

## **Prevention of Sexual Harassment (POSH)**

### **Objective:**

This Policy is intended to prevent sexual harassment at the workplace as per the guidelines laid down by the Honourable Supreme Court of India.

Sexual Harassment at the workplace is a grave offence and is, therefore, punishable under the law as set down in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 with its Rules (hereinafter referred to as "Act") as well as under the organization's terms of employment. Incidence of any act of sexual harassment as defined in the Act and under this Policy shall result in strict disciplinary action.

This policy draws from the Act. Consequently, the complaint mechanism and reliefs as per this policy are primarily focused on women. With respect to men, the complaint mechanism and reliefs shall be as per the discretion of the internal complaints committee.

### **Scope:**

This Policy extends to all Employees, including contract employees, of the Sangam India Limited and is deemed to be incorporated in the service conditions of all Employees and comes into effect immediately.

### **Policy Owner:**

HR department is the owner of this policy. For any clarification, please contact [headhr@sangamgroup.com](mailto:headhr@sangamgroup.com).

### **Policy Guidelines**

Sangam is committed to creating a healthy working environment that enables employees to deliver their best, without fear of prejudice, gender bias, sexual harassment, exploitation, or intimidation.

### **Definition and Examples of Sexual Harassment:**

Sexual harassment may occur not only where a person uses sexual behaviour to control, influence or affect the career, salary, or job of another person, but also between co-workers. It may also occur between an employee and someone that employee deals with within the course of his/her work who is not employed by the Company.

"Sexual Harassment" includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication), but not limited to:



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1. Any unwelcome sexually determined behaviour, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behaviour or conduct was directed namely:

- Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implicit or explicit.
- Physical contact and advances including (but not limited to) touching, stalking, sounds which have explicit and /or implicit sexual connotation/overtones, molestation.
- Teasing, Voyeurism, innuendos and taunts with implicit sexual connotation, physical confinement and /or touching against one's will.
- Demand or request for sexual favours.
- Sexually coloured remarks or remarks of a sexual nature about a person's clothing or body
- Display of pictures, signs etc. with sexual nature/ connotation/ overtones in the work area and work-related areas.
- Showing pornography, making or posting vulgar / indecent / sexual pranks, teasing, jokes, demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS, gestures etc.
- Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes.
- Giving gifts or leaving objects that are sexually suggestive.
- Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy; Persistent watching, following, contacting of a person.
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

2. The following circumstances if it occurs or is present in relation to any sexually determined act or behaviour amount to sexual harassment:

- Implied or explicit promise of preferential treatment in employment
- Implied or explicit threat of detrimental treatment in employment
- Implied or explicit threat about the present or future employment status
- Interference with the person's work or creating an intimidating or offensive or hostile work environment.
- Humiliating treatment likely to affect health or safety.

An alleged act of sexual harassment committed during or outside of office hours falls under the purview of this policy. Further, it is important to note that whether harassment has occurred or not does not depend on the intention of the people but on the experience of the aggrieved woman.

- **Aggrieved woman:** In relation to a workplace, a woman, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
- **Complainant:** Any aggrieved woman who makes a complaint alleging sexual harassment under this policy



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- **Respondent:** A person against whom a complaint of sexual harassment has been made by the aggrieved woman under this policy
- **Employee:** A person employed at the workplace, for any work on regular, temporary, 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.
- **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.
- **Workplace:**
  - Premises, locations, establishments, enterprises, institutions, offices, branches, or units established, subsidiaries which are controlled by the Company.
  - Places visited by the Employee arising out of or during the course of employment including official events, accommodation and transportation provided by the employer for undertaking a journey.
- **Employer:** A person responsible for management, supervision, and control of the workplace.

#### **Roles and Responsibilities:**

It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:

- Refusing to participate in any activity which constitutes harassment.
- Supporting the person to reject unwelcome behaviour.
- Acting as a witness if the person being harassed decides to lodge a complaint.

#### **Redressal Mechanism**

In compliance with the Act, any complaint under this policy shall be followed by a formal redressal mechanism as described in this Policy.

##### **A. Internal Complaints Committee (Henceforth known as 'committee')**

#### **Internal Complaints Committee (ICC)**

- Internal Complaints Committee (ICC) is a body created within the organization for addressing sexual harassment cases, as mandated by The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013
- Composition of the Committee:
  - At least half of the total members of the committee have to be women.
  - The Presiding Officer of the committee shall be a woman employee employed at a senior level.



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- Not less than 2 members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge.
- One member shall be from amongst non-governmental organizations (NGOs), or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.
- The Presiding Officer and every member of the Internal Committee shall hold office for a period not exceeding three years, effective from the date of their nomination.

**The committee will be responsible for:**

- Receiving complaints of sexual harassment at the workplace
- Initiating and conducting inquiry as per the established procedure
- Submitting findings and recommendations of inquiries
- Coordinating with the employer in implementing appropriate action
- Maintaining strict confidentiality throughout the process as per established guidelines
- Submitting annual reports in the prescribed format

The current constituents of the ICC are stated below:

| Name                     | Designation                    | Contact Details |
|--------------------------|--------------------------------|-----------------|
| Mrs. Poornima Maheshwari | Chairperson (Staff Management) | 9024236826      |
| Ms. Apra Bhatt           | Member (Staff)                 | 9462591841      |
| Mr. Radheshyam Laddha    | Member (Staff)                 | 9765555132      |
| Mr. Hemraj Singh Negi    | Member (Staff)                 | 7297022032      |
| Mrs. Megha Joshi         | Member (Staff)                 | 7877878502      |
| Ms. Khushboo Tak         | Member(NGO-Foundation)         | 9460576547      |

**Matters to be reported by the Committee.**

The Internal Complaints Committee shall prepare an annual report with the following details and shall submit the same to the Board:

- Number of complaints of sexual harassment received during the year.
- Number of complaints resolved during the year.
- Number of cases pending for more than 90 days.
- Number of workshops or awareness programs against sexual harassment carried out.



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### Procedure for registering a complaint:

- Any aggrieved employee shall make in writing, a complaint of sexual harassment at the workplace to the Internal Complaints Committee **within a period of three months** from the date of the incident and in case of a series of incidents, within a period of three months from the date of the last incident. In case the aggrieved person is unable to file a written complaint within three months, he/she needs to provide sufficient cause to the Internal Complaints Committee in order to avail an extension. The decision of the Internal Complaints Committee shall be final in this case.
- In case the aggrieved employee is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person can make the complaint on her behalf.
- The ICC, at the request of the aggrieved employee, before initiating the inquiry, may take steps to settle the matter between the offender and the victim through conciliation. However, no monetary settlement should be made on the basis of this conciliation. If a settlement is reached, the Internal Complaints Committee will record the settlement and send a copy of it to the appropriate authorities.
- Complaints made under this policy shall be promptly and thoroughly investigated under the principles of natural justice, basis of fundamental fairness, in an impartial manner and all information disclosed during the course of the investigation shall remain confidential, except as necessary to conduct the investigation and to take any remedial action, in accordance with applicable law.
- The Internal Complaints Committee will send an inquiry report to the appropriate authorities and the aggrieved party within ten days of completion of the inquiry.
- The investigation shall be completed normally **within 90 days of the receipt** of the complaints and is extendable by such period as the Presiding Officer of the Internal Complaints Committee may deem fit.

### Relief to the victim during pendency of the inquiry

- During the pendency of the inquiry, upon written request, the aggrieved employee can seek transfer of the offender or their own to a different department/location.
- The Internal Complaints Committee can recommend granting a leave for a period of up to 3 months or any other grant as may be prescribed to the aggrieved person. The leave granted in this case would be in addition to the leave he/she is otherwise entitled.



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### Consequences/Actions taken

The Inquiry Report sent by the ICC should also include recommendations for the imposition of any penalty and the reasons for such recommendations to the CEO:

- In the event allegations made in the complaint are proved against the employee, it will be taken as a proven misconduct and the competent authority may impose any of the following punishments:
  - Treat sexual harassment as an act of misconduct and initiate an adequate disciplinary action such as a warning, reprimand, reassignment, withholding of any pay rise or increments, withholding of promotion or termination of employment.
  - Deduct from the salary of the respondent a sum as it may consider appropriate to be paid to the aggrieved employee.
- In case the complaint is found to be false, the aggrieved person shall, if deemed fit, be liable for appropriate disciplinary action as decided by the management including termination from employment.



### Appeals

Any person aggrieved by any order passed by the Internal Complaints Committee, or the Management may refer any appeal to the CEO or to court.

### Additional Steps to be taken by Sangam

In order to prevent any incidents of sexual harassment or to take any remedial action for any incident that has already occurred, the organization shall ensure the following:

- That a woman employee is aided if she so chooses to file a complaint in relation to the offense under IPC (45 of 1860) or any other law for the time being in force.
- That all current employees and supervisors and new hires
  - Receive a copy of the Prevention of Sexual Harassment policy.
  - Understand the complaint process.
- That necessary steps are taken to prevent any sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate sanctions, educating employees on their right to raise sexual harassment issues and informing them on how to raise the issue of harassment under the ICC.

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| Prepared By: Manager (HR & Admin)<br> | Approved By: CHRO<br> |
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