

Internal Complaints Committees (ICC)

Why in news?

The protest by Indian wrestlers has highlighted the importance of internal complaints committees.

What is internal complaints committees (ICC)?

- **First port of call** - ICC was designed to be the first port of call for *any grievance* under the POSH (Prevention of Sexual Harassment Act) Act 2013.
- **Section 4 of the POSH Act** - Every office of an organization *employing 10 or more employees* must have an internal committee dedicated to hearing and resolving sexual harassment complaints.
- **Members** - It needs to have a minimum of 4 members with at least half should be women.
- Among women 1 shall be shall be an external member
 - Preferably from an NGO or
 - An association that works for women's empowerment or
 - A person familiar with issues related to sexual harassment.
- **Mandatory for recognitions** - A functional ICC is one of the key conditions set up by the Ministry of Sports to grant annual recognition to the sporting federations.
- **Court verdict** - In *Global Health Private Limited & Mr. Arvinder Bagga v. Local Complaints Committee, District Indore and Others* (2017), the Court held that there should be a fine imposed under the POSH Act for failing to constitute the ICC.
- **Female Presiding Officer** - Has been made mandatory and should be an employee at a senior level at work.
- **Power of a civil court** - Regarding investigation complaints of workplace sexual harassment ICC have the same powers as civil court under the Code of Civil Procedure 1908.
- **Tenure** - ICC members have a maximum term of 3 *years*.
- **Section 10 of the POSH Act** - ICC can resolve a complaint between the parties at the request of the aggrieved woman through conciliation by reaching an amicable settlement.

What are the challenges to ICC?

- The POSH act is not gender neutral so the ICC can conduct investigations only if it is filed by women which excludes men and LGBTQ+ members.
- Lack of awareness about ICC to the workers.
- There is no mandate to form ICC in the informal sectors.
- Even though many association have ICC the structure and functions are not conducive with POSH act.

What is the way forward?

- Strict actions should be taken by government in case of a national sporting body having no ICC.
- The functions and structure of the ICC needs to be reexamined by the government which should be in conducive with current demands.
- Before starting of any tournament the awareness should be made about ICC.

Quick facts

- Athletics Federation of India (AFI) is the body with the largest membership and the highest women participation.

National level Sports Federations (NSFs)

- A list of 56 NSFs recognized by the Government for different sports disciplines.
- NSFs can be recognized only by the union government.
- Elections are held by the NSFs at the intervals prescribed under the bye-laws of the concerned NSFs.
- National Sports Development Code of India 2011 provides the guild lines to conduct election for NSFs.
- From 2010 the Government has introduced a system of annual recognition procedure for the NSFs.

References

1. [The Indian Express | ICC Challenges](#)
2. [PIB | About National Level Sports Federations](#)

