

## POLICY FOR PREVENTION OF SEXUAL HARASSMENT (POSH)

### Objective:

The Government of India has notified “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act & Rules, 2013 with effect from December 09, 2013. Our organization has a strict and zero tolerance policy defining a mechanism for redressal of complaints in time bound manner against sexual harassment. Any person found guilty shall face severe penal consequences under this Act.

The objective of the POSH policy is to ensure the Prevention of any unwelcome behavior, intentional or unintentional, that has sexual connotation (or of sexual nature). Promotion of a safe, happy, healthy and a congenial work atmosphere free from sexual harassment of any kind.

### Scope:

PAPL aims to adopt zero tolerance attitudes against any kind of Sexual Harassment or discrimination caused by any employee during their tenure in PAPL towards any other person being an employee of PAPL, Client, Vendor and Contractor in Company premises or elsewhere in India or abroad.

### Applicability:

This policy is applicable to all the employees of PAPL.

### Definition:

**I. Employee of PAPL:** Includes person carrying out any work on behalf of PAPL and may have been hired as Permanent, Temporary, Contracted or on Retainer Ship Basis, part-time basis etc., either directly or indirectly or through vendor organization.

**II. Sexual Harassment:** Harassment of a Female/Male employee consisting of any unwelcome sexually determined behavior, whether directly, indirectly, by any male/female in charge of the management or a male/female co-employee either individually or in association with other persons to exploit the sexuality of co-employee to harass him/her in a manner which prevents or impairs his/her full utilization of full benefits, facilities or opportunities or any other behavior which is generally considered to be derogatory .

**III. Aggrieved Women:** In relation to 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.

**IV. Respondent:** Employees against whom the complaint has been filed.

**V. INTERNAL COMMITTEE:** Internal Committee is comprising of 1 (one) Presiding Officer, 3 (three) Internal Members and 1 (one) External Member (NGO / Legal Expert)

**POSH Policy Applicability:**

- The Act is applicable to all companies, workspaces, establishments, and organizations that 10 or more employees, irrespective of the industry and whether the employment is part-time, full-time, contract, or internships.
- To adhere to this Act's provisions, companies must have a policy related to the same, which explains the entire procedure that must be followed in case a sexual harassment complaint is filed by a woman.

**Procedure of filing a Complaint and manner of inquiry:**

- As per Section 9 of the Act, an aggrieved woman can file a complaint with the Internal Committee (IC) or in the absence of an IC, with a local authority in writing. The section clearly states that the complaint must be in writing for the IC to conduct an inquiry on it.
- Although it is not stated what to do in case of an anonymous complaint, the company may choose to look into such complaints.
- Anonymous complaints simply show that employees are unwilling to come forward, which makes it the company's responsibility to create an environment where this does not happen. The company may choose to bring in an external member of the IC to talk to the employees and gather other important details related to the complaint.

**Note:** Before any formal inquiry, the policy must have provisions for conciliation. However, the aggrieved woman has the choice to refuse conciliation.

**Disciplinary Action for Sexual Harassment:**

The Internal Committee (IC) amongst other shall recommend to employer following actions (as per sec 13 of Act):

- Warning
- Written apology from offender,
- Bond of good behavior
- Debarring from supervisory duties
- Denial of employee benefits like increments/promotion/salary correction etc.
- Cancellation of specific work Assignment

- Suspension
- Dismissal

**Penalty for publication or making known contents of complaint and enquiry proceedings:**

Any person entrusted with duty to handle or deal with:

- Contents of complaint
- Identity and addresses of complainant, respondent and witnesses,
- Any information related to conciliation and enquiry proceeding,
- Recommendations of the IC and
- Action taken by the Employer

Shall not be published, communicated or made known to public, press and media in any manner (under sec 16 of Act) and on contravention of this provisions the Employer shall recover a sum of Rs. 50,000/- from defaulter. (Rule 12 of Rules, 2013).

**Penalty for false or malicious complaint and false evidence by complainant or any other purpose:**

Where the IC makes a conclusion, after the enquiry that (among others):

- Allegation against respondent is malicious; or
- Complainant or any other person making complaint has produced any forged or misleading document
- IC may recommend to the employer at take any of following action:
- A written apology, warning, reprimand withholding of promotion, withholding of pay rise or increments, termination of service of complainant, undergoing counseling service etc.

**INTERNAL COMMITTEE (IC)**

As constituted w.e.f 26.11.2021 for 5 years under section 4(2) & 19(b) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act & Rules, 2013

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