



INDIALAW

Investigations and Proceedings

POSH Investigations and Proceedings Law Firm in India for Workplace Inquiries

PRACTICE PROFILE • MAY 2026

Overview

Navigating sexual harassment complaints requires sensitivity, legal accuracy, and adherence to due process. Our team provides hands-on legal support through every stage of the inquiry process, ensuring procedural fairness and protection of the rights of both the complainant and the respondent. We also assist organizations in managing documentation and risk mitigation during and after investigations.

Our Services

- Legal guidance in drafting notices, replies, and other documentation
- Strategic advice during evidence gathering, depositions, and hearings
- Vetting of findings and final reports for legal defensibility
- Support in conducting independent fact-finding inquiries (when required)
- Risk analysis and advice on appropriate disciplinary actions
- Advisory on post-inquiry employee relations and workplace reintegration
- Support in handling retaliatory conduct or post-complaint hostility

Frequently Asked Questions

Q1 What does an investigations and proceedings practice cover in the POSH context?

It covers end-to-end legal support during workplace sexual harassment inquiries, including drafting notices, advising on evidence collection, vetting Internal Committee findings, and ensuring the entire process meets the procedural standards prescribed under the POSH Act, 2013.

Q2 When should an organization engage legal counsel for a POSH inquiry?

Ideally, as soon as a written complaint is received by the Internal Committee. Early involvement helps frame the inquiry correctly, avoid procedural missteps in issuing notices or recording depositions, and reduces the risk of the final report being challenged later.

Q3 Which Indian statute governs workplace sexual harassment investigations?

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, commonly called the POSH Act, along with its Rules. It mandates inquiry completion within 90 days and prescribes specific procedural safeguards for both complainant and respondent.

Q4 What is the typical timeline for completing a POSH inquiry in India?

The POSH Act requires the Internal Committee to complete its inquiry within 90 days of receiving the complaint. Delays often arise from scheduling depositions, gathering documentary evidence, or managing interim measures. Legal counsel helps keep the process on track and procedurally sound.

Q5 What documents does an organization need before starting a POSH inquiry?

At minimum, the written complaint, the organization's POSH policy, the IC constitution order, any prior correspondence between the parties, and relevant HR records. Witness lists, digital communications, and CCTV logs, if available, should also be preserved early.

Q6 What is the most common procedural mistake organizations make during POSH inquiries?

Failing to follow principles of natural justice, such as not giving the respondent adequate opportunity to respond or not recording depositions properly. These lapses can render the entire inquiry legally indefensible if challenged before a court or appellate authority.