

# Policy on Prevention of Sexual Harassment at Workplace

Approved By:	Distribution List:	
	1. OFB Tech Pvt. Ltd.	
	2. Oxyzo Financial Services Pvt. Ltd.	
	3. O'AgriFarm Pvt. Ltd.	
	4. OFG Manufacturing Businesses Pvt. Ltd.	
	5. OMAT Business Pvt. Ltd.	
(Asish Mohapatra)		
CEO & Co-founder		

Sr. No.	Version	Change Description	Release date
1	1.0	New Policy	5 <sup>th</sup> May 2016
2	2.0	Policy Update	4 <sup>th</sup> September 2018
3	3.0	Internal Committee updated	15 <sup>th</sup> May 2019
4	4.0	i. Internal committee updated  ii. Interim relief added  iii. Harassment redressal process flow added	1 <sup>st</sup> April 2022
5	5.0	Internal Complaint Committee Updated	11 <sup>th</sup> May 2023

Team HR



#### Introduction:

This policy has been framed in accordance with the provisions of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and rules framed thereunder (hereinafter "the Act"). Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail. We treat each other with respect and dignity and expect everyone to promote a sense of personal responsibility. We recruit competent and motivated people who respect our values, provide equal opportunities for their development and advancement; protect their privacy and do not tolerate any form of harassment or discrimination.

The Supreme Court has also directed companies to lay down guidelines and a forum for redressal of grievances related to sexual harassment. 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 here with or incidental thereto.

#### **Policy Statement:**

OFB Tech Private Limited and its Subsidiary(ies) ("the Company") is an equal employment opportunity company and is committed to creating a healthy working environment that enables employees to work without fear of prejudices gender bias and a harassment free workplace to all employees without regard to race, caste, religion, colour, ancestry, marital status, gender, sexual orientation, age, nationality, ethnic origin, or disability. The Company also believes that all employees of the Company have the right to be treated with dignity, Sexual harassment at the workplace or other than workplace if involving an employee or employees is a grave offence and is therefore, punishable.

At the Company, all employees are expected to uphold the highest standards of ethical conduct at the workplace and in all their interactions with business 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 behaviour that has sexual connotation (of sexual nature)
- Refrain from creating hostile atmosphere at workplace via sexual harassment
- Report sexual harassment experienced and/or witnessed to appropriate authorities and abide by the complaint handling procedure of the company.

Making false complaint of sexual harassment or providing false information regarding a compliant will also be treated as violation of this policy.

## **Definitions:**

Act means The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and amendments thereof.

**Aggrieved Women:** An Aggrieved Women, in relation to a workplace, a woman, of any age, whether an Employee or not, who alleges to have been subjected to any act of Sexual Harassment by the respondent.

**Competent Authority** in relation to the excise of any power under the policy, Head of the Human Resources Department.



**Employee** means a person employed with the Company for any work on permanent, deputation, temporary, consultants, 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.

Internal Committee means an Internal Complaints Committee constituted under Section 4 of the Act.

Local Committee means the Local complaint committee constituted under the section 6 of the Act.

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

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

**Workplace** includes Premises, locations, establishments, enterprises, institutions, offices, branches, or units established, owned, controlled by the Company.

Places visited by the Employee arising out of or during the course of employment including official events, transportation, Accommodation provided by the employer for undertaking such journey.

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 a OFB Tech Private Limited and its Subsidiary(ies) employee and someone that employee deals with during 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):

- Any unwelcome sexually determined behavior, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely:
- Physical contact and advances;
- Demand or request for sexual favors;
- Sexually colored remarks or remarks of a sexual nature about a person's clothing or body;
- Showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS 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; and
- Any other unwelcome physical, verbal, or non-verbal conduct of sexual nature

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; or
- Humiliating treatment likely to affect her health or safety.



The reasonable person standard is used to determine whether the conduct was offensive and what a reasonable person would have done. 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.

#### **Consensual Sexual Relationship at Workplace:**

OFB discourages any kind of romantic or sexual relationships amongst its employees as such relationships could lead to conflicts of interest at work. However, in the best interest of all concerned, if any of such relationship, particularly between a member of Management or other supervisory employee and his or her staff (an employee who reports directly or indirectly to that person); the involved parties should notify Management of the Company so that the reporting chain can be altered to ensure that no direct or indirect reporting relationship continues.

# Scope & Applicability:

This Policy extends to all employees of the Company and its subsidiary company and is deemed to be incorporated in the service conditions of all employees of the Company in India. Local country laws will take precedence over this policy, in other geographies, if applicable.

#### **Prevention of Harassment**

#### Responsibilities of individuals:

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 behavior
- Acting as a witness if the person being harassed decides to lodge a complaint

All are encouraged to advise others of behavior that is unwelcome. Often, some behaviors are not intentional. While this does not make it acceptable, it does give the person behaving inappropriately, the opportunity to modify or stop their offensive behavior.

All employees are required to sign and submit the declaration form enclosed as **Annexure A.** 

# Responsibilities of managers:

All managers must ensure that nobody is subject to harassment and there is equal treatment. They must also ensure that all employees understand that harassment will not be tolerated; that complaints will be taken seriously; and that the complainant, respondent/s, or witnesses are not victimized in any way.

# Redressal mechanism

#### **Internal Complaints Committee:**

#### **Constitution of Internal Complaints Committee (IC):**

The Company has established an IC that will investigate all allegations of sexual harassment, assist with the making of complaints, ensure that any offenders are suitably punished and protect the welfare of aggrieved employees. The members of the IC have been carefully selected to ensure that there is a good gender balance on the committee and that there are members with special expertise regarding sexual harassment.



The IC will render all reasonable assistance to anyone making a complaint of sexual harassment. Employees are reassured that their complaints and the subsequent proceedings are strictly confidential and will not be communicated to the public. The Policy strictly prohibits any sort of retaliation against the complainant or any witnesses. Any act of reprisal, including internal interference, coercion, and restraint, by the alleged offender whether directly or indirectly, will result in appropriate action against the alleged offender by the management in consultation with the IC.

#### **Functions & Powers of IC:**

- The Internal Complaints Committee shall organize programmes for the gender sensitization of executives and Employees through workshops, seminars, etc. It may take the assistance of specialized NGO/Ethics Counsellors, etc., if necessary, for this purpose.
- The Internal Complaints Committee shall meet once in a financial year, even if there is no live case and review preparedness to fulfil all requirements of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 in the Company.
- The quorum for the purpose of meeting / hearing shall be 2/3rd of the members of the Internal Complaints Committee. However, this shall not be a pre-requisite for the quorum of an adjourned meeting.
- The Chairperson cum Presiding Officer of the Internal Complaints Committee shall have veto power.
- The minutes of every meeting shall be recorded in the Minutes Register maintained for the purpose.
- Tenure: The Chairperson cum Presiding Officer and every Member of the Committee shall hold office for such period, not exceeding three years, from the date of appointment as may be specified.

The Internal Complaints Committee of OFB Tech Private Limited of Head Office-Gurgaon shall consist of the following:

S. No.	Designation	Name	Email Id
1	Presiding Officer	Ms. Hitakshi Mehta	hitakshi.mehta@ofbusiness.in
2	Member	Ms. Rashi Srivastava	rashi.srivastava@ofbusiness.in
3	Member	Mr. Vivek Sinha	vivek.sinha@ofbusiness.in
4	Member	Mr. Shashank Jaduan	shashank.jadaun@ofbusiness.in
5	External Member	Ms. Nivedita Puggal	nivedita72@yahoo.com

The Internal Complaints Committee of OXYZO Financial Services Private Limited of Head Office-Gurgaon shall consist of the following:

S. No.	Designation	Name	Email Id
1	Presiding Officer	Ms. Hitakshi Mehta	hitakshi.mehta@ofbusiness.in
2	Member	Ms. Teena Chawla	teena.chawla@ofbusiness.in
3	Member	Mr. Gurtej Singh	gurtej.singh@ofbusiness.in
4	Member	Mr. Saurabh Bhardwaj	saurabh.bhardwaj@ofbusiness.in
5	External Member	Ms. Nivedita Puggal	nivedita72@yahoo.com



The Internal Complaints Committee of O'AgriFarm Pvt. Ltd. Financial Services Private Limited of Head Office-Gurgaon shall consist of the following:

S. No.	Designation	Name	Email Id
1	Presiding Officer	Ms. Hitakshi Mehta	hitakshi.mehta@ofbusiness.in
2	Member	Ms. Rashi Srivastava	rashi.srivastava@ofbusiness.in
3	Member	Mr. Kartik Chandra	Kartik.chandra@ofbusiness.in
4	Member	Mr. Tamarish Sinha	tamarish@oagrifarm.com
5	External Member	Ms. Nivedita Puggal	nivedita72@yahoo.com

The Internal Complaints Committee of OFG Manufacturing Businesses Private Limited of Head Office-Gurgaon shall consist of the following:

Sr. No.	Designation	Name	Emall Id
1	Presiding Officer	Ms. Hitakshi Mehta	hitakshi.mehta@ofbusiness.in
2	Member	Ms. Rashi Srivastava	rashi.srivastava@ofbusiness.in
3	Member	Mr. Vivek Sethia	vivek.sethia@ofbusiness.in
4	Member	Mr. Rahul Kumar	rahul.kumar@ofbusiness.in
5	External Member	Ms. Nivedita Puggal	nivedita72@yahoo.com

OMAT Business Private Limited Nominates following members for The Internal Complaints Committee of Head Office-Gurgaon:

S. No.	Designation	Name	Email Id
1	Presiding Officer	Ms. Hitakshi Mehta	hitakshi.mehta@ofbusiness.in
2	Member	Ms. Rashi Srivastava	rashi.srivastava@ofbusiness.in
3	Member	Mr. Vivek Sinha	vivek.sinha@ofbusiness.in
4	Member	Mr. Shashank Jadaun	shashank.jadaun@ofbusiness.in
5	External Member	Ms. Nivedita Puggal	nivedita72@yahoo.com

Further, the Company has established separate Local Committee at all regional offices as per Annexure 1.

#### **Procedure for Redressal of Complaints-**

## Resolution procedure through formal inquiry:

A Complainant can make, in writing, a complaint of Sexual Harassment to the Internal Complaints Committee (IC), within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident. The IC for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the Complainant from filing a complaint within the said period.

If the Aggrieved Individual is unable to make a complaint on account of his/her physical incapacity, a complaint may be filed by:

- -His/her legal heir
- -his/her relative or friend; or
- -his/her co-worker; or
- -an officer of the National Commission for Women or State Women's Commission; or
- -any person who has knowledge of the incident, with the written consent of the Aggrieved Individual



If the Aggrieved Individual is unable to make a complaint on account of his/her mental incapacity, a complaint may be filed by:

- His/her legal heir
- his/her relative or friend; or
- a special educator; or
- a qualified psychiatrist or psychologist; or
- the guardian or authority under whose care he/she is receiving treatment or care; or
- any person who has knowledge of the incident jointly with the Aggrieved Individual's relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care he/she is receiving treatment or care ii) If the Aggrieved Individual for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with his/her written consent.

The form in which the complaint may be made is annexed as **Annexure B** to this Policy. This form will be available with the IC and also on website of the company as annexure to the policy. The complaint can be submitted to the IC electronically at:

Gurgaon-Head Office- <u>Gurgaon.IC@ofbusiness.in</u>
Hyderabad- <u>Hyderabad.IC@ofbusiness.in</u>
Mumbai- <u>Mumbai.IC@ofbusiness.in</u>
Bangalore- <u>bangalore.IC@ofbusiness.in</u>
Ahmedabad- <u>Ahmedabad.IC@ofbusiness.in</u>
Chennai- <u>Chennai.IC@ofbusiness.in</u>
Coimbatore- <u>Coimbatore.IC@ofbusiness.in</u>

or may be physically submitted to any IC member. The IC may, but shall not be bound to, accept oral complaints under this Policy.

- The Complainant shall submit two 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 within 3 months from the date of incident/last incident.
- The Committee will maintain a record of the complaints received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.
- The Committee will hold a meeting with the Complainant within five days of receipt of the complaint, but no later than a week in any case.
- At the first meeting, the Committee members shall hear the Complainant and record his/ her allegations.
- The Complainant can also submit any corroborative material with documentary proof, oral or written material, etc., to substantiate her complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a lady Officer involved and a male officer for male employees, involved shall meet and record the statement.
- Thereafter, the person against whom the complaint is made may be called for a deposition before the Committee and an opportunity will be given to him/ her to give an explanation, where after, an "Inquiry" shall be conducted and concluded.
- In the event, the complaint does not fall under the purview of Sexual Harassment, or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons there of.
- In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.



#### Resolution procedure through conciliation:

Once the complaint is received, before initiating the inquiry the committee may take steps to conciliate the complaint between the complainant and the respondent. This is only if requested by the aggrieved woman. It is made clear to all parties that conciliation doesn't necessarily mean acceptance of complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings cleared. In case a settlement is arrived at, the committee records & reports the same to the employer for taking appropriate action. Resolution through conciliation happens within 2 weeks of receipt of complaint. The committee provides copies of the settlement to complainant & respondent. Once the action is implemented, no further inquiry is conducted.

#### **Inquiry Process:**

- The Committee shall immediately proceed with the Inquiry and Communicate the same to the Complainant and person against whom Complaint is made.
- The Committee shall prepare and hand over the Statement of Allegation to the person against whom complaint is made and give him / her an opportunity to submit a written explanation if she / he so desires within 7days of receipt of the same.
- The Complainant shall be provided with a copy of the written explanation submitted by the person against whom the complaint is made.
- If the Complainant or the person against whom a complaint is made desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es that they propose to call.
- If the Complainant desires to tender any documents by way of evidence before the Committee, she / he shall supply original copies of such documents. Similarly, if the person against whom a complaint is made desires to tender any documents in evidence before the Committee, he/she shall supply original copies of such documents. Both shall affix his /her signature on the respective documents to certify these to be original copies.
- The Committee shall call upon all witnesses mentioned by both the parties.
- The Committee shall provide every reasonable opportunity to the Complainant and to the person against whom the complaint is made, foveating forward and defending their respective case.
- The Committee shall complete the "Inquiry" within reasonable period but not beyond three
  months and communicate its findings and its recommendations for action to the Head HR of OFB
  Tech Pvt Ltd within a period of ten days from the date of completion of the inquiry and such report
  should be made available to the concerned parties. The report of the committee shall be treated
  as an Inquiry repot on the basis of which an ending Employee can be awarded appropriate
  punishment straightaway.
- The Head HR will direct appropriate action in accordance with their commendation proposed by the Committee.
- The Committee shall be governed by such rules as may be framed by the Supreme Court orders or any other legislation enacted later on.

#### Interim relief

During the pendency of an inquiry on a written request made by the aggrieved woman, the Internal Committee, or the local Committee, as the case may be, may recommend to the employer to:

- transfer the aggrieved woman or the respondent to any other workplace; or
- grant leave to the aggrieved woman up to a period of three months; or
- grant such other relief to the aggrieved woman a may be prescribed.

The leave granted to the aggrieved woman under this section shall be in addition to the leave she would be otherwise entitled.



On the recommendation of the Internal Committee or the Local Committee, the employer shall implement the recommendations made and send the report of such implementation to the Internal Committee or the Local Committee, as the case may be.

#### **Termination of Inquiry**

Committee can terminate inquiry or give ex-parte decision, if Complainant or respondent respectively is absent for 3 consecutive hearings, without reason 15 day written notice to be given to the party, before termination or ex-parte order.

#### **Outcome of the Inquiry:**

On receipt of a formal complaint, the IC shall investigate the complaint. The investigation will be concluded within ninety days of the receipt of the formal complaint. During investigating any complaint of sexual harassment, the IC shall ensure that the Principles of Natural Justice are adhered to namely:

**Audi Alteram Partem** - Let the other side be heard as well. Both parties shall be given reasonable opportunity to be heard and to produce any other relevant documents before the IC Upon completion of the investigation, both parties, will be informed of the findings and result of that investigation All allegations of harassment will be investigated promptly and in a confidential manner, as reasonably possible, for an effective investigation.

The investigation will include interviewing the allegedly harassed employee, the allegedly harassing employee, any third-party witnesses, as well as considering any other potentially relevant information.

The IC will provide a report to the employer and the concerned parties within ten days from the date of completion of the inquiry. If the IC concludes that the allegation against the respondent has been proved, it will make recommendations to the employer to punish the offender and/or compensate the aggrieved employee. The Company shall implement these recommendations as soon as is practically possible.

The policy shall treat commission of an act amounting to sexual harassment by an employee as a disciplinary offence. Breach of confidentiality, victimization or retaliation against an employee for bringing a complaint of sexual harassment or any witness who meets IC to share their observations in good faith shall also be treated as a disciplinary offence.

#### Other points to be considered:

- The Committee May recommend to the Head HR action which may include transfer or any other appropriate disciplinary action.
- Where sexual harassment occurs as a result of an act or omission by any third party or outsider,
   OFB Tech Pvt Ltd shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- The Committee shall analyze and put-up a report on all complaints of this nature at the end of the year for submission to Head HR.
- 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.
- Penal Consequences of Sexual Harassment, in addition to action which the Management may initiate under the Sexual Harassment of Woman at Workplace (Prevention, Prohibition & Redressal) Act 2013 the following liability may arise under the Indian Penal Code.

Under the Indian Penal Code, (IPC), the newly introduced Section (S. 354A) which deals with Sexual Harassment has made this a 'cognizable offense' i.e., a. person charged with Sexual Harassment may be arrested without a warrant. A man committing any of the following acts.



- Physical contact and advances involving unwelcome and explicit sexual overtures or
- a demand or request for sexual favours or
- Showing pornography against the will of a woman or
- Making sexually coloured remarks shall be guilty of the offence of sexual harassment.

Any man who commits the offence specified in clause (i) or clause (ii) or clause (iii) above, shall be punished with rigorous imprisonment for a term which may extend to three years, or with fine, or with both Any man who commits the offence specified in clause (iv) above shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

In addition, acts of Sexual Harassment may also constitute other offenses under [PC including Section 354A & B (assault or criminal force to woman with intent to outrage her modesty), Section 354C (Voyeurism), Section 354D (Stalking), Section 375 and 376 (Rape) and Section 509 (word, gesture or act intended to insult the modesty of a woman) of the IPC.

#### **Malicious Allegations:**

- Where the committee arrives at the conclusion that the allegation against the respondent is
  malicious or the aggrieved woman 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 should consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

# Complaint by the member of IC:

If a member of IC files a complaint with respect to sexual harassment, then such member will be kept out of the IC for transparent redressal and there by Principle of Nemo Judex in Causa Sua will be followed. Upon the completion of the inquiry process such member may be brought back to the committee.

# **Annual Report:**

The Internal Complaints Committee shall prepare an Annual Report as per the Act comprising the following details: -

Number of complaints of sexual harassment received in the year

Number of complaints disposed of during the year

Number of cases pending for more than ninety days

Number of workshops or awareness program against sexual harassment carried out

Nature of action taken by the employer.

The same shall be submitted to the concerned government department as a part of statutory compliances.

- Ensuring a Workplace Free of Sexual Harassment (Raising Employee Awareness) General Measures for Raising Employee Awareness:
- The Company is committed to raising awareness of the problem of sexual harassment at the workplace and has taken the following measures:
- Displayed information detailing the penal consequences of sexual harassment and the order constituting the IC.
- Formulated a policy for prohibition, prevention and redressal of sexual harassment at the workplace intended to promote gender sensitive safe spaces and remove underlying factors that contribute towards a hostile work environment against women.



#### **Workshops and other Programmes:**

The Company has workshops and awareness programmes planned for both employees and the members of the IC. These will be held at regular intervals and with the intention of sensitizing employees with the issues pertaining to sexual harassment at workplace. Employees are encouraged to use these programmes as a forum for dialogue. Members of the IC will be provided with orientation programmes and seminars to prepare them for their duties. These programmes will also have the function of being capacity and skill building.

#### Appeal:

Either party subjected to administrative or disciplinary action may appeal against such actions to the Head – Human Resources within 7 working days after conclusion of the investigation and communication of the consequences.

#### **Policy Owner:**

Legal and HR function owns these policies and will be responsible for effective implementation of the policy at OFB and its subsidiaries. The Management reserves all right to append, modify, withdraw any part or complete policy at any time and same shall be communicated in writing by HR.

#### Note:

Words referring to the feminine gender shall be inclusive of masculine gender, except where expressly mentioned otherwise.

Words of singular number shall be inclusive of the plural number and vice-versa, if the context so requires.



#### **Annexure B**

# **Employee Declaration**

This is to acknowledge that I have read and understood my organization's HR Policy on Sexual Harassment at Workplace drawn as per the provisions of the Act (Prevention, Prohibition & Redressal of Sexual Harassment at Workplace Act 2013).

I hereby give my acceptance to adhere to this policy at all times and understand that any breach/non-compliance on my part may result in formal investigations and may lead to disciplinary action against me as per the provisions of the Act.

Name	Signature
Date	



# Annexure-B

# **Sample Complaint Format (POSH)**

This format can be used by any employee who wishes to lodge a complaint of Sexual Harassment at Workplace

(Any information / details provided by the Aggrieved Individual / Complainant shall be kept confidential)

# Section 1: Details of the Aggrieved Individual / Victim

Name	
Designation	
Division/Unit/Department	
Contact Number	
Address (office)	



(If applicable) Details of Complainant who is filling the form on behalf of the aggrieved individual / victim.

Name		
Relationship with Aggrieved Individual		
(Victim)		
Designation (if Complainant is an employee)		
Division/Unit/Dept (if		
Complainant is an employee)		
Contact number		
Address		
(office/administrative unit where the complainant		
works)		
Reason for which Aggrieved		
Individual is unable to file		
the complaint Physical incapacit	У	<u> </u>
Mental incapacity		
Death		
Any other reason		



# Section 2: Details of the Alleged Harasser

Name	
Designation	
Division / Unit / Department	
Contact Number	
Address (place of work of the alleged harasser)	

Section 3:

Details of the Incident

Description of the	
incident	
Other details (if  the incident was repeated / any previous related incident)	
Date and Time of the Incident / Incidents	



Details of	1.
witness/witnesses	2.
withess/ withesses	3.
	4.
	5.
Details of any	J
Details of any	
documents	
available (E.g.	
Messages, email,	
iviessages, eiliali,	
letter etc)	
ictici ctcj	
Details of any	
Details of any	
persons	
contacted by the	
aggrieved	
individual after	
the incident	
(If any)	
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Any other	
relevant	
information /	
information /	
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comments Section 4:	n and comments if any:
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comments ection 4:	n and comments if any:
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Section 5:		
Name of the Aggrieved Individual:		
Signature	Date:	
Name of the complainant (If applicable):		
Signature:	Date:	



#### **Harassment Redressal Procedure**

**Formal intervention** (as described in the guidelines) to be made if the complainant feels the allegation is serious enough to warrant formal action

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Detailed written complaint to be submitted, as per the guidelines



Committee to provide opportunity for **Conciliation between the parties,** on the request of the complainant



If **resolution** through conciliation is arrived at, the same will be recorded and informed to employer. Copy of the settlement to be provided to both parties



In case conciliation is not opted for or if no resolution is arrived at, a **Formal Inquiry** will be initiated committee, as per the policy



**Findings** of the inquiry to be submitted to the employer, for taking recommended action



The action so taken **must be communicated to both parties,** as per the policy and to the committee

Conciliation to be completed within **2** weeks of initiation

To be forwarded to employer within **1 week** of completion

Inquiry to be completed, within **90 days** from the date of initiation

To be forwarded to employer within **10 days** of completion

To be concluded by employer within **60 days** of receipt of report

