Who Answers to Women Advocates?

The POSH Act, Internal and Local Committees, and the Missing Employer

A panel discussion organised by the Women's Inclusion and Leadership in Law (WILL) Initiative, NLSIU

Prepared by *Neha Vinod* and *Mahima Ray*

At a glance:-

- **Date:** Wednesday, 9 December 2026
- **Time:** 5:30 PM onwards (about 90 minutes)
- **Venue:** NLSIU, Bengaluru (NAB 104)
- **Panellists:** Ms Vaneesha Jain and Ms Kruthika Ravindrareddy
- **Moderator:** Neha Vinod & Mahima Ray
- **Basis of discussion:** The WILL Initiative Whitepaper titled "*Institutional Mechanisms for Women Advocates: An Assessment of Internal Committees, Local Committees and POSH Compliance in India"* (Neha Vinod and Mahima Ray)

Background:-

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 rests on a simple premise: every workplace has an employer responsible for keeping it safe. Litigation does not fit that premise. Women advocates work in chambers, court premises, tribunals and bar premises, or practise independently, and no single entity controls these spaces. Harassment can come from seniors, opposing counsel, court staff, judicial officers, office-bearers of Bar Associations and Bar Councils, and clients, **none of whom may stand in an employment relationship with her.**

The problem is not hypothetical. A survey by the Centre for Law & Policy Research of women lawyers in the Supreme Court and High Courts found that 41% of respondents had faced sexual harassment in their careers, and that 45.3% did not know where to report it in their High Court. Only 15.9% expressed significant confidence in Internal Committees.

The Whitepaper asks whether the Act, with its employer-dependent design, can protect women advocates in litigation. Its main findings are that:

- The Act protects many women advocates in principle but leaves unclear who must answer to them in practice;

- The Internal Committee has no clear bearer in most litigation settings, and the committees that courts have set up, of which Karnataka's is studied, reach only the precincts and are hard to find below the High Court; and
- The Local Committee now exists on paper in nearly every district, but it relaxes the Act's dependence on an employer without removing it, and where the respondent is outside any employment structure its findings may have nowhere to go.

The Whitepaper does **not** propose a solution, as its authors lack the data to support one at this stage. The panel is intended to test the findings against practice and to help shape the evidence that the WILL Initiative will collect next.

Objectives:-

1. To present and test the Whitepaper's findings with practitioners of workplace sexual harassment law and gender and constitutional law.
2. To discuss who can be treated as the employer of a woman advocate, and what follows for the Internal Committee and the Local Committee.
3. To identify what women advocates would need from a forum for complaints, to inform the WILL Initiative's national survey and RTI applications.
4. To bring together students, advocates, faculty and others working on gender and the legal profession.
5. To get feedback on the Whitepaper from the panellists & audience.

Format & Agenda:-

Time	Segment	Person/s
5:30 to 5:35 [5 mins]	Welcome & Introduction	Mahima
5:35 to 5:50 [15 mins]	Presentation of the Whitepaper's findings	Neha & Mahima
5:50 to 6:10 [20 mins]	**ROUND 1:- ON EMPLOYER & THE INTERNAL COMMITTEE** ***To Ms. Jain:-*** The Act's route to redress assumes a woman who files a written complaint, within a limited time, with a committee inside the organisation where she works, whose findings the employer then acts on. Women in litigation work differently. Many are self-employed or juniors in a senior's chamber, their briefs and referrals depend on seniors and the bar, the bar is small and closely connected, and	Moderator, Ms. Jain & Ms. Ravindrareddy

	the forum available to them may be run by a court or a bar body and not by an employer. Drawing on your experience of how women decide whether to come forward before an Internal Committee, which features of this design do you think would most deter a woman advocate from reporting, and why? ***To Ms. Ravindrareddy:-*** Does it matter, constitutionally, that the POSH Act's protection turns on an employment relationship? Should the right to a safe workplace depend on who pays the complainant?	
6:10 to 6:30 [20 mins]	**ROUND 2:- ON LOCAL COMMITTEES & RESPONDENTS WHO ARE NOT "EMPLOYEES"** ***To Ms. Jain:-*** Where a woman advocate complains about someone who is neither her employer nor anyone's employee, such as opposing counsel or a bar office-bearer, is the requirement of an employment link best read as a limit on a Local Committee's jurisdiction, or merely as a rule about how an inquiry is conducted? ***To Ms. Ravindrareddy:-*** The Act assumes a workplace with an employer, and a woman advocate often has none. Should the legal profession have its own rules on sexual harassment, made by its regulator, the Bar Council, and separate from the Act, or is it better to adapt the Act itself? What could a profession-specific regime do that the Act cannot, and what would be lost by moving outside it? ***To both:-*** In Karnataka, only the High Court has built a committee that covers advocates, and it did so by regulation. Is that a model, or does it only show how much depends on one court's choice?	Moderator, Ms. Jain & Ms. Ravindrareddy
6:30 to 6:45 [15 mins]	**ROUND 3:- POWER, TRUST & WHAT A FORUM WOULD NEED** ***To both:-*** The CLPR survey found that only 15.9% had significant confidence in Internal Committees. What makes a committee trusted, in your experience?	Moderator, Ms. Jain & Ms. Ravindrareddy

	To both:- The people with the most power over a woman advocate's career, such as seniors, opposing counsel and Bar office-bearers, are the ones the Act reaches least. What does that mean for how a forum should be designed?	
6:50 to 7:00 [10 mins]	**Q & A Session & Closing** ***For the Q&A session:-*** the moderator collects questions on a card, groups them by theme & asks the panellists. ***For the closing:-*** Neha and Mahima then announce the national survey of women advocates and the RTI applications to High Courts and district courts.	Moderator, Ms. Jain & Ms. Ravindrareddy