaces for women and children. It serves as a powerful reminder for workplaces to strengthen prevention measures, reinforce awareness, and build a culture of zero tolerance.

December 9 marks the 12th anniversary of the POSH Act, 2013, a pivotal legislation that continues to guide organisations in creating safe workplaces. As we approach the end of the year, this is also the right time to review compliance requirements and plan ahead for the annual report filing.

Ensuring IC meetings, training sessions, documentation, and awareness activities are completed and recorded will support a smooth and timely POSH annual report submission.



When the External Member Is Missing – The PoSH Inquiry Loses Its Soul

If you want to understand why skipping an External Member can make an entire PoSH inquiry legally invalid, this blog is a must-read. It breaks down important court judgments and explains how an External Member safeguards neutrality, fairness, and credibility in every case. You will also learn the real risks organizations face when they bypass this mandatory role. For anyone who cares about compliance, culture, and conscience, this blog offers crucial insights you cannot afford to miss.

[Click here to read more](#)



Poster of the Month

Celebration becomes meaningful when it carries respect, includes every voice, and spreads genuine warmth.

[Download the poster](#)

Customise & Circulate this poster among your employees for awareness.

Let us know if you like us to create a poster on any specific theme?



Court Reaffirms Limited Judicial Review in PoSH Inquiries

Case: Vidya Akhave v. Union of India & Ors, W.P. No. 796/2015 (Bombay HC).

Overview of the case :

Vidya Akhave filed a complaint of sexual harassment in 2013 against her superior at IFCI Ltd., after which the organisation constituted an Internal Complaints Committee (ICC) as required under the PoSH Act.

The ICC conducted a full enquiry, examined witnesses, and submitted its report on 17 February 2014, holding some allegations time-barred but confirming others as misconduct under service rules. Based on this, the Disciplinary Authority imposed a major penalty on the accused, including a two-stage reduction and transfer. Dissatisfied with the findings and the severity of the punishment, Vidya Akhave challenged the decision before the Bombay High Court through Writ Petition 796/2015.

Court's Decision & Reasoning

The Bombay High Court dismissed the writ petition and upheld both the ICC's findings and the disciplinary action. It held that courts cannot re-evaluate evidence when the ICC has conducted a fair, lawful inquiry. The punishment imposed was not "shockingly disproportionate," so judicial interference was unwarranted. The Court also confirmed that the ICC and Disciplinary Authority had followed due process and reiterated the employer's duty to maintain a functional, sensitive, and compliant PoSH mechanism. The petition was therefore disposed of, with the disciplinary order intact.

Result: The petition was disposed of. The ICC's findings and disciplinary action stand, and the Court refused to interfere.

Similar case references: Om Kumar v Union of India (2000) is a landmark SC judgment that deals primarily with the principles of judicial review of administrative actions, specifically that the punishment should be proportionate to the offense.



SafeSpace Series – Real HR Scenario #24

One site. Two vendors. A harassment complaint.
Who owns the investigation?

In many contract staffing setups, this question causes confusion. But here's the thumb rule: The respondent's company must lead the inquiry.

If contract staff work at your premises, you still hold responsibility for their safety.

Read this real-life case to learn how joint ICs work, and how to support vulnerable workers who often stay silent.

SafeSpace Series

HR Scenario #24

by Viji Hari



Who Owns the Case?

Two contract staff. Two different vendors.
One complaint.
Whose responsibility is it?

[Click here to view](#)

POSH IC Learning Lab – Digital Misconduct and Workplace Harassment



POSH IC LEARNING LAB
DIGITAL MISCONDUCT AND WORKPLACE HARASSMENT

- Understanding Digital Misconduct
- Workplace Harassment in the Digital Era
- Recognizing Warning Signs and Impact
- Prevention & Response Strategies
- Organizational Best Practices

Meenakshi Vijaypaul
Posh Compliance Specialist and External Member

16th Dec 2025
11:00 AM to 12:30 PM

connect@cecureus.com www.cecureus.com 7200500221

The course is priced at ₹300 + GST per participant.

We look forward to your participation - [Register here](#)



As the year draws to a close, we trust our collective efforts have ensured full compliance with the **POSH Act**.

We hope you're on track to submit your **Annual Report** to the district office by the first week of **January**.

From all of us at Team **CecureUs**, we wish you a joyful and festive **Christmas, and a New Year** filled with happiness, success, and exciting opportunities.

Here's to a bright and prosperous 2026! 🎄

2026



05/05

Reach out to us for any queries
connect@cecureus.com