

Policy on Prevention, Prohibition and Redressal of Sexual Harassment of Women at Workplace (POSH)

Introduction

Omnivore strives to create and maintain a healthy, safe and productive work environment, free from discrimination and harassment. Omnivore is committed to provide equal opportunity and a harassment free workplace notwithstanding race, caste, religion, colour, ancestry, marital status, gender, sexual orientation, age, nationality, ethnic origin or disability, as the case may be.

Accordingly, this Policy has been framed with the intention of providing a sexual harassment free environment and will ensure its prevention, prohibition and redressal as per the guidelines laid down by “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” and Rules framed thereunder (hereinafter referred to as “**Act**” and “**Rules**” respectively).

At Omnivore (hereinafter referred to as “**Company**”), all employees are expected to uphold the highest standards of ethical conduct at the workplace and in all their interactions with stakeholders. This means that employees have a responsibility to:

- Treat each other with dignity and respect;
- Follow the letter and spirit of law;
- Refrain from any unwelcome behavior that has sexual connotation (of sexual nature);
- Refrain from creating hostile atmosphere at workplace via sexual harassment; and
- Report sexual harassment experienced and/or witnessed to appropriate authorities and abide by the complaint handling procedure of the Company.

Objective

The purpose of this policy is:

- To provide guidelines for the prevention, redressal of and action against any sexual harassment in the workplace;
- To actively promote an environment that will raise awareness about and deter acts of sexual harassment of any employee; and
- To ensure the implementation of the policy in letter and spirit by undertaking all necessary and reasonable steps including the constitution of appropriate Committees to conduct enquiries into complaints of sexual harassment and trainings/workshops for the purposes of gender sensitization.

Scope and Coverage

This policy extends to all employees including individuals coming to the workplace for employment or for any other purpose whatsoever including but not limited to visitors, potential investees, investors, vendors, contractual resources, secondees, trainees and applies to any alleged act of sexual harassment against persons at workplace, whether the incident has occurred during or beyond office hours.

Local country laws will take precedence over this policy, in other geographies, if applicable. The definition of who is an **employee** and what is a **workplace** is provided in the subsequent section of this document.

This policy considers the definition of Right to life, under the Constitution of India. It means right to life with dignity and the fundamental right to carry on any occupation, trade or profession, which depends on the availability of a "safe" working environment where employees feel secure and truly believe that their dignity is maintained. Although the law in our country specifically deals with the protection of "women" against sexual harassment, this organization strongly believes that all employees, regardless of their gender, have the right to work in an environment safe from verbal or physical abuse and unsolicited or unwelcome sexual overtures. Notwithstanding the provisions of the law, the organization shall take strict disciplinary action as provided in this policy against any persons who are perpetrators of any and all forms of sexual harassment, regardless of the gender of the perpetrators.

This policy takes complete cognizance of the latest legislation by the Government of India "The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act 2013 and its rules notification published on 9th December 2013. This Act is to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for the matters connected herewith or incidental thereto.

This policy does not impair or limit the right of anyone seeking any remedy available for sexual harassment under the Indian Penal Code. Proceedings under this policy may continue notwithstanding the pendency or otherwise of any proceedings initiated by a Complainant under the IPC or any other relevant law in force.

In the case of an incident of sexual harassment committed by a third party or outsider on an employee of the organisation, organization will take all necessary and reasonable steps to assist the Complainant in terms of legal support & redressal.

Definitions

A. Sexual Harassment

Sexual harassment would mean and include any of the following:

- i. Unwelcome sexual requests or demand for sexual favors, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any company activity.
- ii. Unwelcome sexual advances involving verbal and non-verbal communication, or physical conduct such as sexually colored remarks, jokes, letters, phone calls, e-mail, gestures, texting (SMSs & MMSs), showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, same sex bullying, which offends the individuals sensibilities and affect her/his performance.
- iii. Sexually colored acts and remarks such as teasing, bullying, physical intimidation, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy and hurt one's sentiments.
- iv. Any act or conduct of a sexual nature by a person in authority, which creates a hostile or intimidating environment at the workplace.
- v. It is the reasonable perception of the employee that would be relevant in determining:
 - a. whether the conduct was sexual in nature, and, if so, whether such conduct was unwelcome or not; and/or
 - b. that their objection to such conduct would disadvantage them in connection with their employment including [hiring, firing, performance appraisal, promotion/demotion, assignments, monetary appraisal] evaluation, grading, recruitment or promotion; or
 - c. if the conduct in question creates a hostile working or living environment.
- vi. The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:
 - a. implied or explicit promise of preferential treatment in employment; or
 - b. implied or explicit threat of detrimental treatment in employment; or
 - c. implied or explicit threat about present or future employment status; or
 - d. interference with work or creating an intimidating or offensive or hostile work environment for the person; or
 - e. humiliating treatment likely to affect the health and safety of the person concerned

- vii. Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers instead to behaviour that is not welcome, that is personally offensive, which debilitates morale, and therefore interferes with work effectiveness.

All the above is prohibited through any mode of communication including in person, over the phone, on voice mail, through pen and paper, on e-mail, through chat, through SMS or any other form of communication.

Sexual harassment does not refer to occasional compliments of a socially acceptable nature, or consensual personal and social relationships without a discriminatory employment effect. It refers to behavior that is not welcome and that is personally intimidating, hostile, or offensive.

B. Aggrieved Individual

An Aggrieved Individual, in relation to a workplace, is a person, of any age, whether an Employee or not, who alleges to have been subjected to any act of Sexual Harassment.

C. Complainant

A Complainant is any Aggrieved Individual (if the Aggrieved Individual is unable to make a complaint on account of his/her physical or mental incapacity or death or otherwise) who makes a complaint alleging Sexual Harassment under this Policy.

The law allows indirect complaints in the following instances:

- i. In case of physical incapacity, complaint can be made by Complainant's relative, friend, co-worker, or any person who has the knowledge of the incident but ONLY with a written consent of the Complainant;
- ii. In case of mental incapacity, complaint can be made by Complainant's relative, friend, special educator, qualified psychiatrist/psychologist, guardian, authority under whose care Complainant is receiving treatment and care, or any person with the knowledge of the incident jointly with any of the person mentioned above;
- iii. In case of Complainant's death, any person with the knowledge of the incident with the written consent of her legal heir; and
- iv. In case Complainant is unable to file the complaint for any other reason, a complaint can be filed by any person who has the knowledge of the incident with the Complainant's written consent.

D. Employee

An Employee means a person employed with the Company for any work on permanent, temporary, part time, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with or without the knowledge of the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name. For the purpose of this policy, every visitor to the offices of the Company will also be covered under this policy and can be treated as a Complainant.

E. Employer

All references to ‘employer’ in this policy shall be construed as a reference to the entity with whom the contractual agreement exists for the ‘Employee’ of the Company.

F. Respondent

A Respondent means the person against whom the Complainant has made a complaint.

G. Special Educator

A Special Educator means a person trained in communication with people with special needs in a way that addresses their individual differences and needs.

H. Workplace

Workplace includes the premises and offices of the organization, its affiliates and any place visited by employees arising out of or during the course of employment including transportation provided by the organization for undertaking such journey. Additionally, any individual representing the organization in the capacity of an “employee”, anywhere in India or outside, in existing and potential client engagements, out station travels and conferences, training and capacity building programs, including office engagements, gatherings and parties, will be considered engaging in extended workplaces of the organization.

Additionally, all official platforms of communication, including but not limited to emails, official discussion forums, official Whatsapp group/s, official telephone conversations with internal or external stakeholders or the organization, will be considered as “workplace” for all employees and the guidelines of this policy will extend to them as well.

I. Internal Complaints Committee

To be known as “**ICC**” or “**the Committee**” here onwards is the internal redressal committee established to receive and investigate complaints pertaining to sexual

harassment incidents and provide its final recommendations to the management for implementation. The details of the members of the ICC for the Company is as follows¹:

| SL NO. | NAME | DESIGNATION | EMAIL ID |
|--------|----------------------|-------------------|------------------------------|
| 1. | Saborni Poddar | Presiding Officer | saborni@omnivore.vc |
| 2. | Subhadeep Sanyal | Member | subhadeep@omnivore.vc |
| 3. | Imran Khan | Member | imran@omnivore.vc |
| 4. | Lovish Soni | Member | lovish@omnivore.vc |
| 5. | Sagarika Chakraborty | External Member | sagarika@iirisconsulting.com |

Awareness Measures

The following activities will be undertaken to ensure that sufficient awareness on the existence of this policy and organization's stance on any incident of sexual harassment:

- All employee contracts will carry clause on the workplace intolerance to sexual harassment
- This policy shall be shared with all employees and all new recruits at the time of joining.
- Trainings shall be imparted to all employees on this policy, gender issues and their responsibility in making this organization a harassment free environment.
- Notices & other posters will be put up on notice boards in all our offices.
- The HR team will seek inputs from staff, management and ICC members to update this policy and preventive measures from time to time.

Stakeholders and Authorities

A. The Company

The Company is responsible for providing a safe working environment for its employees, free from harassment, bias and prejudice of any kind. Towards this end, it will:

- i. Treat Sexual Harassment as misconduct under the service rules and take appropriate action for the same.
- ii. Encourage respectful and dignified behaviour at workplace at all times by all.
- iii. Have zero tolerance towards acts of sexual harassment.
- iv. Declare the names and contact details of all Members of the ICC.

¹ Names to be inserted

B. Board

- i. The Board of the Company plays a key role in ensuring that the Act is followed in letter and spirit.
- ii. The Board will also seek regular updates on the functioning of the ICC & the periodic reports that the ICC will provide.
- iii. The Board will recommend, suggest & mandate amendments to the policy as & when they feel necessary.
- iv. The Board will take necessary steps to implement the final recommendations of the ICC after the completion of an inquiry of sexual harassment at workplace.

C. Senior Management Team

- i. Provide a safe working environment
- ii. Display at the workplace the penal consequences of sexual harassments and the details of the ICC
- iii. Treat sexual harassment as misconduct under its service rules and take action for such misconduct.
- iv. Protect the complainants and others who provide information on a complaint from retaliation.
- v. Enable conditions for the ICC to hold periodic meetings and conduct inquiries.
- vi. Implement the recommendations of the ICC.
- vii. Provide support to the Complainant if she chooses to file a complaint under Indian Penal Code or under any other relevant law if the Complainant desires to do so.
- viii. Monitor the timely submission of reports by the ICC.
- ix. Include in the Annual Compliance Report filed by the organization (before the District Officer appointed under the Act), the number of cases of sexual harassment filed in the year and their status; and provide the list of programs and communication on gender sensitization at the workplace.
- x. Organize workshops and awareness programs at regular intervals for sensitizing employees with the provisions of this policy
- xi. Organize orientation and skill building programs for the members of the ICC.
- xii. Ensure that necessary facilities and information are provided to the ICC for dealing with the complaint and conducting an inquiry.
- xiii. Assist in securing the attendance of Respondent and witnesses before the ICC and make available such information to the ICC as it may require with regards to the complaint.
- xiv. Provide assistance to the Complainant if the Complainant chooses to file a complaint in relation to the offence under the Indian Penal Code (refer Annexure 3 regarding Punishment for Sexual Harassment under the IPC) or any other law for the time being in force.

- xv. Cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the Respondent, or if the Complainant so desires, where the Respondent is not an employee, in the workplace at which the incident of Sexual Harassment took place.
- xvi. Monitor the timely submission of reports by the ICC.
- xvii. At its sole discretion, may provide additional facilities to the Aggrieved Individual including:
 - an option for a transfer of the Aggrieved Individual or the Respondent who is proved to be guilty, to any other workplace;
 - an option for a change of role/ department (if feasible);
 - support to the Aggrieved Individual to undergo professional counselling; and
 - at the discretion of ICC, provide for compensation for mental trauma, pain and distress suffered, for loss in career opportunity etc. based on various relevant factors including salary and financial status of the Respondent.
- xviii. Cause their respective subsidiaries to adopt the policies on prevention, prohibition and redressal of Sexual Harassment, which shall be consistent with this Policy.

D. Human Resources Department

Human Resource team members have the same responsibilities as the employee and additional responsibilities as a custodian of the Company's policies and Code of Conduct and statutory guidelines.

- i. Be the custodian of this policy and review and update the policy with the management and ICC every year.
- ii. Ensure this policy is referenced in all and the consequence of non-compliance in all notice boards, employment contracts, intranet, and the organization's website.
- iii. Make information, policies and procedures available to employees via the Web, Human Resources and the Company's management and ensure that employees and stakeholders are communicated properly about the Company's POSH policy.
- iv. Take cognizance of the written complaint and bring the complaint immediately to the ICC and provide all kinds of support for the further investigations as a part of inquiry process.
- v. Help the management to constitute the ICC as prescribed under the Act
- vi. Organize workshops and awareness programs at regular intervals for sensitizing employees with the provisions of this policy and the Act
- vii. Ensure all complaints of sexual harassment are forwarded to the ICC for redressal
- viii. Extend support and provide any information that the ICC would require to conduct enquiries.

- ix. Not attempt to investigate or verify the information unless instructed by the legal Department personnel in charge of the investigation and the ICC
- x. Carry out all corrective measures and remediation established in the final decision.
- xi. Set an example of proper and appropriate workplace behaviour and ethical standards in line with Company's policies and Code of Conduct.

E. Employees

As a custodian of the Company's policies and Code of Conduct and statutory guidelines, employees have following responsibilities.

- i. All employees must attend trainings, workshops on awareness, education and refresher in e-learning and/or class room formats. Repeated non-attendance or participation will be construed as misconduct.
- ii. Contribute to creating a conducive and safe workplace by attending training sessions on gender sensitivity and incorporating such training in their workplace conduct.
- iii. Make recommendations to create a safe workplace free of bias, prejudice and preference.
- iv. An employee who believes he or she or any other employee is a victim of sexual harassment must immediately report such incident to the designated ICC and not attempt to investigate the information or suspected violations of this policy on their own i.e. without involving the ICC.
- v. Be aware that the Company will take allegations seriously and will ask their cooperation in an investigation if they bring a complaint forward.
- vi. To forward or submit to the ICC, any written complaint from any aggrieved individual and to support/ co-operate during any investigation as part of the inquiry process.
- vii. Refuse to participate in any activity that constitutes sexual harassment and support any woman to reject unwelcome behaviour, which constitutes sexual harassment as per the law.
- viii. Extend support as a witness or to provide any information that the ICC would require in conducting enquiries.
- ix. Handle information related to known or suspected violations of this policy in a discreet and confidential manner and refrain from unnecessary conversations leading to generating gossip environment when in knowledge or thought to be in knowledge of any incident of sexual harassment misconduct in the organization.
- x. Be aware of, and do not participate in any prohibited or inappropriate behaviors or activities while representing the Company.
- xi. Participate in the procedure of investigation if a complaint is brought forward, it will be reviewed. If an employee elects not to participate in the procedure constituted by the

Company, and does not wish to proceed with the complaint, it will need to be formally withdrawn. The complaint will still be reviewed and the findings of the complaint will be explained in writing. It will be the discretion of the management to accept or reject the request for withdrawal of the complaint.

- xii. Provide a full and truthful disclosure of relevant information and assist with investigations of alleged policy violations.
- xiii. Set an example of proper workplace behavior and ethical standards in line with Company's policies and Code of Conduct.
- xiv. Avoid any false complaints and be aware of the repercussions of such complaints

F. Manager

Manager is a reporting authority or anyone who is responsible for the outcome of work and has a reporting relationship with the Complainant in the Company. Manager has the same responsibilities as the employee, as well as these additional responsibilities as a custodian of the Company's policies, Code of Conduct and statutory guidelines. If an employee and/or stakeholder has conveyed about sexual harassment to the manager, it is the responsibility of the manager to encourage the Complainant to give it in writing to him/her and the ICC.

- i. Bring the written complaint immediately to the ICC, and provide all kinds of support for the further investigations as a part of inquiry process
- ii. Have adequate knowledge about applicable laws, and answer questions regarding relevant policies and procedures.
- iii. Immediately forward any report or complaint of an alleged violation of this policy and all relevant or requested information to the appropriate ICC.
- iv. Keep disclosed information as confidential. Handle information in a discreet manner, and disclose confidential information strictly on a "need-to-know" basis only.
- v. Not attempt to investigate or verify the information unless instructed by the Human Resources or Legal Department personnel in charge of the investigation and the ICC
- vi. Fully cooperate, facilitate and aid the prompt handling of an investigation by ICC ,Human Resources, the Legal Department or the management.

- vii. Allow the Complainant, Respondent, witnesses and allied parties to attend the inquiry proceedings at the stipulated time and place.
- viii. Carry out all corrective measures and remediation established in the final decision.
- ix. Ensure that employees are adequately communicated the Company's POSH policy
- x. Ensure no retaliation and zero tolerance to sexual harassment or inappropriate conduct
- xi. Set an example of proper workplace behaviour and ethical standards in line with Company's policies and Code of Conduct.

G. ICC

ICC members have the same responsibilities as the employees and additional responsibilities as a custodian of the Company's policies and Code of Conduct and statutory guidelines.

- i. To be fair while making the assessment of the situation, investigation and giving the verdict.
- ii. Conduct the inquiry process and recommend appropriate actions as per the process outlined in latter part of this document in line with the statutory requirements applicable.
- iii. Inform the parties involved in the inquiry proceedings well in time and in writing
- iv. Follow the principles of natural justice and treat the Complainant, Respondent, witnesses and related persons to the inquiry with dignity and respect.
- v. Submit to the Company's Senior Management and Board an annual report comprising details of all cases and actions taken.
- vi. Keep disclosed information as confidential. Handle information in a discreet manner, and disclose confidential information strictly on a "need-to-know" basis only.
- vii. If an employee faces sexual harassment outside of the Company's work and work premises, assist them in filing a complaint in the police station as appropriate.
- viii. Set an example of proper and appropriate workplace behaviour and ethical standards in line with Company's policies and Code of Conduct.

Note: In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police Complaint as may be appropriate within seven days of the knowledge of this information, but “only” with the consent of the aggrieved.

Procedure in relation to a complaint of sexual harassment at workplace

A. Filing a complaint

- i. Any employee who has experienced or has been subjected to any act of sexual harassment by another employee (the “Complainant”) shall be entitled to lodge a complaint with the ICC.
- ii. The complaint shall be lodged within three (3) months of the occurrence of the alleged act of sexual harassment.
- iii. If there is a delay beyond three months (3 months), the ICC may extend the time limit on being satisfied about the circumstances that prevented the Complainant from filing a complaint within the prescribed period by another 3 months.
- iv. The complaint may be given orally or in writing. If the complaint is given orally, the member of the ICC to whom the complaint is made shall request the Complainant to record the same in writing. **The ICC can act upon a complaint ONLY IF the complaint is submitted in writing.**
 1. Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the ICC shall render all reasonable assistance to the women for making the complaint in writing.
 2. The complaint must contain a description of the complaint and include the names and contact email/phone number of witnesses if any. Supporting documents such as letters, transcription of text messages etc must accompany the complaint.
 3. The form in which the complaint is required to be made is annexed as Annexure 2 to the Policy. This form will be available with the HR Department and the ICC.
 4. However, any written complaint received in any form other than the form prescribed in Annexure 2 shall also be accepted. The complaint can be submitted to the ICC electronically at _____² or may be physically submitted to any ICC member. The ICC will not accept oral complaints under this Policy.
 5. The Complainant shall submit six copies of the complaint along with supporting documents and relevant details concerning the alleged incident(s), the name and details of the Respondent and names and addresses of the witnesses.

² Insert Email

6. In the event that a Complainant is unable to lodge a complaint on account of any physical or mental incapacity or death or otherwise, his/her legal heir, co-worker or any person with knowledge of the incident may make a complaint to the ICC. Please refer to the earlier section of this policy document where the details of a “Complainant” are provided to further validate the eligibility of such complaints.
- v. Anonymous complaints shall not be accepted by ICC at any point in time.

B. Processing a complaint

- i. On receipt of a complaint, the ICC will record it in a register maintained for this purpose, and the Presiding Officer will call a meeting of the ICC immediately for further action.
- ii. The ICC shall prepare a prima facie report after meeting with the Complainant, with reasoned observations, recording the following:
 - a. Whether the complaint is one of sexual harassment at the workplace;
 - b. Whether the complaint falls within the jurisdiction of the ICC;
 - c. If it does, it must proceed to set up an inquiry;
 - d. If the complaint does not fall within the definition of sexual harassment, it must be referred to the relevant grievance redressal mechanism within the organization or the Managing Partners.

C. Conciliation before inquiry

- i. ICC may, before initiating an inquiry and at the request of the Complainant, take steps to settle the matter between the Complainant and the Respondent through a process of conciliation, provided that no monetary settlement shall be made as basis of conciliation.
- ii. It is made clear to all parties that conciliation in itself doesn't necessarily mean acceptance of complaint by the Respondent. It is a practical mechanism through which issues are resolved or misunderstandings cleared.
- iii. The ICC will exercise caution and due diligence to ensure that the Complainant is not averse to the conciliation.
- iv. No pressure shall be brought to bear on the Complainant to agree to conciliation.

- v. The ICC should work to undertake the conciliation process between the Complainant and the Respondent within **3 weeks** of receipt of complaint.
- vi. If a settlement is arrived at, the Committee shall record the same, provide a copy to the Complainant and Respondent and forward it to the management.
- vii. In case a settlement is arrived at there shall be no further inquiry by the ICC.
- viii. In case of a settlement all proceedings pertaining to the Act will cease. However, criminal proceedings for offences under the IPC or any other law for the time being in force are independent of the settlement arrived at through the good offices of the ICC.

Formal Inquiry Process

- i. For the purpose of making an inquiry into a complaint of sexual harassment the ICC shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908.
- ii. The ICC shall follow principles of natural justice in all its proceedings and shall as far as possible maintain confidentiality of the identity of the Complainant, the Respondent and any witnesses.
- iii. In case no conciliation is arrived at, the ICC shall then initiate an inquiry and submit a report within a period of **90 days** from the date on which the inquiry commenced.
- iv. Upon receipt of the complaint, the Committee shall send a copy of the complaint to the Respondent within **7(seven) working days** of receiving the complaint.
- v. Respondent replies with all supporting documents within **10(ten) working days** of receiving the copy of the complaint.
- vi. Both parties have a right to produce oral or documentary evidence in their favor.
- vii. Both parties have the right to cross examine each other and the witnesses provided by the other party. In situations when the aggrieved does not wish to participate in a cross investigation in-person, they shall give the list of questions to the ICC, which shall ask

these questions and record the statement of the relevant party. This is to maintain neutrality, and to provide a process that is free of intimidation.

- viii. No legal practitioner can represent any party at any stage of the inquiry procedure
- ix. Both parties have an option of taking assistance of a colleague of their choice. The Complainant/Respondent shall intimate to the ICC the name and particulars of the person whom she/he desires to be the assistant and ICC shall secure the confidentiality of all such members involved. The ICC has a right, with reasons to be recorded in writing, to reject the particular assistance proposed.
- x. The ICC must notify in writing, the time and dates of its meetings to the Company, the Complainant and the Respondent, not less than 5 days in advance of any such meeting.
- xi. The ICC shall have the powers to summon and enforce the attendance of any person and conduct an examination, request the discovery and production of documents and / or any other matter which may be prescribed and deemed necessary for the inquiry process.
- xii. All individuals who are part of the ICC proceedings will need to sign a confidentiality agreement

Note: The contents of the complaint made, the identity and addresses of the Complainant, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the ICC and the action taken on the Respondent shall not be published, communicated or made known to the public, press and media in any manner. If the same is violated, the Company shall recover a sum of Rupees twenty-five thousand as penalty from such person or act as per the provisions of the service rules.

However, information may be disseminated regarding the justice secured to any victim without disclosing the name, address, identity or any other calculated to lead to the identification of the Complainant and witnesses.

Any refusal by any Employee of the Company to attend any hearing before the ICC when summoned or to provide to the ICC, any documents and / or information within his / her power or possession shall constitute a misconduct under the Company's service rules, rendering such Employee for adverse action by the Company.

A. Interim relief

During the pendency of an inquiry, on a written request made by the Complainant, the ICC may recommend the following to the Company:

- i. transfer the Aggrieved Individual or the Respondent to any other workplace
- ii. grant leave to the Aggrieved Individual up to a period of three months
- iii. grant such other relief to the Aggrieved Individual as may be prescribed under applicable law
- iv. restraint the Respondent from reporting on the work performance of the Aggrieved Individual or writing his/her confidential report and assign the same to another officer
- v. The leave granted to the Aggrieved Individual shall be in addition to the leave he/she is otherwise entitled to.
- vi. On receiving a recommendation from the ICC, the Company shall implement the recommendations and send a report of such implementation to the ICC.

Once the recommendations of interim relief are implemented, the Employer will inform the Committee regarding the same.

B. Quorum

In conducting the inquiry, it is mandatory for a **minimum of 75% of the Members of the ICC**, including the Presiding Officer to be present at the proceedings.

C. Termination of proceedings/ex parte decision:

The ICC shall have the right to terminate the inquiry proceedings or to give an ex parte decision on the complaint, if the Complainant or Respondent fails to present herself or himself without sufficient cause for (3) three consecutive hearings convened by the Presiding Officer, after giving a fifteen days' notice to the party concerned.

D. Support to the ICC & inquiry

The HR Head or any other responsible person that can secure confidentiality will provide all necessary assistance to the ICC including securing the attendance of the Respondent as the case may be.

The Employer will also make available all necessary facilities to the ICC for dealing with the complaint.

In case there is any need for travel for either the Complainant or the Respondent, the costs of travel & the stay will be borne by the organization

In order to maintain confidentiality, inquiry proceedings may be held in a venue away outside the office if the internal space in organization's premises has the potential to violate confidentiality of the proceedings.

E. Record keeping

The ICC shall maintain a record sheet of the proceedings on each day of inquiry and will communicate to the concerned Complainant & Respondent the final decision that is arrived at.

Every detail of the incidents, complaints, investigation, hearings, evidences, conclusions, agreements and closures will be documented and recorded in soft copy form by the ICC. These records will be maintained by the ICC in a safe and secure manner, and shall be shared with both the Complainant and the accused.

F. Timelines and delay

The inquiry shall not be invalidated on account of delays in one or more of the stages in the inquiry procedures, on account of reasonable grounds or circumstances beyond the control of any of the parties or the ICC, the inquiry must continue and remains valid.

The ICC shall record the reason for delay in the minutes of the inquiry meeting as well as in the final opinion and later, in the annual report submitted to the Employer.

G. Reports

- i. On the completion of the inquiry, the ICC shall provide a report of its findings to the Employer within a period of **10 days** from the date of completion of the inquiry.
- ii. A copy of the report should be given to the Complainant & Respondent.
- iii. Where the ICC concludes that the allegation against the Respondent has not been proved, it shall recommend to the Employer that no action is required to be taken in this matter. Further, the ICC ensures that both parties understand that the matter has

been fully investigated, that the matter is now concluded and neither will be disadvantaged within the company.

- iv. The final report of findings shall include:
- Synopsis of the complaint
 - Defense of the Respondent
 - An assessment of the evidence
 - Reasoning in support of the findings
 - Findings of the Committee;
 - Recommendations of penalties in case the allegations against the Respondent are proved

Recommended action and implementation

- A. In the event that the ICC arrives at the conclusion that the allegation against the Respondent has not been proved, it shall recommend to the Company that no action is required to be taken in the matter.
- B. Where the ICC arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend in writing to the Company to take action against the Respondent, which may include:
- i. a written apology from the Respondent
 - ii. a letter of warning may be placed in the personal file of the Respondent
 - iii. reprimand or censure
 - iv. immediate transfer or suspension without pay
 - v. termination from service
 - vi. withholding of pay rise or increments
 - vii. undergoing a counselling session
 - viii. carrying out community service

If the ICC recommends counseling or behavior therapy to the Respondent for a specified time period, half the costs of such therapy may be borne by the Employer.

- i. register an FIR against the Respondent in case the act alleged, prima facie constitutes an offense under the Indian Penal Code
- ii. deduction from the salary or wages of the Respondent such sum as it may consider appropriate to be paid to the Aggrieved Individual or to his/her legal heirs

- C. In case the Company is unable to make deductions from the salary of the Respondent due to his being absent from duty or cessation of employment, it may direct the Respondent to pay such sum to the Complainant. In case the Respondent fails to pay the sum referred above, the ICC may forward the order for recovery of the sum as an arrear of land revenue to the concerned district officer.
- D. The Company shall act upon the recommendation given by ICC within sixty days of receipt of the recommendation.
- E. The ICC may also recommend payment of compensation to the Complainant by the Respondent. For the purpose of determining the sum to be paid, the Committee shall take into account:
- The mental trauma, pain, suffering and emotional distress caused to the aggrieved person;
 - The loss in the career opportunity due to the incident of sexual harassment;
 - Medical expenses incurred by the victim for physical treatment or counseling;
 - Feasibility of such payment in lump sum or in installments.

Appeal

In case the inquiry process is conducted by the ICC in case of a complaint made by a woman employee: Any person aggrieved (Complainant or Respondent) from the recommendations related to the quantum or nature of penalties made by the ICC, or the non-implementation of such recommendations by the Employer, may file an appeal to the appellate authority in accordance with the Act and Rules within (3) three months from date on which the ICC made its recommendations made by the ICC.

In case the inquiry process is conducted by the ICC in case of a complaint made by anyone, other than a woman employee:

Any person aggrieved (Complainant or Respondent) from the recommendations related to the quantum or nature of penalties made by the ICC:

- Will first approach the Managing Partner of the organization, who after reviewing the order may refer the matter back to the ICC and take a suitable decision on the matter to be communicated back to the aggrieved persons / parties, within 10 days of receiving such letter.
- Even after the above, if the aggrieved is still dissatisfied, they can appeal to the civil court of relevant jurisdiction for further redressal.

Malicious complaints

Where the Committee concludes that the allegation against the Respondent is malicious or the aggrieved person or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the Employer to take action against the woman or the person making the complaint.

The action recommended should be similar to the ones proposed for the Respondent in case of substantiated complaints.

While deciding malicious intent, the Committee shall note that the mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

In case a witness has given false evidence or produced any forged or misleading document during the inquiry, action may be taken against the said witness in accordance with the provisions of the service rules applicable.

Note: Mere inability to substantiate a complaint or provide adequate proof need not attract action against the Complainant. Further, the malicious intent on part of the Complainant needs to be established through the inquiry process before any action against such Complainant is recommended by the ICC to the Company.

Non Retaliation

The Company will not accept, support or tolerate retaliation in any form against any Employee who, acting in good faith, reports suspected misconduct, asks questions or raises concerns. Any person who engages in such retaliation directly or indirectly, or encourages others to do so, may be subject to appropriate disciplinary action. Retaliation cases are treated as seriously as an alleged case of sexual harassment even if the original harassment complaint is not proven.

It is crucial that all employees of this organization and associated beneficiaries of this policy understand the following:

- i. Retaliation will be treated as a major misconduct.
- ii. Retaliation against those reporting sexual harassment is prohibited by this policy.
- iii. Retaliation means and includes any hurtful employment action against an individual/s.

- iv. Anyone suspecting or experiencing retaliation must report to the appropriate authorities.
- v. Anyone feeling that a retaliation complaint did not get a prompt response can contact Business Integrity officer directly.

Exceptions and amendments

Any exception to this policy requires the approval of the Business Integrity officer, both the Managing Partners and any other individual or partner as to be appointed by the Managing Partners from time to time.

This policy will be periodically revised and is subject to modification. Any amendment or waiver of any provision of this policy must be approved in writing by the Company's Board of Directors or such other committee as may be decided, and promptly disclosed on the Company's website and in applicable regulatory filings pursuant to applicable laws and regulations, together with details about the nature of the amendment or waiver.