



**ROSSELL TECHSYS LIMITED**

**PREVENTION OF SEXUAL HARASSMENT (POSH) POLICY**

(Effective from September 3, 2024)

## 1. INTRODUCTION:

- i. Rossell Techsys Limited (“**Company**” and or “**Employer**”) is committed to providing an equal opportunity and harassment-free workplace regardless of race, caste, sex, religion, ancestry, marital status, age, sexual orientation, or disability.
- ii. -To create a safe and conducive work environment, this Policy has been framed in accordance with the Supreme Court guidelines in the Vishaka case and in line with the provisions of The Sexual Harassment Of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the rules framed thereunder (hereinafter referred to as the “Act”). This policy is not only compliant with the Act but goes a step further by extending the benefit of the law to all employees, regardless of gender, sex or sexual orientation making it gender-neutral.

## 2. SCOPE AND PURPOSE:

- i. The purpose of this policy is to provide protection against sexual harassment at the workplace as well as to prevent and address complaints of sexual harassment and matters related to it.
- ii. This policy extends to all employees, including individuals visiting the workplace for employment or any other purpose, including but not limited to visitors, vendors, contractual resources, secondees. It covers and applies to any alleged act of sexual harassment against any person at the workplace, whether the incident occurs during or beyond working hours.

## 3. DEFINITIONS:

- i. “**Aggrieved Individual**” means in relation to a workplace, a person of any age, any gender, whether employed or not, who alleges to have been subject to any act of sexual harassment by the respondent and includes contractual, temporary employees and visitors.
- ii. “**Complainant**” means and includes an aggrieved individual or his /her representative (in the event where the aggrieved individual is unable to make the complaint on account of his/her physical/ mental incapacity, or death or otherwise) who makes a complaint alleging sexual harassment under this policy.
- iii. “**Employee**” includes all categories of persons employed at a workplace for any work on regular, temporary, ad hoc or daily wages basis, either directly or through an agent, including a freelance consultant/contract employee, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are expressed or implied and includes a co-worker, a freelance consultant, contract worker, probationer, trainee, apprentice or called by any other such name.
- iv. “**Internal Committee**” means and includes an Internal Complaints Committee (hereinafter referred to as the “ICC” or “Committee”).
- v. “**Member**” means a member of the ICC.
- vi. “**Presiding officer**” means the presiding officer of the ICC and shall be a woman employed at a senior level at the workplace amongst the employees.
- vii. “**Respondent**” means a person against whom a complaint of alleged sexual harassment has been made by the Complainant under this policy.
- viii. “**Parties**” means the complainant and the respondent collectively.

- ix. **“Sexual harassment”** includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) but not limited to:
- i. physical contact and advances; or
    - a demand or request for sexual favours; or
    - making sexually coloured remarks; or
    - showing pornography; or
    - any other unwelcome physical, verbal or non-verbal conduct of a sexual nature;
  - ii. 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 a person’s health or safety.
- x. **“Workplace”** includes premises, locations, establishments, enterprises, institutions, offices, branches or units established, subsidiaries where the Company’s work is carried out, 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 such journey.
- xi. **“Employer”** means a person responsible for management, supervision and control of the Workplace.

#### 4. POLICY

- i. The Company values every employee and strives to foster an environment of mutual respect and dignity for all employees.
- ii. Employees are expected to respect the individual rights of their co-workers and other individuals they may encounter during their work.
- iii. Any act of sexual behaviour detrimental to a healthy and congenial work environment is included in this policy.
- iv. The rules for preventing sexual harassment at the workplace apply to:
  - Alleged acts of sexual harassment, whether occurring during or after office hours
  - Alleged acts of sexual harassment whether occurring within or outside the Company premises
  - Sexual harassment from any individual regardless of gender
- v. The Company is committed to providing every employee a just and fair hearing on issues encountered by them at the workplace, with special attention to sexual harassment.
- vi. Consistent with this commitment and in accordance with the Act and Supreme Court guidelines, the Company has formed the Internal Complaints Committee (ICC) to manage the enquiry and redressal process for sexual harassment complaints by the Complainant.
- vii. The Internal Complaints Committee (ICC) shall preside over all enquiries related to sexual harassment towards aggrieved individuals at the workplace.

- viii. Every Aggrieved Individual who believes that they have been sexually harassed should bring the matter to the attention of a member of the Committee.
- ix. Employees are encouraged to familiarise themselves with the policy and should:
  - Abstain from any acts amounting to sexual harassment at the workplace;
  - Report incidents of sexual harassment without any fear or favour;
  - Create an environment of conduciveness for co-workers to work together without fear of sexual harassment;
  - Get clarifications from the committee whenever in doubt.
- x. Any employee who, in good faith, reports a possible violation of this policy will be protected from any sort of retaliation.

## 5. OBLIGATIONS OF THE EMPLOYEES

- i. Treat every employee, customer, company visitor or anyone else associated with the Company with dignity and respect.
- ii. Avoid unlawful discrimination against anyone in the workplace based on sex, sexual orientation, age, race, ethnic origin, religion or disability, or other grounds of discrimination protected by anti-discrimination or any other applicable laws.
- iii. Refrain from harassing or victimising anyone in the workplace.
- iv. Report unacceptable conduct as soon as possible to any ICC member.
- v. Avoid making false allegations of Sexual Harassment or unacceptable behaviour.

## 6. RESPONSIBILITIES OF THE EMPLOYEE WHO IS BEING HARASSED

- i. Inform the accused that their behaviour is inappropriate and unwelcome and tell them to stop
- ii. Keep a record of incidents (dates, times, locations, possible witnesses, what happened, etc.).
- iii. It is not mandatory to have a record of events to file a complaint, but a record can strengthen the case and help remember the details over time, in case the complaint is not filed immediately
- iv. Report the abuse as soon as possible. If the harassment continues, even after asking the accused to stop his/her behaviour.
- v. The Aggrieved Individual should file a complaint with any ICC member.

## 7. OBLIGATIONS AND DUTIES OF THE EMPLOYER

In addition to setting up an ICC and ensuring timely redressal of workplace harassment grievances, the Act requires the employer to:

- i. Provide a safe working environment at the workplace including safety from the persons coming into contact at the workplace.
- ii. Display conspicuously at the workplace, the penal consequences of indulging in acts that may constitute sexual harassment and the composition of the ICC.
- iii. Organise workshops and awareness programmes at regular intervals for sensitising employees on the issues and implications of workplace sexual harassment and scheduling orientation programmes for members of the ICC; provide necessary facilities to the ICC for dealing with the complaint and conducting inquiries.
- iv. Assist in securing the attendance of respondents and witnesses before the ICC.
- v. Provide assistance to the aggrieved individual if they choose to file a complaint in relation to the offense under the Indian Penal Code (IPC) or any other law in force.
- vi. Take action, under the IPC or any other law in force, against the perpetrator, or if the aggrieved individual so desires, where the perpetrator is not an employee.
- vii. Treat sexual harassment as misconduct under the service rules and initiate action for

misconduct

- viii. Monitor the timely submission of reports by the ICC
- ix. Include in its report the number of cases filed, if any, and their disposal under this act in the company's annual report.

## 8. THE INTERNAL COMPLAINTS COMMITTEE (ICC)

### Composition:

The Internal Complaints Committee is currently comprised of the following members:

Sl. No.	Name [Female(F)/ Male (M)]	Designation	Contact Details (Email)
1	Zeena Philip (F)	Presiding Officer	zeena.philip@rosselltechsys.com
2	Renu Batta (F)	Member	renu.batta@rosselltechsys.com
3	Shreesha B (F)	Member	shreesha.balipaku@rosselltechsys.com
4	Mahima Choudhary (F)	Member	mahima.choudhary@rosselltechsys.com
5	Arif Basha (M)	Member	arif.anwar@rosselltechsys.com
6	Prashanth Heeroji (M)	Member	prashanth.heeroji@rosselltechyys.com
7	Savithri Srinivasan (F)	External Member	bhama.srini@gmail.com

## 9. Responsibility:

The Committee is responsible for:

- Receiving complaints of sexual harassment at the workplace
- Initiating and investigating every complaint of sexual harassment as per the established procedure under this Policy
- Submitting findings and recommendations of inquiries conducted
- Maintaining strict confidentiality throughout the process as per the established guidelines
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment
- Discouraging and preventing employment-related sexual harassment.

## 10. Term:

The term for the ICC is a maximum of 3 years.

## 11. Removal of Committee Member:

An ICC member shall be removed or replaced if they:

- Breach confidentiality,
- Are convicted for an offence or have an inquiry into an offence under any law for the time being in force is pending against them,
- Are found guilty in any disciplinary proceedings or have such disciplinary proceeding pending against them,
- Abuse their position rendering their continuance in office prejudicial to the public interest,
- Contravene the provisions of the Act.

Any vacancy created in the ICC due to cessation of employment, resignation, death, disability or removal, as applicable, shall be filled by a fresh nomination by the Company in accordance with its guidelines and in conjunction with the provision of Law.

## 12. PROCEDURE FOR FILING COMPLAINT

- i. Any Aggrieved Individual with a sexual harassment concern may send an email to any member of the ICC, keeping [posh@rosselltechsys.com](mailto:posh@rosselltechsys.com) in the loop, of the alleged incident within a period of three (3) months from the date of the incident or from the date of the last incident in case of series of incidents. Provided, the ICC may, 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 Aggrieved Individual from filing a complaint within the said period.
- ii. The complaint can also be made orally or in writing to any ICC member. The ICC Member shall assist the Aggrieved Individual in making the complaint in writing.
- iii. If the Aggrieved individual is unable to make a complaint on account of physical or mental incapacity or death or otherwise, their legal heir or such other person as may be prescribed under the Act may file a complaint.
- iv. The Complaint must include the complete details of the incident(s) including the date and time of the specific event(s), names and addresses of witnesses, if any, and any evidence that supports the allegation(s). In addition, it should include the name(s) and contact details(s) of the respondent/alleged harasser(s) and the victim(s), as available.
- v. The Company encourages prompt reporting of harassment complaints to the Committee by any Aggrieved Individual to ensure timely and appropriate action. However, any perceived delay in filing a complaint, by itself, shall not be a relevant factor in deciding the veracity of the complaint or in appreciating the evidence presented.
- vi. If an employee or third Party is sexually harassed by any external party either in Company premises or in that external party's premises, then ICC shall contact either the internal committee of that external party and/or the Police (as the case may be), on the written complaint of such Employee/Third Party to the Company's ICC and on their request that such complaint be transferred to other committee and address the matter to satisfactory closure. Alternatively, Employee/Third Party may directly reach out to the committee of that external party and/or Police (as the case may be), and the Company will offer assistance on a written request by the Employee/Third Party.

## 13. REDRESSAL OF COMPLAINT

- i. The Committee will maintain a register to log the complaints received and keep the contents confidential, if desired, except to use the same for discreet investigation.
- ii. On receipt of the complaint, the ICC shall send a copy of the complaint to the Respondent within a period of 7 (seven) working days.
- iii. The Respondent must submit a reply to the complaint, along with a list of supporting documents and names and addresses of witnesses (if any), within a period of 10 (ten) working days from the date of receipt of the complaint.
- iv. If the complainant feels uncomfortable narrating events in person, a committee member of the same gender (a female committee member for female complainants and a male committee member for male complainants) will meet with the complainant to record their statement.
- v. At the request of the Aggrieved Individual, the Committee shall try to settle the matter through

conciliation between the complainant and respondent. However, no monetary settlement can be made as a basis for conciliation. Resolution through conciliation should be completed within two (2) weeks of receiving the complaint.

- vi. If a settlement is reached, the Committee shall record the settlement and report to the Employer for taking appropriate action. The Committee shall provide the copies of the settlement as recorded to the Complainant & the Respondent. Once a settlement is reached, no further inquiry will be conducted by the Committee.
- vii. The Committee shall also follow the provisions given under the Act if the case falls under the purview of Sexual Harassment against a woman in the Workplace.
- viii. The Company will not publish, communicate or disclose the identity or address of the Complainant, respondent and witness, or any other information relating to the Complaint, Conciliation, Inquiry Proceedings and recommendations made by the ICC.
- ix. In the event the complaint does not fall under the purview of Sexual Harassment or does not constitute an offence of Sexual Harassment, the same would be dismissed after recording the reasons thereof.
- x. If a complaint is found to be false, the complainant may be subject to appropriate disciplinary action by the Company, if deemed necessary.

#### **14. INQUIRY PROCESS**

- i. The Committee shall promptly investigate any allegation of harassment brought to its attention ensuring confidentiality to protect the privacy of the individuals involved. An inquiry shall be initiated by the Committee under the following circumstances:
  - No conciliation is requested by Complainant,
  - Conciliation has not resulted in any settlement,
  - Complainant informs the Committee that the respondent has not complied with the terms or conditions of the settlement arrived through conciliation.
- ii. The Committee shall ensure that a fair and just investigation is conducted immediately. The ICC shall make an inquiry into the complaint in accordance with the principles of natural justice.
- iii. The ICC shall have the powers to summon and enforce the attendance of any person and conduct examinations, request the discovery and production of documents and obtain any other information which may be necessary for the inquiry process. Any refusal by the Company to attend the hearing before the ICC when summoned or to provide to the ICC any documents and/or information within their power or possession shall constitute misconduct, rendering such Employee for adverse action by Company.
- iv. Neither the Complainant nor the Respondent shall be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the ICC.
- v. During the inquiry, a minimum of 3 (three) members, including the Presiding Officer and the External Member, must be present to hear the complaint.
- vi. Initially, both the Complainant and the Respondent will be questioned separately to ascertain the veracity of their statements. If required, the person named as a witness by either party will need to provide the necessary information to assist in resolving the matter satisfactorily.
- vii. If the complaint falls under the purview of Sexual Harassment, the Committee shall

immediately proceed with the inquiry and communicate the same to the Complainant and the respondent. The Committee shall also follow the provisions given under the Act if the case falls under the purview of Sexual Harassment against women.

- viii.** The Committee shall prepare and hand over the Statement of Allegation to the Respondent providing them the opportunity to submit an explanation via email within 7(seven) working days of receipt of the same.
- ix.** The Committee shall summon all witnesses mentioned by both the parties.
- x.** The Committee shall provide every reasonable opportunity to the Complainant and to the Respondent to present and defend their respective case.
- xi.** Committee shall notify the Complainant, the Respondent and witnesses in writing about the time and dates of its meeting
- xii.** All inquiry proceedings will be documented in detail and treated as strictly confidential with restricted access only on a need-to-know basis.
- xiii.** Inquiry proceedings shall be minuted or recorded in writing and may also be audio recorded. The minutes / transcribed record of the proceedings and the statement of witnesses shall be endorsed by the persons concerned and ICC to ensure their authenticity.
- xiv.** The Committee shall complete the “Inquiry” within a reasonable period but not beyond three months and communicate its findings and recommendations for action to the Employer.
- xv.** The recommendations of the committee shall be treated as an inquiry report on the basis of which appropriate corrective action can be taken against the erring employee.
- xvi.** The Committee shall provide the inquiry report to the Employer within 10 (ten) days of completing the inquiry. The inquiry reports shall also be made available to both the Complainant and Respondent. The inquiry report shall specify details of the allegations against the Respondent, the statements made and evidence presented by the Complainant, Respondent and/or witnesses, the Committee’s findings, and a statement explaining the reasons for these findings along with the Committee’s recommendations.
- xvii.** While preparing the findings and recommendations, the following factors shall be considered:
  - Whether the language used (written or spoken), visual material or physical behaviour 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,
  - Any similar facts or evidence, such as previous accounts of harassment involving the respondent,
  - Both parties have been given an opportunity to be heard,
  - Whether a copy of the proceedings was made available to both parties enabling them to make representation against the findings,
  - Whether a copy of the final findings was shared with the Complainant and the Respondent to give them an opportunity to make a representation on the findings to the committee.
  - The Employer will direct appropriate action in accordance with the recommendation proposed by the Committee.

**15. CORRECTIVE/ DISCIPLINARY ACTION:****i. Where Respondent is an Employee, ICC may recommend any one or more of the following:**

Where the ICC concludes that the allegation against the Respondent has been substantiated, it shall recommend the Employer the following actions:

- a. The employer shall take action for sexual harassment as misconduct in accordance with the provisions of the applicable service rules or in one or more of the following ways:
  - Formal apology
  - Counselling
  - Written warning to the Respondent with a copy of it maintained in the employee's file.
  - Change of work assignment/transfer for either the Respondent or the Complainant.
  - Suspension or termination of the services of the employee found guilty of the offence.
  - Withholding promotion and/or increments.
- b. Notwithstanding the service rules applicable to the Respondent, the Employer shall deduct from the salary or the wages of the Respondent an appropriate amount to be paid to the Complainant or to their legal heirs.

When determining the sum to be paid to the complainant, the ICC shall consider:

- The mental trauma, pain, suffering and emotional distress caused to the Complainant
- The loss of career opportunities due to the incident of sexual harassment
- Medical expenses incurred by the Complainant for physical or psychiatric treatment
- The income and financial status of the Respondent
- Feasibility of such payment in lump sum or in instalments

In case the Employer is unable to make such deduction from the salary of the Respondent due to his being absent from duty or cessation of employment, it may direct the Respondent to pay such sums to the Complainant.

Further, if the Respondent fails to pay such sums, ICC may forward the order for recovery of the sum as arrears of land revenue to the concerned District Officer.

**ii. Where Respondent is not an Employee and a third-party, ICC may recommend any one or more of the following:**

- a. Warning to employing Organization/association/firm (if any).
- b. Declaring the Workplace out of bounds to the Respondent.
- c. Withdrawal of the right to provide services to the Company for a certain period (if applicable).
- d. Helping the Complainant in filing an FIR, should they desire.
- e. Debarring/blacklisting such a person from Company.
- f. Other similar or appropriate punishment.

**16. INTERIM RELIEF**

The Committee shall have the power to issue appropriate interim orders to implement such measures as transfer, changing shifts etc. of the Complainant, witnesses or Respondent, granting of leave to the Complainant up to a period of 3 (three) months (the leave granted shall be in addition to the leave the Complainant is otherwise entitled to) or grant any other relief as may be appropriate, to protect the Complainant and witnesses against victimisation and discrimination and mental or physical distress.

**17. TERMINATION OF INQUIRY**

The ICC may terminate the inquiry or give an ex-parte decision if the Complainant or Respondent respectively is absent for three (3) consecutive hearings, without reason. At least fifteen (15) days written notice to be given to the party before termination or ex-parte order.

**18. COMPLAINT UNSUBSTANTIATED**

- i. If the Committee arrives at the conclusion that the allegation against the Respondent has not been proved, it shall recommend to the Employer that no action is required to be taken in this matter.
- ii. Further, the committee shall ensure that both parties understand that the matter has been fully investigated and concluded, and neither party will be disadvantaged within the Company as a result of this investigation.

**19. CRIMINAL PROCEEDINGS**

Where such conduct amounts to a specific offence under the Indian Penal Code or under any other law, the Employer shall initiate appropriate action in accordance with law by filing a complaint with the appropriate authority.

**20. LEGAL COMPLIANCE**

In each calendar year, the Committee shall prepare an Annual Report giving a full account of its activities during the previous year. A copy of this report shall be forwarded to the Employer and the District Officer (as defined in the Act). The report shall include 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 90 days,
- Number of workshops or awareness programs conducted against Sexual Harassment
- Nature of action taken by the Employer or District Officer.

**21. CONFIDENTIALITY**

- i. Given the sensitive nature of cases of sexual harassment and their impact on both the Complainant as well as the Respondent, the Company is committed to maintaining strict confidentiality in relation to such complaints and the resultant enquiry.
- ii. All proceedings, including the statements and other material presented as evidence before the Committee, shall remain strictly confidential. The members shall not divulge the details to any other Employee within the Company or to any person outside the Company. This includes minutes of the Committee meetings, findings, recommendations, decisions of the Committees and any document or any verbal communication.

- iii. Any person (including the complainant, witnesses, accused or the committee members or other involved employees in such discussions) who breaches confidentiality shall be subject to disciplinary action.

**22. DOCUMENTATION**

- i. The Committee shall keep complete and accurate documentation of the complaint, its investigation and the resolution thereof.
- ii. The incident would be documented in both the complainant and the accused's files with the full report of the Complaints Committee.

**23. COMPLAINTS MADE WITH MALICIOUS INTENT**

- i. This policy has been developed as a tool to ensure that in the interest of justice and fair play, all employees have a forum to approach in the event of instances of sexual harassment.
- ii. However, if on investigation it is revealed that the complaint was made with malicious intent and with the motive of maligning the concerned individual or tarnishing their image in the Company and to settle personal/professional scores, strict disciplinary action will be taken against the complainant.

While deciding malicious intent, the committee should consider the mere inability to substantiate a complaint need not imply malicious intent. Malicious intent must be clearly established through a separate inquiry.

**24. APPEAL**

In case the inquiry process is conducted by the ICC, and the Complainant is a woman, 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.

**25. POLICY REVIEW & MODIFICATION**

The provisions of this Policy can be altered, added to, varied, or substituted from time to time in order to comply with any laws/rules/regulations that come into effect from time to time related to Sexual Harassment at the workplace. Additionally, changes can be made at any time at the discretion of the Company.

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**Note: This policy has been approved by the Board of Directors of the Company at its meeting held on September 3, 2024 and shall be effective from September 3, 2024.**

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