



Onward Technologies Limited

Policy on Prevention of Sexual Harassment (POSH) at workplace

Particulars	Designation	Name	Date
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I. 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. If any aspect relating to sexual harassment not explicitly covered in this policy is provided for by the law, then the law will be applicable. In case of any conflict between the policy and the law, the law will prevail.

The policy provide protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

II. OBJECTIVE

The objective of this policy is to prohibit and provide protection against sexual harassment to any employee, vendors, suppliers, consultants, trainees, visitors, students, community workers etc.

III. APPLICABILITY

This policy is applicable to all employees who are on roll or on contract, trainees, interns, suppliers or vendors, consultants, visitors, students, community workers etc. The policy covers harassment of women by men or men by women. This is a zero- tolerance policy irrespective of who is involved.

IV. DEFINITIONS

a. 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.

b. Complainant

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 and includes contractual, temporary, visitors.

c. 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 coworker, a contract worker, probationer, trainee, apprentice or called by any other such name.

d. Employer

A person responsible for management, supervision, and control of the workplace.

e. Respondent

A person against whom a complaint of sexual harassment has been made by the Aggrieved Woman

f. Sexual Harassment

Sexual harassment may occur not only where a person uses sexual behavior 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 within the course of his/her work who is not employed by the Company.

i. It includes any one or more of the following unwelcome acts or behavior (whether directly or indirectly) namely:

- Physical contact and/or advances;
- A demand or request for sexual favour
- Making sexually coloured remarks;
- Showing pornography or offensive pictures or written materials;
- Verbal – unpleasant or suggestive remarks, personal comments, jokes causing embarrassment, taunts, sexist remarks (gender-based insults), offensive telephone calls/messages
- 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

ii. The following circumstances if it occurs or is present in relation to any sexually determined act or behavior 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

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.

g. Workplace:

In addition to the place of work [Head office / Branch offices, Factories] it shall also include any place where the Aggrieved Woman 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.

V. ROLES & RESPONSIBILITIES

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

- a. Refusing to participate in any activity which constitutes harassment
- b. Supporting the person to reject unwelcome behavior
- c. 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

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.

Employee:

- Participate in the POSH programme
- Seek clarification on POSH including what constitutes Sexual Harassment
- Understand the process of giving complaint
- Support the fellow employee if he/she is sexually harassed
- Acknowledgement that the policy is understood

Management:

- Encourage employees to attend the POSH Awareness programme
- Clarify doubts on POSH
- Address employees' concern on POSH
- Support employees if they are sexually harassed

Human Resources:

- Organize Awareness programs on POSH
- POSH policy to be displayed in the Notice board and intranet
- Annual Refresher program on POSH
- Acknowledgement from all employees that they have understood the POSH Policy
- File acknowledgement from employees in their personal file

GUIDELINES ON THE VIRTUAL INTERACTION

Do's:

1. Proper Attire - Employees attending video conferences must be dressed appropriately. Clothing such as vests, undergarments, T-Shirts with suggestive phrases, etc. to be avoided.
2. Content of Conversation - Keep the conversation specific to work areas, projects, and deliverables.

Don'ts:

1. The background of the video call should be suitable. No poster with provocative content or any other inappropriate element should be visible during the video call.
2. No inappropriate jokes should be made.
3. Managers must not insist that female colleagues log on to one-on-one video calls but have the option to take calls in "audio-only" mode.
4. Late night video calls to be avoided. If it is a business emergency, then the employee can attend it on "audio only mode."

VI. REDRESSAL MECHANISM – FORMAL INTERVENTION

In compliance with the Act, if the complainant's warrants formal intervention, the complainant needs to lodge a written complaint, which shall be followed by a formal redressal mechanism as described in this Policy. In case of a verbal complaint, the complaint will be reduced in writing by the receiver of the complaint and signatures of the complainant will be obtained.

VII. INTERNAL COMPLAINTS COMMITTEE

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, an "Internal Complaints Committee" is constituted at each location. The details of the committee is notified to all covered persons at the location (workplace).

The Internal Complaints Committee (ICC) is constituted to consider and redress complaints related to sexual harassment. The Constitution of ICC is as per the Act and includes external member from NGO or person familiar with the issues relating to sexual harassment.

The committee at each location comprises of:

- **Presiding Officer:** A woman employed at a senior level in the organization or workplace.
- At least two members from amongst employees, committed to the cause of women and or having legal knowledge.
- One external member, from amongst NGO/associations committed to the cause of women or a person familiar with the issue of Sexual in nature.
- At least one half of the total members is women.

The committee is 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

Current nominated members of the committees are given in **Annexure A**.

VIII. LODGING A COMPLAINT

- The Internal Complaints Committee (ICC) in the organization is responsible for attending the complaints on cases of Sexual Harassment. The names and their contact details of the members of the ICC are available on the intranet and displayed on noticeboards.
- The complainant needs to submit a detailed complaint, along with any documentary evidence available or names of witnesses, to any of the committee members at the workplace within 3 months from the date of incident/ last incident. The Committee can extend the timeline by another 3 months for reasons recorded in writing, if satisfied that these reasons prevented the lodging of the complaint.
- Where such a complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Complaint Committee shall render all reasonable assistance to the women for making the complaint in writing.
- If the Aggrieved Woman is unable to lodge the complaint in account of her incapacity, the following may do so on her behalf, with her written consent.
 - Legal heir, relative or friend
 - Co-worker
 - Any person having knowledge of the incident.
- If the initial complaint is made to a person other than a committee member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the committee immediately.
- The Committee maintains a register to endorse the complaint received by it and keeps the contents confidential, if it is so desired, except to use the same for discreet investigation.
- ICC holds a meeting with the complainant after receipt of the complaint. The complainant will be formally intimated of the date of the meeting.
- If the complaint does not fall under the purview of sexual harassment or the complaint is not an offence under the sexual harassment, the same is to be dealt under the disciplinary procedure of the Foundation. The investigation of such complaints is not under the purview of ICC.
- Wherever possible ICC ensures that all the complaints of harassment are dealt with speedily, discreetly and as close as possible to the point of origin.

The complaint shall be submitted by the complainant to the IC in writing or shall be submitted to the IC electronically at posh@onwardgroup.com. The complaint can also be physically submitted to any IC member.

IX. RECEIVING A COMPLAINT (GUIDELINES)

Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed, and it requires tact and discretion while receiving the complaint.

The following points are to be kept in mind by the receiver of the complaint:

- Complaints are listened to, and the complainant informed that the Company takes the concerns seriously. The complainant is informed that these concerns will be reported to the appropriate committee and follow-up will be done speedily.
- Situations are not pre-judged. Written notes are to be taken while listening to the person. When taking notes, complainant's own words, where possible, are to be used accurately. A clear description of the incident in simple and direct terms is prepared and details are confirmed with the complainant.
- All notes are kept strictly confidential. The complainant's agreement is taken to allow proceeding with the matter, which involves a formal investigation.
- The complainant is advised that although the process is confidential, the respondent needs to be informed and any witnesses and persons directly involved in the complaint process will also learn of the complainant's identity.
- Care is taken to prevent any disadvantage to or victimization of either the complainant or the respondent.

X. RESOLUTION PROCEDURE THROUGH CONCILIATION:

- Once the complaint is received, before initiating the inquiry the committee may take steps to reconcile the complaint between the complainant and the respondent. This is only if requested by the aggrieved woman.
- No monetary settlement can be made as a basis of conciliation.
- In case a settlement is arrived at, the committee records & reports the same to the employer for taking appropriate action. Resolution through conciliation is to happen within 2 weeks of receipt of complaint.
- The settlement that has arrived at, must be recorded and the copy of it be given to the Complainant and the respondent. Where a settlement is arrived at, no further inquiry is to be conducted by the committee.
- The Complainant may approach the ICC if the terms of settlement are not honoured. The Committee can then decide to go ahead with the enquiry.
- If the settlement is not arrived during this conciliation process, then ICC starts the process of enquiry.

XI. RESOLUTION PROCEDURE THROUGH FORMAL INQUIRY

The committee will initiate inquiry in the following cases:

- No conciliation is requested by Aggrieved Woman
- Conciliation has not resulted in any settlement.
- Complainant informs the committee that any term or condition of the settlement arrived through conciliation, has not been complied with by respondent.

The Committee proceeds to make an inquiry into the complaint within a period of 1 week of its receipt of the original complaint/closure of conciliation/repeat complaint.

1. Manner and Procedure of inquiry into complaint:

- Complainant should submit the complaint along with supporting documents and the names of the witnesses, if any.
- The Committee will hold a meeting with the Complainant within seven days of the 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 her allegations. The Complainant can also submit any corroborative material with documentary proof, oral or written material, etc., to substantiate her complaint.
- The Committee shall proceed with the enquiry and communicate the same to the Complainant and Respondent.
- Upon receipt of the complaint, the committee will send one copy of the complaint to the Respondent within seven working days of receiving the complaint.
- Respondent shall reply with all supporting documents within ten working days of receiving the copy of the complaint.
- Thereafter, the Respondent may be called for a deposition before the Committee and an opportunity will be given to him to give an explanation, where after, an inquiry shall be conducted and concluded.
- The Complainant shall be provided with a copy of the written explanation submitted by the Respondent.
- If the Complainant or the respondent 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.
- The Committee shall call upon all witnesses mentioned by both the parties.
- The Committee shall provide every reasonable opportunity to the Complainant and the Respondent for putting forward and defending their respective case.
- If either party desires to tender any documents by way of evidence before the Committee, the same is to be supplied as original copies of such documents. Signatures should be affixed on the respective documents to certify these to be original copies.
- No legal practitioner can represent any party at any stage of the inquiry procedure.
- The Complaints Committee is to make inquiry into the complaint in accordance with the principles of natural justice.
- In conducting the inquiry, a minimum of three committee members including the Presiding Officer are to be present.

- The employer shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.
- Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the company shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- 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 thereof.

If the complainant or respondent desires to cross examine any witnesses, the Committee facilitates the same and records the statements. In case a complainant or respondent seeks to ask questions to the other party, they may give them to the Committee which asks them and records the statement of the other party.

Any such inquiry is completed, including the submission of the Inquiry Report, within 90 days from the date on which the inquiry is commenced. The inquiry procedure should ensure absolute fairness to all parties.

2. INTERIM RELIEF

During pendency of the inquiry, depending on the severity of the case and on a written request made by the Complainant, Committee may recommend to the Employer to-

- Transfer the Complainant or the Respondent to any other workplace, if possible, or
- Grant leave to the Aggrieved Woman up to a period of three months; in addition to the leave, she would be otherwise entitled.
- Prevent the respondent from assessing complainant's work performance.
- Grant such other relief as may be appropriate.

Once the recommendations of interim relief are implemented, the employer will inform the committee regarding the same.

3. Termination of Inquiry

The committee may terminate the inquiry or give an ex-parte decision, if Complainant or Respondent respectively is absent for 3 consecutive hearings, without sufficient reason. 15 day written notice is to be given to the party, before termination of enquiry or ex-parte order.

4. Considerations while preparing inquiry report

While preparing the findings/recommendations, following are considered:

- Whether the language used (written or spoken), visual material or physical behavior was of sexual or derogatory nature.
- Whether the allegations or events follow logically and reasonably from the evidence
- Credibility of complainant, respondent, witnesses, and evidence
- Other similar facts, evidence, for e.g. if there have been any previous accounts of harassment pertaining to the respondent.
- Both parties have been given an opportunity of being heard
- A copy of the proceedings was made available to both parties enabling them to make

representation against the findings.

- A copy of the final findings is shared with the complainant and the respondent to give them an opportunity to make a representation on the findings to the committee.

5. Action to be taken after inquiry.

Post the inquiry, the committee submits its report containing the findings and recommendations to the employer, within 10 days of completion of the inquiry.

6. Complaint unsubstantiated

Where the Committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the employer that no action is required to be taken in this matter.

Further, the Committee 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.

7. Complaint substantiated

Where the Committee arrives at the conclusion that the allegation against the Respondent has been proved, it recommends to the Employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:

- I. Counseling
- II. Censure or reprimand
- III. Apology to be tendered by respondent.
- IV. Written warning
- V. Withholding promotion and/or increments
- VI. Suspension
- VII. Termination
- VIII. Or any other action that the Management may deem fit.

The Employer acts upon the recommendations within 60 days and confirm to the Committee. Post implementation of the actions, follow up with the Complainant occurs to ascertain whether the behavior has in fact stopped, the solution is working satisfactorily and if no victimization of either party is occurring. This follow-up is undertaken by the complainant's Line Manager supported by HR.

8. 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.

9. Confidentiality

The identity of the Complainant, Respondent, witnesses, statements, and other evidence obtained in the course of inquiry process, recommendations of the Committees, action taken by the Employer is considered as confidential materials, and not published or made known to public or media.

Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the act.

10. Appeal

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the appellate authority in accordance with the Act and rules, within 90 days of the recommendations being communicated.

XII. REPORT SUBMISSION AND ACTION TAKEN:

- The copy of the report is given by the ICC to the Complainant and the Respondent.
- If the allegation is proved in the conciliation stage, the respondent may also be directed by the Executive Director on the recommendation of ICC to make monetary payment to the complainant. The following factors may be taken into account while the Respondent is directed to pay the complainant:
 - Mental trauma, pain, suffering and emotional distress were caused to the Complainant.
 - Loss in the career opportunity due to sexual harassment;
 - The income and financial state of the respondent;
 - Medical expenses incurred by the victim for physical or psychiatric treatment;
 - Feasibility of such payment in lump sum or in installments
- If the allegation is proved in the inquiry stage, action will be taken against the Respondent as per the Standards of Conduct;
 - A letter of warning that will be placed in the personal file of the respondent
 - Stop the increment with or without cumulative effect
 - Reduction in rank.
 - Termination/dismissal from the services of the Company.
 - Any other action that the Disciplinary Authority may deem fit.
- During the inquiry if it is found that the allegation against the respondent is malicious or if the complainant or any other person makes such complaint knowing it to be false or produces any forged or misleading document, action will be taken against them as per the Standards of Conduct/Standing Order.
- However, if the Complainant is unable to substantiate a complaint or provide adequate proof, no action will be taken.
- During the inquiry, if it is proved that the witness/witnesses have given false evidence or produced any forged documents, action will be taken against them in accordance with the Standards of Conduct/Standing Order.
- The proceedings, conciliation or the action taken etc. is to be not made public or published and the names or addresses will not be disclosed. If required, the information may be disseminated to secure justice, without disclosing the name,

address, identity, or any other particulars, which may lead to the identification of the Aggrieved Woman and witnesses.

- If the person who is entrusted with the duty to handle or deal with the complaint, inquiry or any recommendation or action, which has to be taken, does not comply with the above-mentioned clauses action to be taken as per the Standards of Conduct.

Annexure A
List of Members of the Committee

Sr. No	Location	Name	Gender	Role	Contact No.	Email Id
1	All	Renuka Mukadam	Female	External Member	8380067440	renushri@gmail.com
2	Pune	Debashree Sarkar	Female	Chairperson	9175413698	Debashree_sarkar@onwardgroup.com
3	Pune	Anuja Shinde	Female	Member	9503853636	Anuja_Shinde@onwardgroup.com
4	Pune	Tejas Narwane	Female	Member	9820679288	Tejas_Narwane@onwardgroup.com
5	Pune	Dattatraya Mane	Male	Member	8888808847	Dattatraya_mane@onwardgroup.com
6	Chennai	R Saranya	Female	Member	9962853847	saranya_ranganathan@onwardgroup.com
7	Chennai	Jawaad Ghias	Male	Member	9500171492	jawaad_ghias@onwardgroup.com
8	Chennai	Lakshmibharathi R	Female	Member	9963055200	lakshmibharathi_r@onwardgroup.com
9	Bengaluru	Jayant Chauhan	Male	Member	9880733001	jayant_chauhan@onwardgroup.com
10	Bengaluru	Shipra M	Female	Member	9742577231	shipra_m@onwardgroup.com
11	Mumbai	Himali Patil	Female	Member	8879616754	himali_patil@onwardgroup.com
12	Hyderabad	Dipti Dholke	Female	Member	9032842601	dipti_dholke@onwardgroup.com