

LANDMARK JUDGMENT ON POSH ACT
Power of Internal Committee

Blog Series – I I I January 12, 2021 PoSH – Vol.56

Reference: Hon'ble Delhi High Court Judgment

Judgment Date: 16th December 2020

Observations

- 1. If a case of sexual harassment is not made out, the ICC can only conclude that no action is required to be taken. On the other hand, if a case of sexual harassment is made out, then the recommendation of the ICC can only be for taking appropriate action for misconduct, in accordance with the provisions of the service rules as contained within Section 13(2) and 13(4) of the Act**
- 2. 'Moral Policing' is not the job of the Management or of the Internal Committee**
- 3. The ICC cannot make comments on the personal conduct of the parties and the ICC's jurisdiction would be restricted to the allegations of sexual harassment and whether a complaint is made out or not, to that effect**

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