

Clarification with respect to the "Appeal" provision of the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013.

Section 18 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013 deals with the right of an aggrieved person to file an appeal in case they are dissatisfied with the recommendations made in their case or if the recommendations have not been implemented.

A detailed understanding is as below:

Sub-section 1: Any person aggrieved from the recommendations made under sub-section (2) of section 13 or under clause (i) or clause (ii) of sub-section (3) of section 13 or sub-section (1) or subsection (2) of section 14 or section 17 or non-implementation of such recommendations may prefer an appeal to the court or tribunal in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist then, without prejudice to provisions contained in any other law for the time being in force, the person aggrieved may prefer an appeal in such manner as may be prescribed.

This subsection states that if an individual is dissatisfied with the recommendations made under sub-section (2) of section 13 or under clause (i) or clause (ii) of sub-section (3) of section 13 or sub-section (1) or subsection (2) of section 14 or section 17, they have the right to file an appeal. The appeal can be made to the court or tribunal, following the provisions of the service rules that apply to the concerned person. If no specific service rules apply, then the person can file an appeal in a manner prescribed by the law without prejudice to any other laws in force.

Sub-section 2: The appeal under sub-section (1) shall be preferred within ninety days of the recommendations.

This subsection specifies that the appeal mentioned in sub-section (1) must be filed within ninety days of the recommendations made. It is important to note that the appeal should be initiated within this specified timeframe to ensure its validity.

In summary, Section 18 of the Act grants the right to an aggrieved person to file an appeal if they are dissatisfied with the recommendations made or have not been implemented. The appeal can be made to the court or tribunal, following the applicable service rules or as prescribed by the law, within a period of ninety days from the date of the recommendations.