

वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्  
COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH  
अनुसंधान भवन, 2, रफी मार्ग, नई दिल्ली-110 001  
Anusandhan Bhawan, 2, Rafi Marg, New Delhi-110001



सं. No. 17-02(Reports)/2023-HR-III

Dated \_\_\_\_\_ 29.11.2023

प्रेषक : संयुक्त सचिव (प्रशासन)  
From : Joint Secretary (Admn.)

सेवा में : सीएसआईआर की सभी राष्ट्रीय प्रयोगशालाओं/ संस्थानों/मुख्यालय/एककों के निदेशक/प्रधान  
To : The Directors/Heads of all CSIR Labs/Instts./Headquarters/Units

**विषय/Sub : W.P.(C).No(PIL) 33000 of 2022 Smt. Biyot Projna Tripathy vs Government of Orissa before  
the High Court of Orissa Bench at Cuttack.**

महोदया/Madam/महोदय/ Sir,

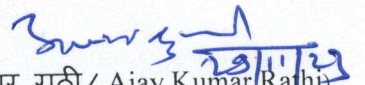
मुझे महिला व बाल विकास मंत्रालय के द्वारा जारी कार्यालय ज्ञापन सं. WW-16/6/2023 दिनांक 14.11.2023 की प्रति, जिसमें माननीय उच्च न्यायालय, उड़ीसा द्वारा पारित निर्णय दिनांक 15/09/2023 शामिल है, आपकी जानकारी, मार्गदर्शन और अनुपालन के लिए अग्रेषित करने का निदेश हुआ है।

I am directed to forward herewith a copy of OM No. WW-16/6/2023 dated 14/11/2023 issued by Ministry of Women and Child Development containing therewith the judgement dated 15/09/2023 passed by the Hon'ble High Court of Odisha on the above subject, for your information, guidance and compliance.

आपसे यह भी अनुरोध किया जाता है कि कृपया इस पत्र के जारी होने की तारीख के दो सप्ताह के भीतर, अनुपालन रिपोर्ट इस कार्यालय को ईमेल ([ajay.rathi@csir.res.in](mailto:ajay.rathi@csir.res.in)) के माध्यम से भेजें।

Further, it is requested that a compliance report on this matter may please be sent to this office by email ([ajay.rathi@csir.res.in](mailto:ajay.rathi@csir.res.in)) within two weeks from the date of issue of this letter.

भवदीय / Yours faithfully,

  
(अजय कुमार राठी / Ajay Kumar Rathi)  
अवर सचिव / Under Secretary

संलग्न / Encl: उपरोक्त / as above

प्रतिलिपि / Copy to :

1. सीएसआईआर वेबसाइट / CSIR Website
2. कार्यालय प्रति / Office Copy

No. WW-16/6/2023  
Government of India  
Ministry of Women and Child Development

Third Floor, Jeevan Vihar Building  
Parliament Street, New Delhi  
Dated: 14<sup>th</sup> November, 2023

**Office Memorandum**

**Subject: W. P. (C). No (PIL) 33000 of 2022 Smt Biyot Projna Tripathy vs Government Of Orissa before the High Court of Orissa Bench at Cuttack.**

I am directed to forward a copy of the judgment dated 15 September 2023 passed by the Hon'ble High Court of Odisha on the above subject (copy enclosed). The Petition was filed for implementation of Section 19(b) of Sexual Harassment of Women at Workplace Act, 2013.

2. The Hon'ble Court has directed to all the authorities under the Central and State Governments to **"place a Billboard showing the penal consequences of sexual harassment."** The court has also directed to include **"a toll-free number and committed phone numbers to be provided on the Billboard"**.

3. It is therefore requested that appropriate action may be taken to comply with the Hon'ble Court's Order and an Action Taken Report may be sent to this Ministry so that a consolidated compliance report may be submitted before the Hon'ble Court. Further, it is also requested that Women helpline Number 181 and Emergency Response Support System Number 112 may also be displayed conspicuously for ease of access to women in distress. In the past also, the Ministry had written vide DO letter No. 16/3/2023- WW to all the to all the Ministries/ Departments of the Central Government to ensure effective implementation of the SH Act.

4. This issues with the approval of Competent Authority.

*Santanu Brajabasi*

(Santanu Brajabasi)

Under Secretary to the Government of India

E-mail: [santanu.brajabasi@gov.in](mailto:santanu.brajabasi@gov.in)

**Encl. As above.**

To:

Secretaries to all Ministries/ Departments of the Government of India

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No. 33000 of 2022**

***Biyat Pragya Tripathy***

.....

***Petitioner***

*Dr. Sujata Dash, Adv.*

Vs.

***Government of Odisha & Others***

.....

***Opp. Parties***

*Ms. S. Patnaik, A.G.A.*

*(for O.P. Nos.1 and 2)*

*Mr. P.K. Parhi, D.S.G.I.*

*along with Mr. B.S. Rayaguru,*

*C.G.C.*

*(for O.P. Nos.3 and 4)*

**CORAM:**

**THE CHIEF JUSTICE**

**JUSTICE SAVITRI RATHO**

**ORDER**

**15.09.2023**

**Order No.**

09.

1. This matter is taken up through hybrid mode.
2. Heard Dr. Sujata Dash, learned counsel appearing for the petitioner, Ms. S. Patnaik, learned Addl. Govt. Advocate appearing for the opposite parties No.1 and 2 and Mr. P.K. Parhi, learned Deputy Solicitor General of India along with Mr. B.S. Rayaguru, learned Central Govt. Counsel appearing for the opposite parties No.3 and 4 in the proceeding.
3. Mr. Parhi, learned Deputy Solicitor General of India has reported that despite his efforts he could not obtain the instruction from the opposite party No.5 in respect of compliance of the order dated 07.12.2022. This Court had directed the government officers

and the other authorities by the order dated 07.12.2022 to implement the mandate of Section 19 (b) of the Sexual Harassment of Women and Workplace (Prevention, Prohibition and Redressal) Act, 2013. They were also asked to file the compliance affidavit but, despite series of orders passed, according to Dr. Dash, learned counsel for the petitioner, no substantial progress has been made in compliance of the order. The government has adopted a casual approach in implementation of the mandate of Section 19 (b), in particular.

4. Ms. S. Patnaik, learned Addl. Government Advocate has submitted that the authorities are actively involved in complying the said mandate of the statute, but due to lack of intra-departmental coordination, the mandate could not be fully complied so far.

5. Mr. P.K. Parhi, learned Deputy Solicitor General of India and Mr. B.S. Rayaguru, learned Central Government Counsel have stated that if the direction is passed by this Court, all the authorities who are in control of the public places shall put up the billboard displaying the penal consequences of the sexual harassment and complete the process of constituting the internal committees under sub-section (1) of Section 4 of the said Act.

6. Dr. Dash, learned counsel has quite empathetically stated that this action is essentially needed to build up the congenial

environment at the work places for the women who are harassed sexually often times by various conducts in the work places. Nobody would dissent in accepting that for an equal society and safe society, dignity and safety of the women have to be given priority. The said Act has been designed to achieve such condition in all spaces, particularly in the public places and the work places.

7. Having appreciated the submissions of the learned counsel for the parties, we direct all the authorities under the Central Government and State Governments to comply the direction of Section 19 (b) of the Sexual Harassment of Women and Workplace (Prevention, Prohibition and Redressal) Act, 2013. The authorities have to place a bill board showing the penal consequences of sexual harassment etc. In this regard, we may refer to Section 2 (o) of the Sexual Harassment of Women and Workplace (Prevention, Prohibition and Redressal) Act which defines the work place in the following manner:

*“(o) “workplace” includes-*

*(i) any department, organisation, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the appropriate Government or the local authority or a Government company or a corporation*

*or a co-operative society;*

*(ii) any private sector organisation or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-governmental organisation, unit or service provider carrying on commercial, professional, vocational, educational, entertainment, industrial, health services or financial activities including production, supply, sale, distribution or service;*

*(iii) hospitals or nursing homes;*

*(iv) any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereto;*

*(v) any place visited by the employee arising out of or during the course of employment including transportation by the employer for undertaking such journey;*

*(vi) a dwelling place or a house.*

8. Therefore, the work place perhaps takes in its fold all the places where the women are to be for different purposes of their social and individual life. In the billboard a toll free telephone number and committed phone number be provided so that whenever or wherever the woman perceives threat of sexual harassment or fear of violation of dignity in any manner, she can immediately report for

her protection and for taking action against the incalcitrants.

9. We fix a date for implementation of the above direction. The said direction shall have to be carried out within a period of three months from today.

9. Learned counsel appearing for the different authorities shall take note of this order and immediately communicate to all the concerned authorities.

10. A free copy of this order be supplied by the Registry to the counsel appearing for the parties.

11. In terms of the above, this Public Interest Litigation (PIL) is disposed of, but we would fail in our duty, if we do not mention that the violation/non-compliance of the above direction would entail the contempt of Court and this Court shall take a strict view, if such violation is brought to the notice of this Court by any concerned citizen.

Urgent certified copy be granted as per rules.

**(S.Talapatra)**  
**Chief Justice**

**(Savitri Ratho)**  
**Judge**

*Sukanta*

Signature Not Verified

Digitally Signed  
Signed by: SUKANTA KUMAR BEHERA  
Designation: Senior Stenographer  
Reason: Authentication  
Location: Orissa High Court, Cuttack  
Date: 26-Sep-2023 10:56:13

