

Internal Complaints Committee (ICC)

Mains: GS II - Welfare Schemes for Vulnerable Sections of the population by the Centre and States and the Performance of these Schemes.

Why in News?

Recently, a student in Balasore, Odisha, died by self-immolation after her sexual harassment complaints against the head of her department were dismissed by the college's Internal Complaints Committee (ICC).

What is the ICC?

- **ICC** - An Internal Complaints Committee (ICC) is a mandatory institutional redressal mechanism to address complaints of sexual harassment at the workplace.
- **Created under** - The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (POSH Act).
- **Background** - Evolved from Vishaka Guidelines (1997) by the Supreme Court, after a petition by Bhanwari Devi.

***Bhanwari Devi**, a social worker in Rajasthan, was gang-raped when she tried to stop a child marriage in 1992.*



- **Legal basis** - After Nirbhaya killing in Delhi in December 2012 the provisions were actually written into law.
- **Establishment** - Mandatory at all workplaces which employed more than 10 people.
- Women working in smaller enterprises in the informal sector could complain to Local Committees to be set up by district authorities.

What is the composition of ICC?

- **Headed by** - Presiding Officer, who is to be a woman employed at a senior level at the workplace.
- **Members** - At least 2 members should be employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge.
- Another member should be from an NGO devoted to women's rights or a person familiar with sexual harassment issues.
- **Women's ratio** - At least half of the members should be women.
- **Complaint** - Any aggrieved woman can complain in writing within 3 months of the date of the harassment incident or series of incidents.

What are the powers and functions of ICC?

- **Powers** - ICC has the same powers as are vested in a civil court under the Code of Civil Procedure.
- **Time limit for inquiry** - To be completed within 90 days.
- **Actions** - The committee can help to settle the matter at the request of the woman or begin an inquiry into the complaint.
 - If the complaint is proved, the ICC must recommend the action to be taken against the accused.
 - The employer is also required to aid the victim if she wishes to file a criminal

complaint.

- **Concealment clause** - The law mandates confidentiality regarding
 - The contents of the complaint
 - The identity and addresses of the aggrieved woman
 - The respondent and witnesses
 - Any information relating to conciliation
 - Inquiry proceedings
 - The recommendations of the ICC.

What are the challenges faced by ICC?

- **Irregular execution** - The implementation of Internal Complaints Committees (ICCs) remains patchy and inadequate across institutions.
- **Ineffective functioning** - They *often lack training*, maintain no confidentiality, and fail to address workplace power imbalances.
- **Lack of coordination** - Women and Child Development Ministry oversees the Act, but actual employers fall under the Labour and Industries Ministries.
- This *gap between ministries* creates a responsibility crisis.
- **Lack of monitoring** - Absence of analysis of the law's functioning, leaves a black hole in accountability and data.
- **Supreme Court's Apprehension** - The Supreme Court expressed concern over the *serious lapses in enforcement*.
- It called the state of affairs disquieting and *ordered immediate compliance across both public and private sectors*.

What lies ahead?

- The government could push for *quicker setting up of ICC* in every public and private organisations.
- The actions taken by the ICC could be *periodically monitored and analysed*.

Reference

[The Hindu| Internal Complaints Committee](#)