

Powers of Local Committee – under PoSH Act

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Though, the head count of the establishment is more than 10, an aggrieved women (employee or otherwise), who had experienced sexual harassment at a workplace, may directly reach out to the Local Committee with a complaint.

It may be due to 2 reasons (1) aggrieved woman would not have known whether the Internal Committee is constituted and to whom the complaint can be made (and someone would have recommended Local Committee details for making complaint). (2) the establishment would not have constituted internal committee, forcing the aggrieved woman to reach out to Local Committee.

The Local Committee, upon receiving the complaint, may,

1. Continue to hear the complaint
2. Forward/redirect the complaint to the Employer / Internal Committee of the establishment
3. If the Employer's has 10 or more employees and has not constituted the Internal Committee, can,
 - a. Penalise them with Rs.50,000 as fine
 - b. Make the Employer to constitute the Internal Committee immediately and hear the case
4. If the establishment is having 10 or more employees, still it has not constituted, Local Committee can hear out the reason for the same
5. Some establishments would have shown their inability to constitute such Internal Committee for want of Senior / Women employees, which is a requirement under the provisions of PoSH Act
6. In such case Local Committee can continue to hear the complaint

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