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## POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

### A. PREAMBLE:

THIS PREVENTION OF SEXUAL HARASSMENT POLICY ("POLICY") HAS BEEN FORMULATED AS PER THE GUIDELINES OF "THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION & REDRESSAL) ACT, 2013" (THE "ACT").

ALTHOUGH THE ACT IS WOMEN CENTRIC LEGISLATIONS, I2E CONSULTING PVT. LTD. ("THE COMPANY") IS COMMITTED TO A WORK ENVIRONMENT IN WHICH ALL INDIVIDUALS ARE TREATED WITH RESPECT AND DIGNITY. THUS, THIS POLICY HAS BEEN MADE GENDER NEUTRAL WHEREIN FEMALE AS WELL AS MALE EMPLOYEES HAVE BEEN GIVEN PROTECTION FROM SEXUAL HARASSMENT OF ANY FORM.

WHILE THIS POLICY SETS FORTH THE COMPANY'S GOALS OF PROMOTING A WORKPLACE THAT IS FREE OF SEXUAL HARASSMENT, THE POLICY IS NOT DESIGNED OR INTENDED TO LIMIT THE COMPANY'S AUTHORITY TO DISCIPLINE OR TAKE REMEDIAL ACTION FOR WORKPLACE CONDUCT WHICH THE COMPANY DEEMS UNACCEPTABLE, REGARDLESS OF WHETHER SUCH CONDUCT SATISFIES THE DEFINITION OF SEXUAL HARASSMENT.

COMPLIANCE WITH THIS POLICY IS A CONDITION OF EACH EMPLOYEE'S EMPLOYMENT.

### B. IMPORTANT DEFINITIONS:

- I. **Employee** shall include any person (male or female) employed in the Company for any work on regular, temporary, *ad hoc* basis either directly or through an agent, including contractors, consultants, trainees, apprentice, probationer or called by any other such name.
- II. **"Complainant"** shall mean a person of any age whether employed or not, who makes a Complaint of alleged Sexual Harassment.
- III. **"Respondent"** shall mean a person against whom the Complainant has made a Complaint of Sexual Harassment.
- IV. **"Sexual Harassment"** shall include but not limit to any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:
  - a. Physical Contact and sexual advances such as pinching, patting, rubbing, or purposefully brushing up against another person;
  - b. Staring in a sexually suggestive or offensive manner, or whistling;
  - c. Demand or request for sexual favors;
  - d. Sending suggestive or obscene letters, notes, electronic mail messages, or invitations;
  - e. Making or using derogatory comments, slurs, or jokes of a sexual nature, verbal sexual advances or propositions, graphic commentaries about an individual's body, sexually

- degrading words used to describe an individual;
- f. Making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons, posters, calendars or computer screens or pornography;
  - g. Inquiries about someone's sexual history or their sexual orientation;
  - h. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
  - i. Interference with his/her work or creating an intimidating or offensive or hostile work environment for him/her; or
  - j. Humiliating treatment likely to affect his/her health or safety.
  - k. In addition to the above, any of the following circumstances, if it occurs in relation to any act or behavior of sexual harassment may amount to sexual harassment:
    - Implied or explicit promise of preferential treatment in his/her employment; or
    - Implied or explicit threat of detrimental treatment in his/her employment: or
    - Implied or explicit threat about his/her present or future employment status; or

**Any actions or words with a sexual connotation that interfere with an individual's ability to work or create an uncomfortable atmosphere are considered Sexual Harassment.**

- V. "Workplace" shall include any place of work i.e. the Head office / corporate office or any branch office and it shall also include any place where the Complainant or the Respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with the Company, including transportation provided for undertaking such a journey.

**C. THE INTERNAL COMMITTEE (IC):**

- I. As per guidelines set out in the Act, an Internal Committee ("IC") for the Company has been appointed for all the administrative units/offices of the Company.
- II. The IC will be constituted at every location of the Company in India and will be responsible to carry out the functions and obligations under this Policy at its respective location.
- III. The present constitution of the IC for the period of 3years is as follows:

Position	Name of the Member and Contact Details	
<b>Presiding Officer/Chairperson:</b>	Ms. Reshma Narkar	Contact Mobile: +91 9821580400
<b>Members:</b>	Mr. Aniruddha Bavdhankar	Contact Mobile: +91 9518712273
	Ms. Mithila Sawant	Contact Mobile: +91 9892077874
	Ms. Asavari Ajgaonkar	Contact Mobile: +91 9833850406
<b>External Member:</b>	Ms. Ashvini Kandalgaonkar	Contact Mobile: +91 9920761370

**D. RESPONSIBILITIES**

THIS POLICY IS MADE AVAILABLE TO THE EMPLOYEES ON THE HRMS PORTAL AT THE ADDRESS [HTTPS://I2ECHRMS.BEEHIVEHCM.COM/](https://i2echrms.beehivehcm.com/)

ALL THE EMPLOYEES OF THE COMPANY WILL HAVE AN OBLIGATION TO READ AND COMPLY WITH THIS POLICY. THIS POLICY IS ALSO INCORPORATED AS PART OF EMPLOYEE MANUAL/HANDBOOK/HR POLICY MANUAL.

**I. Responsibilities of employees**

- a. To read, understand and acknowledge the Policy.
- b. Without any fear of any back-lash, to report instances of Sexual Harassment to any of the following:
  - Members of IC
  - Any manager in the upward hierarchy
- c. To cooperate in the cases of investigation.
- d. To abide by the directions given by the IC.
- e. Not to use this Policy to make frivolous or malicious charges against fellow employees.

**II. Responsibilities of the IC**

- a. To set up the procedure for redressal of the complaints reported.
- b. To conduct independent investigation of the cases of Sexual Harassment reported.
- c. To bring formal or informal resolution of the complaints reported and submit the report to the Company.
- d. To take necessary action after investigation of the cases of Sexual Harassment reported.

**E. REPORTING AN INCIDENT OF SEXUAL HARASSMENT:**

- I. The Complainant who believes that he/she has experienced or subjected or observed Sexual Harassment shall report the incident immediately to the IC or to the management of the Company. Such a complaint must be filed within three (3) months of the incident and in case of series of incident, within a period of three (3) months from the date of last incident, in the prescribed format ("**Exhibit A**").

If any complaint is filed after these given timelines, the IC may refuse to entertain the same.

The IC upon a written application made to it and if it is satisfied that the circumstances were such which prevented the woman from filing a Complaint within the prescribed period, may extend the time limit for making the Complaint for further three (3) months.

- II. The Complainant will fill up the complaint form (**Exhibit B**) and submit six (6) copies of the same to Chairperson of the ICC along with supporting documents and the names and addresses of the witnesses. Complaint must set out specific facts of the case and be signed by the Complainant. A signed complaint constitutes personal verification that the complaint is accurate and complete.

- III. Where such Complaint cannot be made in writing, the Presiding Officer or any Member of the IC shall render all reasonable assistance to the woman for making the Complaint in writing.
- IV. If the Complainant is unable to make a complaint because of his/her physical or mental incapacity, a Complaint may be filed by the below state person(s):
  - a. His/ Her legal heir
  - b. His/ Her relative or friend; or
  - c. His/ Her co-worker; or
  - d. An officer of the National Commission for Women or State's Women Commission;
  - e. A special educator; or
  - f. A qualified psychiatrist or psychologist; or
  - g. The guardian or authority under whose care the Complainant is receiving treatment or care; or
  - h. Any person who has knowledge of the incident, with a written consent of the Complainant.
- V. In case the Complainant for any other reason is unable to make a complaint, a complaint may be filed by a legal heir or any person who has knowledge of the incident, with the written consent of the Complainant.
- VI. In case the Complainant is dead, a Complaint may be filed by a legal heir or any person who has knowledge of the incident, with the written consent of legal heir.
- VII. In case of complaint received from Complainant against a person outside the Company, the Company will provide the necessary support to the Complainant.
- VIII. When lodging a complaint, the Complainant must provide precise and detailed information about the nature of behaviour in question and furnish evidence or witness, if any.

**F. INQUIRY INTO THE COMPLAINT:**

- I. The Company promises to promptly and thoroughly investigate all reports of Sexual Harassment as discreetly and confidentially as possible. However, investigation of such Complaint will generally require disclosure to the accused individual.
- II. The objective of the Policy is to conduct a thorough investigation, to determine whether Sexual Harassment has occurred and to eliminate any hostile or offensive working condition and decide actions to take against the offending individual(s).
- III. The IC shall make inquiry into the complaint in accordance with the principals of natural justice.
- IV. On receipt of the Complaint, the IC shall send one copy of the Complaint to the Respondent within a period of seven (7) working days.

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- V. The Respondent shall then file his reply to the Complaint along with the list of documents and names and addresses of the witnesses within a period of ten (10) working days from the date of receipt.
- VI. The IC shall make inquiry into the Complaint in accordance with principals of natural justice. The IC shall have right to terminate the inquiry proceedings or to give an ex-parte decision if the Complainant or Respondent fails to present himself or herself for three (3) consecutive proceedings after giving fifteen (15) days of written notice to the concerned party.
- VII. The Complainant or Respondent shall not be allowed to bring in any legal practitioner to represent them in the proceedings before the IC.
- VIII. A complaint will be closed no later than three (3) month from receipt of original complaint by recording the decisions of the IC as per the format given under Annexure B, accordingly informing to the Complainant and the Respondent of the same.
- IX. For making an inquiry under this Act, the IC shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908, namely:
- Summoning and enforcing the attendance of any person and examining him on oath;
  - Requiring the discovery and production of documents; and
  - Any other matter which may be necessary.

**G. RESOLUTION:****I. Informal Resolution:**

- 1.1** If the matter is not serious enough to require a formal resolution; it may be brought to an informal resolution.

Informal resolution of Complaints is aimed at stopping the discriminatory action(s) in a mutually agreed manner. It is more educational than legal in intent, for both the Complainant and the Respondent. Very often the Respondent may agree to actions such as apologies, reprimands or voluntary resignations, without going through the formal disciplinary procedures. In case the Complainant and the Respondent have arrived at a resolution, the IC shall prepare the report of such informal resolution. The report shall be signed by the Chairperson of the IC, the Complainant and the Respondent. The report shall be submitted to the Chairperson of the Company within ten (10) days of such settlement.

**II. Conciliation:**

Upon a request made by the Complainant, the IC may, before initiating a formal inquiry, take steps to settle the matter between such Complainant and the Respondent through conciliation. It is to be noted that no Complaint of sexual harassment shall and will be resolved by way of monetary settlement.



Where a settlement has been arrived by conciliation, the IC shall record the settlement and forward the same to the Company to act as specified in the recommendation.

The IC shall also provide the copies of the settlement to the Complainant and the Respondent.

### III. **Formal Resolution**

If the grievance cannot be resolved informally, the grievant will fill up the Complaint form (Exhibit A) and submit six copies of the same to Chairperson of the IC along with supporting documents and the names and addresses of the witnesses. Formal Complaints must set out specific facts of the case and be signed by the Complainant. A signed Complaint constitutes personal verification that the Complaint is accurate and complete.

The Chairperson of the IC will discuss the case with the members of the IC. As per the decision of the IC, the Chairperson will communicate the decision to the Complainant, and the Respondent as early as possible, but not later than two (2) weeks from the date of submitting the written Complaint.

The Chairperson shall also submit a written report (As per the suggested format in **Exhibit B**) to the Management (Directors) of the Company.

The Management (Directors) of the Company, shall act upon the recommendations of the IC immediately but not later than sixty (60) days of its receipt.

The Respondent shall have a right to submit a written response to the Complaint, to the Chairperson within a week from having received it. He / she shall also have a right to be heard personally by the Chairperson.

### H. **DISCIPLINARY ACTION:**

Based on the conclusions of the investigation, the IC will suggest (as a part of the written report in case of formal resolution) appropriate disciplinary action to the Management (Directors) of the Company; which can include written apology, counseling, carrying out community service, warning, reprimand or censure, suspension, transfer from project / location (of Complainant or the Respondent), withholding of promotion, deducting the salary or any such sum as it may deem necessary, withholding of pay rise or increment, direct the Respondent to pay to the Complainant such sum considering the trauma suffered, loss in career, medical expenses incurred, income or financial status of the Complainant or any action up to and including termination of employment. The Management (Directors) of the Company will implement the action with the support of the Human Resources Head of the Company.

### I. **OTHER RELIEF TO COMPLAINANT DURING PENDENCY OF INQUIRY:**

THE IC AT THE WRITTEN REQUEST OF THE COMPLAINANT MAY RECOMMEND TO THE COMPANY-

I. To either transfer the Complainant or the Respondent to any other location; or

II. Grant leave to the Complainant up to a period of three (3) months or grant such other relief to

the Complainant as the IC deems appropriate; or

- III. Recommend to the manager of upward hierarchy of the Company to restrain the Respondent from reporting on the work performance of the Complainant or writing his/her confidential report or assign the same to another officer.

**J. APPEAL:**

ANY PERSON AGGRIEVED FROM THE RECOMMENDATIONS OF THE IC, MAY PREFER AN APPEAL TO THE LABOR

COMMISSIONER WITHIN NINETY (90) DAYS OF THE RECOMMENDATIONS GIVEN BY THE IC.

**K. CONFIDENTIALITY:**

- I. Cases that involve allegations of Sexual Harassment are especially sensitive, and special attention will be given to the issue of privacy for all individuals.
- II. The contents of the Complaint, the identity and addresses of the Complainant, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the IC and the action taken by the Company shall not be published, communicated or made known to the public, press and media in any manner Information will be released only on need-to-know basis.
- III. Investigation at times may compromise total confidentiality.

**L. RETALIATION:**

THIS POLICY STRICTLY PROHIBITS ANY KIND OF INTIMIDATION OR HARASSMENT OF INDIVIDUALS WHO HAVE FILED COMPLAINTS, INSTITUTED PROCEEDINGS, ASSISTED IN INVESTIGATIONS, OR FORMALLY OR INFORMALLY OBJECTED TO DISCRIMINATORY PRACTICES, IRRESPECTIVE OF THE OUTCOME. THE COMPANY WILL TAKE STRICT ACTION AGAINST THOSE EMPLOYEES WHO WOULD INDULGE IN SUCH RETALIATORY ACTIONS. THE COMPANY WILL ENSURE THAT THE COMPLAINANT OR WITNESSES ARE NOT VICTIMIZED OR DISCRIMINATED AGAINST WHILE DEALING WITH ANY COMPLAINT OF SEXUAL HARASSMENT.

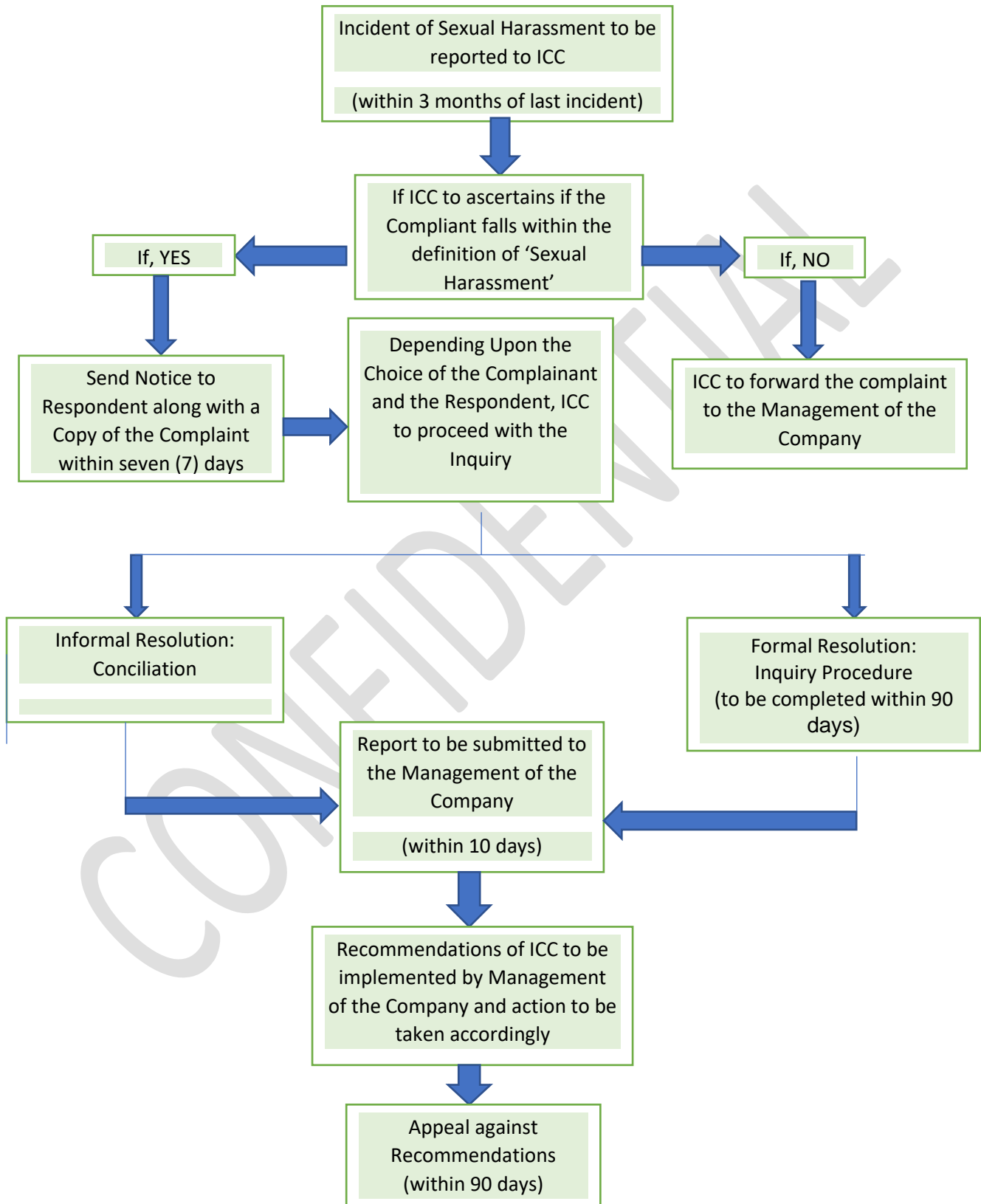
**M. FRIVOLOUS OR FALSE CHARGES:**

- I. This Policy shall not be misused to bring frivolous or malicious charges against fellow employees.
- II. If the Complaints Committee arrives at the conclusion that the allegation against the Respondent is malicious or the Complainant has made the Complaint knowing it to be false or



the Complainant has produced any forged or misleading document, it may recommend the Company to take any action including a written apology, warning, reprimand or censure, withholding of promotion, withholding of pay rise or increments, terminating the Respondent from service or undergoing a counselling session or carrying out community service.

CONFIDENTIAL

**FLOW CHART OF THE PROCESS**

HR-0030-POL 1.20 (10-Oct-2022)

**EXHIBIT B: FORMAT OF REPORT BY INTERNAL COMMITTEE**

Detailed Description of the Complaint:			
Details of the Complainant			
Name:			
Employee ID:			
Date and Venue of occurrence of the incidence:			
Date of submitting the Complaint:			
Details of the indicted Employee			
Name:			
Employee Id:			
Witness if any:			
Name:			
Employee ID:			
<b>Investigation Report</b>			
Investigation Conducted By			
Dates of the Investigation meetings held:			
Statement by the Complainant:			
Statement by the Indicted Person:			
Statement by the witness (if any)			
<b>Analysis and Inference</b>			
<b>Disciplinary Action Recommended</b>			
Name of the Investigating ICC Member		Signature	
Name of the Complainant		Signature	
Name of the Indicted Person		Signature	