

Presentation note

POSH Act and Gram Panchayats

Your Rights. Your Responsibility. Your Strength.

For Elected Women Representatives and Grassroots Leaders in Maharashtra

Introduction

Greetings to all elected women representatives. You are part of an important democratic journey. Despite social, family and institutional challenges, you have assumed leadership roles in Gram Panchayats, Panchayat Samitis and other local self-government institutions.

The 73rd Constitutional Amendment significantly expanded women's representation in local governance. Today, millions of women lead Panchayati Raj Institutions across India. Maharashtra has been at the forefront of this transformation.

However, representation alone is not enough. Women must also be able to work in an environment that is safe, dignified and free from fear. This is where the POSH Act becomes important.

What is the POSH Act?

POSH stands for the Prevention of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. Its purpose is not merely to address complaints, but to ensure that every woman has access to a safe, dignified and equitable working environment.

The Act emerged from the struggle for justice in the Bhanwari Devi case and the Vishaka Guidelines issued by the Supreme Court in 1997. It strengthens the constitutional values of dignity, equality and safety for women.

Why POSH Matters for Gram Panchayats

A Gram Panchayat is a statutory institution established under the Constitution and state law. Panchayat offices, Gram Sabhas, committee meetings, trainings, official visits and development-related activities can all be considered workplaces where women must be protected from sexual harassment.

Women representatives, employees, contractual workers, ASHA workers, Anganwadi workers, volunteers and citizens interacting with Panchayat institutions deserve a safe and respectful environment.

POSH and Women's Political Participation

Women often face interruptions, disrespectful comments, intimidation and exclusion from decision-making processes. While not every such act amounts to sexual harassment, behaviour that takes on a sexual nature or creates a hostile environment may fall within the scope of the POSH Act.

A safe environment enables women to participate confidently, lead effectively and contribute meaningfully to local development.

Illustrative Situations

1. A woman Sarpanch is repeatedly subjected to personal and gender-based remarks during meetings instead of constructive discussion.
2. A woman member receives unwanted messages and repeated personal contact unrelated to official work.
3. Newly elected women representatives receive POSH awareness training, leading to greater confidence and participation.

These examples show that POSH is not only about complaints; it is about creating an environment where women can lead without fear.

Maharashtra's Legacy and Women's Leadership

Maharashtra has a rich legacy of social reform led by Mahatma Jyotirao Phule, Savitribai Phule, Rajarshi Shahu Maharaj and Dr. B. R. Ambedkar. Women's representation in local governance is a continuation of this movement for equality and social justice.

Reservation has opened the doors of leadership, but meaningful participation requires safety, dignity and respect.

Why POSH is Receiving Increased Attention

The Supreme Court has repeatedly expressed concern about weak implementation of the POSH Act across the country. The Government of India has introduced mechanisms such as SHe-Box, and national and state women's commissions continue to emphasize awareness and compliance.

Women's safety is not merely a personal issue; it is closely linked to good governance, democracy and social justice.

Why Gram Panchayats Cannot Be Excluded from POSH

Political parties were excluded from the POSH framework because they are voluntary political associations and generally lack an employer-employee relationship with their members.

Gram Panchayats are fundamentally different. They are constitutional public institutions, funded through public resources, performing governmental functions and serving as workplaces where multiple categories of workers and representatives interact. Therefore, the legal reasoning applicable to political parties does not apply to Gram Panchayats.

Excluding Gram Panchayats would undermine constitutional guarantees of equality, dignity and women's participation in public life.

What Gram Panchayats Should Do

- Conduct awareness programmes on POSH and women's rights.

- Establish an Internal Committee wherever required by law.
- Ensure that complaint procedures are clearly communicated.
- Promote understanding of what constitutes sexual harassment.
- Discuss women's safety regularly in Gram Sabhas and training programmes.
- Publicise information about Local Committees where Internal Committees are not applicable.
- Adopt a zero-tolerance approach towards sexual harassment.

Conclusion

The 73rd Constitutional Amendment opened the doors of local governance to women. The next step is to ensure that women can participate meaningfully, confidently and safely.

The POSH Act is not merely a law against sexual harassment. It is a law that protects dignity, strengthens equality, promotes women's leadership and deepens democracy.

A safe woman representative means a stronger Gram Panchayat.

A stronger Gram Panchayat means a stronger democracy.

Jai Maharashtra. Jai Hind.