

THE PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE
("POLICY")

A. Introduction

This policy is formulated, approved, and adopted by the Board of Directors of Onsurity Technologies Private Limited ("**Company**") in terms of the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, as may be amended from time to time ("**Act**") read with Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 ("**Rules**"), but goes one step forward in recognizing and addressing vulnerabilities of all genders. To this effect the Policy is gender neutral, this means that any person irrespective of their gender may file a complaint under this Policy and the complaint may be filed against any person irrespective of their gender. The Policy may be amended from time to time as provided under the Act, Rules, and any applicable laws.

B. Scope

The policy shall be applicable and extend to all the persons who are present at the Workplace of the Company including but not limited to employees, trainees, probational employees, consultants, third-parties, vendors, and visitors.

C. Definitions

- I. "Aggrieved Person" shall mean in relation to the Workplace, a person (woman/man/third-gender) who:
 - a. being an employee, alleges to have been subjected to any act of sexual harassment by another person associated with the Company through an employment/service contract;
 - b. being an employee, alleges to have been subjected to any act of sexual harassment during the course of employment by another person associated with the Company through an employment/service contract
 - c. not being an employee of the Company, alleges to have been subjected to any act of sexual harassment by a person associated with the Company under an employment/service contract or partnership agreement, in the course of performance of his/her duty at the Workplace
- II. "**Board**" shall mean the Board of Directors of the Company.
- III. "**Employer**" shall mean the Company, or any Director, Officer or any other person authorized by the Board in this regard.

- IV. **“Internal Complaints Committee”** or **“ICC”** shall mean the Internal Complaints Committee formed under this Policy.
- V. **“Member”** shall mean the Member of the Internal Complaints Committee formed under this Policy.
- VI. **“Policy”** shall mean this Prevention of Sexual Harassment of Women Policy including its Annexure and exhibits and such other documents forming part of the Policy.
- VII. **“Respondent”** shall mean such person against whom a complaint has been made.
- VIII. **“Sexual Harassment”** means any one or more of the following unwelcome acts or behaviour:
- a. Physical contact and advances; or
 - b. A demand or request for sexual favours; or
 - c. Making sexually coloured remarks; or
 - d. Showing pornography; or
 - e. Any other unwelcome physical, verbal, non-verbal conduct of sexual nature.
- Further, the following circumstances (including but not limited to) may amount to sexual harassment if it occurs or is present in relation to any other act of Sexual Harassment:
- a. Implied or explicit promise of preferential treatment in employment; or
 - b. Implied or explicit threat of detrimental treatment in employment; or
 - c. Implied or explicit threat about present or future employment status; or
 - d. Interference with work or creating an intimidating or offensive or hostile work environment; or
 - e. Humiliating treatment likely to affect health or safety.
- IX. **“Workplace”** shall mean the office premises of the Company including the registered office, corporate office, branch office, parking space, transportation provided by the Company, any place visited by the employee arising out of or during the course of employment and any such area, building, place or space as may be specified by the Company in this regard or as prescribed in the Act.

Interpretations:

- a. Unless the context otherwise requires, words denoting the singular shall include the plural and vice versa and words importing a particular gender shall include all genders;
- b. A reference to a clause, annexure or schedule is, unless indicated to the contrary, a reference to a clause, annexure or schedule to this Policy;
- c. References to this Policy shall be construed to include any reference to Annexure to this Policy;

d. The words “other”, or “otherwise” and “whatsoever” shall not be construed *ejusdem generis* or be construed as any limitation upon the generality of any preceding words or matters specifically referred to; and

e. In addition to the terms defined in the description of the Parties: (a) all capitalized words and expressions defined by inclusion in quotation and / or parenthesis anywhere in this Policy shall have the same meaning as ascribed to such words and expressions; and (b) unless the context otherwise requires, the terms and expressions defined shall bear the meanings as set out in the Act and the Rules..

D. Prohibition of Sexual Harassment at the Workplace

The Employer has a “zero-tolerance” approach to any instance of Sexual Harassment. Sexual Harassment of employee’s at the Workplace, whether during or after office hours, is strictly prohibited under law and this Policy.. It is clarified that “**Workplace**” also includes any place visited by an employee arising out of or during the course of employment, including transportation provided by the Employer.

E. Internal Complaints Committee

The Employer has constituted an Internal Complaints Committee to investigate into allegations of Sexual harassment at the Workplace. The Employer reserves the right to add to, remove or replace the Internal Complaints Committee members from time to time.

The members of the Committee shall hold office for not more than 3 years. The external member shall be entitled to fees or allowances as per Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 and as amended from time to time.

Structure of Internal Complaints Committee (To be Constituted and Displayed on Notice Boards of All Offices:

<u>Designation</u>	<u>Description of Member</u>
Presiding Officer	Woman employed at a senior level at the Workplace from amongst the employees.
Members	Not less than 2 members from amongst employees. These members must be committed to the cause of women or must have had experience in social work or legal knowledge.

External Member	From an NGO or association committed to the cause of women or person familiar with issues relating to Sexual Harassment.
------------------------	--

The constitution, working, manner of disposal is briefed in this policy and detailed herein as Annexure A to this Policy.

F. Dissemination

The Policy including the Annexure(s) shall be mandatorily provided to every employee at the time of joining the Company and the employee shall acknowledge that he/she has read the contents of the Policy and has fully understood the Policy. The format of this undertaking/acknowledgment is set out in Annexure B to this Policy.

Further, the details of the ICC and such details as specified in the Act shall be displayed prominently at a conspicuous place in the office premises of the Company.

G. Complaint

An Aggrieved Person who alleges to have been subjected to any act of Sexual Harassment at the Workplace may make a complaint to the ICC. The Aggrieved Person may request that Internal Complaints Committee to provide reasonable assistance for making the complaint in writing via email or hard copy (along with the supporting documents and list of witnesses, if any). In case the Aggrieved Person is under any physical or mental incapacity, the complaint can be made by the legal heir or any other person authorized in writing by the Aggrieved Person. The complaint should be made in writing or via email to the ICC as soon as possible, not later than 3 months from the date of occurrence of the incident alleged to constitute Sexual Harassment (in case of a series of incidents, within a period of 3 months from the date of the last incident). Hard copy complaints should be submitted to the Chairperson of the ICC and email complaints should be sent to "icc@onsurity.com". All complaints, whether in hard-copy or email form, should be clear and should include details of the incident or incidents, supporting documents, names of individuals involved and the name and addresses of the witnesses. The ICC may extend the time limit not exceeding three months, if it is satisfied that there were unavoidable circumstances which prevented the Aggrieved Person from filing a complaint within the said period.

Any manager or employee who becomes aware of an incident of Sexual Harassment should promptly report the same to the ICC.

If the Aggrieved Person would like to initiate action under the Indian Penal Code, 1860 (IPC), he/she may inform the ICC of the same, and the Employer shall provide necessary assistance to file such complaint.

H. Conciliation

Before the ICC initiates an inquiry into the complaint, Aggrieved Person may request the ICC to settle the matter between the Aggrieved Person and the Respondent through conciliation before initiating the inquiry. However, no monetary settlement shall be made the basis of such conciliation. In the event a settlement has been reached, further inquiry shall not be conducted.

I. Inquiry

All claims of sexual harassment will be promptly and thoroughly investigated by in accordance with the principles of natural justice and other provisions of the law. Neither the Aggrieved Person nor the Respondent shall be allowed to bring in any legal practitioner to represent them in their case at any stage of proceedings before the ICC.

The ICC shall submit an enquiry report to the Employer's authorized representative upon conclusion of the inquiry. The report of the ICC shall be deemed to be the enquiry report for purposes of any disciplinary rules applicable to the Respondent. Where the ICC determines that the allegation against the Respondent has been proved, it may recommend to the Employer to take action for sexual harassment in accordance with the provisions of the Employer's applicable policies.

J. Confidentiality

Complaints of sexual harassment shall be treated with sensitivity and confidentiality. Contents of the complaint, the identity and addresses of the complainant, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the ICC and the action taken by the Employer shall be treated as confidential.

If any person entrusted with the duty to handle the complaint, inquiry or any recommendations of the ICC, contravenes his/her confidentiality obligation, he/she shall be liable to disciplinary action, in accordance with the provisions of the Employer policies, as applicable.

K. Internal Complaints Committee

The Internal Complaints Committee is constituted with below members, who may be updated from time to time:

Designation	Name of the Member	Email-id	Phone Number
Presiding Officer	Ms. Harshita Kumar	harshita.kumar@onsurity.com	9742195419
Member	Mr. Yogesh Agarwal	yogesh@onsurity.com	9748975590
Member	Mr. Dinesh Menon	dinesh@onsurity.com	9845807000
Member	Ms. Akshada Kardile	akshada@onsurity.com	8805767761
External Member	Mr. Raina Varma	rainavrm@gmail.com	9987719449

Issued By:

Onsurity Technologies Private Limited



Name and Designation: Dinesh Menon, Founders Office

ANNEXURE-A

Working Rules for Internal Complaints Committee

In pursuance of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Rules framed there under, the Company hereby adopts the following procedure for determining complaints filed to the ICC constituted under the Act. The procedure complies with the basic principles of natural justice and fair play and has to be adhered to in all complaints, though, in individual complaints, for reasons to be stated in writing, the ICC reserved the right to make exceptions to the procedure stated hereunder.

1. Any Aggrieved Person may make, in writing, a complaint of sexual harassment at Workplace to the ICC, within a period of 3 (three) months from the date of incident and in case of a series of incidents, within a period of 3 (three) months from the date of last incident. 6 copies of a written complaint should be submitted to the ICC or any of its members along with list of witnesses, if any and supporting documents. Additional documents and list of witnesses can be submitted to ICC at a later stage during the proceeding.

Provided that where such complaint cannot be made in writing, the Presiding Officer or any other member of the ICC shall render all reasonable assistance to the Aggrieved Person for making the complaint in writing.

Provided further that the ICC for the reasons to be recorded in writing, can extend the time limit not exceeding 3 (three) months, if it is satisfied that the circumstances were such which prevented the Aggrieved Person from filing a complaint within the said period.

2. Any complaint, received by the members of the ICC should be immediately forwarded to the Presiding Officer, and this must be notified to committee members at the earliest and not later than three (3) days and a meeting should be called for discussing the matter.

3. The Internal Complaints Committee shall discuss and decide on its jurisdiction to deal with the case or reject the complaint prima facie and recommend to the Company that no action is required to be taken in the matter.

4. Notice shall be issued to the Respondent within 7 (seven) working days of receipt of the complaint and 10 (ten) working days shall be given for submission of reply (along with the list of witnesses and documents).

5. The Internal Complaints Committee will provide assistance to the Aggrieved Person, if she so chooses, to file a police complaint in relation to an offence under the Indian Penal Code.
6. The Internal Complaints Committee may, before initiating an inquiry, at the request of the Aggrieved Person, take steps to settle the matter between her and the Respondent through conciliation.
7. No monetary settlement shall be made as the basis of conciliation. Where a settlement has been arrived at, the Internal Complaints Committee shall record the settlement so arrived and forward the same to the Employer for necessary compliance.
8. The Internal Complaints Committee shall provide the copies of the settlement as recorded under (7) to the Aggrieved Person and the Respondent. Where a settlement is arrived at, no further enquiry shall be conducted by the Internal Complaints Committee.
9. If conciliation is found to be not feasible, notice will be issued to both parties for hearing.
10. The Internal Complaints Committee may direct the Registrar to ensure safety and protection of the Aggrieved Person if and when required.
11. As an interim measure, ICC may recommend:
 - a. The transfer of the Aggrieved Person or the Respondent to another section or Department as deemed fit by the ICC; or
 - b. Grant leave to the Aggrieved Person up to a period of 3 (three) months; or
 - c. Restrain the Respondent from exercising any administrative authority or supervision or academic evaluation of the Aggrieved Person; or
 - d. Grant such other relief to the Aggrieved Person as the case may require.
12. The Internal Complaints Committee shall proceed to make inquiry into the complaint in accordance with the provisions of the service rules applicable to the Respondent considering sexual harassment as misconduct.
13. The Presiding Officer shall convene the first hearing of the inquiry. The Respondent, the Aggrieved Person and the witnesses shall be intimated at least 7 (seven) working days in advance in writing of the date, time and venue of the enquiry proceedings. The subsequent proceedings may be on a day-to-day basis, to be decided by ICC. Minimum of three members have to be present for every hearing of the enquiry.

14. The ICC shall provide reasonable opportunity to the Aggrieved Person and the Respondent for presenting and defending her/his case.

15. The ICC may at any time during the enquiry proceedings, preclude the face to face examination of the Respondent and the Aggrieved Person and/or their witnesses keeping in view the need to protect the Aggrieved Person or the witnesses from facing any serious health and/or safety problems.

16. The ICC may call any person to appear as a witness if it is on the opinion that it shall be in the interest of justice. The Aggrieved Person /Respondent has to submit the written reply before the committee within the specified time given.

17. The ICC shall have the right to summon, as many times as required, the Respondent, Aggrieved Person and/or any witnesses for the purpose of supplementary testimony and/or clarifications.

18. The ICC shall have the power to summon any official papers or documents pertaining to the Aggrieved Person as well as the Respondent.

19. The past sexual history of the Aggrieved Person shall not be probed into as such information shall be deemed irrelevant to a complaint of a sexual harassment.

20. The ICC shall have the right to terminate the enquiry proceedings and to give an ex-parte decision on the complaint, should the Respondent fail, without valid ground, to be present for 3 (three) consecutive hearings convened by the Presiding Officer. Such termination or ex-parte decision cannot be passed without giving an advance of 15 (fifteen) days' notice in writing to the concerned party.

21. The Aggrieved Person and the Respondent, or any one person on her/his behalf, shall have the right to examine written transcripts of the recordings with the exclusion of witnesses' names and identities. No person who has been found guilty of the sexual harassment shall be accepted as a nominee. The Aggrieved Person /Respondent should inform the Presiding Officer specifically if they wish to exercise this right. The Presiding Officer shall allow access to such documents on a specific date to be intimated at least two (2) days in advance to each of the parties concerned. At no point in time, however, can the concerned parties take these documents outside the office.

22. The Aggrieved Person and the Respondent shall be responsible for presenting their witnesses before the ICC. However, if the Committee is convinced that the absence of either of the parties to the dispute is on valid grounds, the ICC shall adjourn that particular meeting if the ICC for a period not exceeding 5 (five) days. The meeting so adjourned shall be conducted thereafter, even if the person concerned fails to appear for the said adjourned meeting without prior intimation/valid ground.

23. All proceedings of the ICC shall be recorded in writing. The record of the proceedings and the statement of witnesses shall be endorsed by the persons concerned as well as the members of the ICC present in token authenticity thereof. In case the minutes cannot be reduced in writing the same day, as audio recording of the proceedings may be made, and the written proceedings will be authenticated on a next available opportunity.

24. If the Aggrieved Person desires to tender any documents by way of evidence, the ICC can shall supply true copies of such documents to the Respondent. Similarly, if the Respondent desires to tender any documents in evidence, the ICC shall supply true copies of such documents to the Aggrieved Person.

25. In the event the ICC thinks that supplementary testimony is required, the Presiding Officer shall forward to the persons concerned a summary of the proceedings and allow for a time period of seven (7) days to submit such testimony, in person or in writing, to the Committee.

26. The Aggrieved Person and the Respondent shall have the right of cross-examination of all witnesses. However, such cross-examination shall be conducted in the form of written questions and responses via ICC only. The Respondent shall have no right to directly cross examine the Aggrieved Person or his/her witnesses.

27. The Respondent/ Aggrieved Person may submit to the ICC, a written list of questions that he/she desires to pose to the Aggrieved Person /witness. The ICC shall retain the right to disallow any questions that it has reasons to believe to be irrelevant, mischievous, slanderous, derogatory or gender-insensitive.

28. After concluding its investigation, the Internal Complaints Committee shall submit a detailed reasoned report to the Company.

29. If the ICC finds no merit in the allegations, it shall report to the Company.

30. In the event the ICC finds that the allegation(s) against the Respondent have been proved, it shall recommend the nature of action to be taken by the Company. The following actions may be recommended:

- a. A written apology; or
- b. Warning; or
- c. Reprimand or censure; or
- d. Withholding of promotion; or
- e. Withholding of pay rise or increments; or
- f. Undergoing a counselling session; or
- g. Carrying out of community service; or
- h. Terminating the Respondent from service; or
- i. Any other punishment according to the service rules applicable to the Respondent.

31. When the ICC arrives at the conclusion that the allegation against the Respondent is malicious or the Aggrieved Person or any other person making the complaint has made the complaint knowing it to be false or the Aggrieved Person or any other person making the complaint has produced any forged or misleading document, it may be recommended to the Company to take action against such falsification as prescribed under clause 30 of the schedule.

32. Nothing precludes the Company authority from taking cognizance of any new fact or evidence which may arise or be brought before it during the pendency of the inquiry proceedings or even after the communication of the findings to appropriate Company authorities.

33. If the allegation(s) is/are proved against the Respondent, the Committee may direct the Company to ensure the payment of compensation to the Aggrieved Person by the respondent. The determination of compensation to the Aggrieved Person shall be decided based on the following facts:

- a. The mental trauma, pain, suffering and emotional distress caused to the Aggrieved Person;
- b. The loss of career opportunity due to the incident of sexual harassment;
- c. Medical expenses incurred by the victim for physical or psychiatric treatment;
- d. The income and financial status of the Respondent;
- e. Feasibility of such payment in lump sum or in instalments.

34. The Company authorities will file a compliance report to the ICC within 30 (thirty) days of issuance of such recommendation.

35. ICC shall have the necessary powers to take suo-moto notice of incidents of sexual harassment and/or gender injustice in the Company premises and act against the same in such manner as it deems appropriate.

36. The identity of the Aggrieved Person, Respondent, witnesses and proceedings of the ICC and its recommendations and the action taken by the Company shall not be published, communicated or made known to the public, press or media in any manner, unless otherwise required by applicable law.

37. No legal practitioner will be allowed to represent the Aggrieved Person or the Respondent in proceedings before the Internal Complaints Committee.

38. The ICC has the powers of a civil court as under the Code of Civil Procedure, 1908 in the following cases:

- a. Summoning and enforcing the attendance of any person related to the incident;
- b. Requiring the discovery and production of any documents;
- c. Any other matter relating to the incident as decided by the ICC from time to time.

39. The Aggrieved Person or Respondent, within ninety (90) days from passing of the order, may prefer an appeal to the competent authority.

40. The Internal Complaints Committee is required to submit an annual report with the following details:

- a. Number of sexual harassment complaints received in a year;
- b. Number of complaints disposed off during the year;
- c. Number of cases pending for more than ninety days;
- d. Number of workshops or awareness programme against sexual harassment carried out;
- e. Nature of action taken by the Employer or District Officer.

ANNEXURE B

To,

The HR Department
Onsurity Technologies Private Limited

I hereby declare that I have fully read and completely understood the POSH Policy. I hereby undertake that I will completely abide by the POSH policy in all its essence and failure to abide it will result in disciplinary actions as stated in the POSH Policy.

Name of Employee:	Monu kumar
Employee ID :	ONSI0067
Department:	Engineering
Date:	<u>16-01-2023</u>
Signature of Employee:	<i>monu.kumar</i>
Place	BANGALORE