

PROTECTION OF WOMEN AGAINST SEXUAL HARASSMENT AT WORKPLACE - POSH



PROTECTION OF WOMEN AGAINST SEXUAL HARASSMENT AT WORKPLACE

OUR COMMITMENT


PropShare Investment Manager Private Limited (hereinafter referred to as the “Company”) is committed to providing a work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment. We are also committed to promoting a work environment of equal opportunity and a harassment free workplace notwithstanding race, caste, religion, ancestry, marital status, gender, sexual orientation, age, nationality, ethnic origin or disability, as the case may be. The Company will not tolerate any form of sexual harassment and is committed to taking all necessary steps to ensure that its employees are not subjected to any form of harassment or discrimination. This policy applies to all group entities.

OUR FOUNDATION

The Company is committed to provide equal opportunity and a harassment free workplace notwithstanding race, caste, religion, colour, ancestry, marital status, gender, sexual orientation, age, nationality, ethnic origin or disability, as the case may be. Thus in order to create such a safe and conducive work environment, this code and policy has been framed, in line with the provisions of the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” of India (hereinafter referred to as the “Act”) and existing rules framed thereunder namely the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 (hereinafter referred to as the “Rules”) and adopted by order of the Company management dated 05th December, 2024 (“**Policy**”). Accordingly, while this 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.

PURPOSE

Purpose of this Policy is to provide protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it. Sexual Harassment creates not only an insecure and hostile environment but also



affects the woman's performance at work. It also affects their social and economic growth and puts them through a lot of physical, emotional and psychological stress.

This Policy applies to all employees and staff (full-time, part-time, interns and those on contractual assignments) of the Company and its schemes it may undertake.

This Policy is applicable while the employees are in the office premises, on duty as well as at the clients' premises. This Policy also extends to women who are not employed in PropShare but are visiting the workplace or employed in a workplace where company-related activities are performed.

The Company will not tolerate sexual harassment if engaged in by clients or by suppliers or vendors or any other business associates.

DEFINITIONS

In this Policy, the following capitalized terms shall have the meanings respectively assigned to them:

- **“Act”** shall mean the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013;
- **“Aggrieved Woman”** shall mean a woman of any age, regardless of whether she is employed or not, allegedly subject to an act of Sexual Harassment by the Respondent.
- **“Company”** means PropShare Investment Manager Pvt Ltd and its schemes and group companies.
- **“Employee”** shall mean a person employed at a Workplace on a regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with or without the knowledge of the 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 such other name;
- **“Employer”** shall mean anyone who is responsible for management, supervision and control of the workplace, including but not limited to any whole time Director of the Company;

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- **“Internal Committee”** shall mean the internal complaints committee constituted at each administrative unit or office of the Workplace by the Employer’s order dated [·], annexed herewith;
 - **“Respondent”** shall mean the person against whom the Aggrieved Woman makes a complaint of Sexual Harassment at a Workplace;
 - **“Rules”** shall mean the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 or any other rules made by the Central Government under the Act;
 - **“Sexual Harassment”** may be one or a series of incidents involving unsolicited and unwelcome sexual advances, requests for sexual favours, or any other verbal or physical conduct of sexual nature;

Sexual harassment is one type of harassment and would mean and include, but are not limited, to any of the following:

- Use of slurs, epithets, and words that degrade an individual, sexually coloured remarks, even when used as a joke. Sexually colored remarks include verbal abuse or jokes of a sexual nature that are considered unwelcome by another individual. For example, comments about an individual’s body or appearance where such comments are beyond mere courtesy, sharing filthy humor that are clearly unwelcome and considered offensive or any other tasteless or sexually - oriented comment, innuendo or action that offends anyone who can hear or can be expected to hear or see such abuse, jokes or remarks.
- Unwelcome advances, demands or requests for sexual acts or favours, and other verbal or physical conduct of sexual nature, such as flirting, touching and graphic comments about another person’s dress or body.
- Display/ storage of cartoons, photographs, drawings, pin-ups, posters, calendars, screen savers or images that are offensive or degrading to others.
- Conduct which has the purpose of substantially interfering with an individual’s work performance or which creates an intimidating, hostile or offensive work environment.
- Eve teasing, innuendos and taunts, physical confinement against one’s will or any such act likely to intrude upon one’s privacy.

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- Humiliating treatment likely to affect her health or safety.

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;

“Workplace” shall include:

1. All offices or other premises where the Company’s business is conducted.
2. All Company-related activities performed at any other site away from the Company’s premises.
3. Any social, business or other functions sponsored by the Company, where the conduct or comments may have an adverse impact on the workplace or workplace relations.
4. Any place visited by the employee arising out of or during employment

ROLES AND RESPONSIBILITIES

Responsibilities of Individual Employees: It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:

1. Refusing to participate in any activity which constitutes harassment
2. Supporting the person to reject unwelcome behavior
3. 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 at the Company 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; those complaints will be taken seriously; and



that the complainant, respondent/s, or witnesses are not victimized in any way.

In addition to the above, the Company shall also:

- (i) organize workshops and sessions for all employees in order to sensitize employees about this Policy;
- (ii) create awareness about the importance of creating a workplace that is safe;
- (iii) provide an environment that is free of sexual harassment;
- (iv) display at any conspicuous place in the workplace, the penal consequences sexual harassments;
- (v) provide necessary facilities to the Internal Committee;
- (vi) assist in securing the attendance of respondent and witness before the Internal Committee or the Local Committee, as the case maybe;
- (vii) make available such information to the Internal Committee, as it may require having regard to the complaint made under sub-section (1) of section 9 of the Act;
- (viii) treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;
- (ix) monitor the timely submission of reports by the Internal Committee.

FORMAL INTERVENTION

In compliance with the Act, if the complaint 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.

INTERNAL COMMITTEE

The Internal Committee has been constituted by the Management to consider and redress complaints of Sexual Harassment and General Harassment of Employees. It must be noted here Internal Committee is vested with the same powers as in a civil court under the Code of Civil Procedure, 1908 in respect of:

Summoning and enforcing the attendance of any person related to the incident. Requiring the discovery and production of any documents

Any other matter relating to the incident as decided by the Committee from time to time

At least one half of the total members of the Internal Committee shall be women and the Internal Committee shall comprise of 6 (six) members–

1. 3 (Three) internal female employees comprising of 1 (one) presiding officer, who shall be a woman employed at a senior level in the organization
2. 1 (one) senior male employee,
3. 1 (one) External member either from NGO / legal practitioner, familiar with the issues relating to sexual harassment

The details of Presiding Officer and Members of the Committee are mentioned in "**Annexure - A**" of this Policy.

The Internal Committee is responsible for:

1. Receiving complaints of Sexual Harassment at the Workplace
2. Initiating and conducting inquiry as per the established procedure
3. Submitting findings and recommendations of inquiries
4. Coordinating with the employer in implementing appropriate action
5. Maintaining strict confidentiality throughout the process as per established guidelines
6. Submitting annual reports in the prescribed format

DISQUALIFICATION OF THE COMMITTEE MEMBER

A member of the Internal Committee shall cease to hold office if she/he ceases to be an employee of the Company. Further, a members shall be disqualified if she/he is:

1. Breaches confidentiality regarding information related to a case.
2. Is convicted of an offence or an inquiry into the offence is pending
3. Convicted for an offence or an inquiry into an offence under any law for the time being

in force is pending against him/her

4. Found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him/her

In the event of any disqualification, resignation, or termination of appointment (by the Company) of any member, the Company shall, with respect to an outgoing member, forthwith notify a substitute and shall, make best efforts to find a suitable member as quickly as possible.

REDRESSAL PROCEDURE

The Aggrieved Woman making the (“**Complainant**”) needs to submit a detailed complaint, along with any documentary evidence available and names of witnesses, to any of the Internal Committee members at the workplace.

The complaint must be lodged **within 3 (three) months** from the date of the incident or in case of a series of incidences, from the date of the last such incident. The Internal Committee can extend the timeline by another 3 (three) months for reasons recorded in writing, if satisfied that these reasons prevented the lodging of the complaint.

Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the Internal 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 on account of her incapacity, the following may do so on her behalf:

- Legal heir,
- Relative or friend Co-worker
- Any person having the knowledge of the incident

If the initial complaint is made to a person other than an Internal Committee member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the Internal Committee immediately.

HOW TO RECEIVE THE COMPLAINTS



Dealing with incidents of Sexual 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.

- Complaints are listened to and the complainant informed that the Company takes the concerns seriously. Complainant is informed that these concerns will be reported to the appropriate committee and follow up will be done speedily.
- Situations are not to be pre-judged.
- Written notes are taken while listening to the person.

Complainant is allowed to bring another person to the meeting if they wish. When taking accurate notes, Complainants own words, where possible, are to be used. Clear description of the incident in simple and direct terms is prepared and details are confirmed with the Complainant.

1. All notes are kept strictly confidential. Complainant's agreement is taken to allow proceeding with the matter, which involves a formal investigation.
2. 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.

MALA FIDE COMPLAINTS

If the investigation reveals that the Complainant had raised the concern with malicious intent or that the Complainant/witness provided forged documents, severe punishments will be extended not only to the accused but also to the witnesses for the falsification.

The HR Head will counsel the Complainant and recommend suitable action to prevent recurrence while ensuring the Complainant is not victimized or other Employees deterred from raising concerns in the future.

However, if the Internal Committee finds that the complaint is just and falls under the purview of Sexual Harassment, the Internal Committee shall proceed to appropriate resolution

procedure.

RESOLUTION THROUGH CONCILIATION

Once the complaint is received, before initiating the inquiry, the Internal Committee may take steps to conciliate the complaint between the Complainant and the respondent in the manner provided under Section 10 of the Act. This is only if requested by the Complainant.

It is made clear to all parties that conciliation in itself doesn't necessarily mean acceptance of complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings cleared. It must be noted here that no monetary settlement shall be made as the basis of conciliation.

In case a settlement is arrived at, the Internal Committee shall record the details of the settlement and report the same to the employer for taking appropriate action. Monetary settlement cannot be made on the basis of such conciliation.

The Internal Committee shall also provide copies of the settlement to the Complainant and respondent. Once the action is implemented, no further inquiry is conducted.

Resolution through conciliation shall be completed within 2 weeks of receipt of complaint.


RESOLUTION THROUGH FORMAL INQUIRY

The Internal Committee initiates inquiry in the following cases:

- No conciliation is requested by aggrieved woman
- Conciliation has not resulted in any settlement
- Complainant informs the Internal Committee that any term or condition of the settlement arrived through conciliation, has not been complied with, by respondent

INQUIRY PROCEDURE

At the time of filing, six copies of the complaint and its supporting documents, and the names and addresses of witnesses shall be submitted to the Internal Committee.



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- Upon receipt of the complaint, the Committee sends 1 copy of the complaint to respondent within 7 (seven) working days
 - The Respondent shall file his reply along with supporting documents and the names and addresses of his witnesses within 10(ten) days of receipt of the complaint.
 - No legal practitioner can represent any party at any stage of the inquiry procedure
 - Non-disclosure undertakings shall be signed by the persons appearing before the Internal Committee, agreeing to maintain strict confidentiality
 - The Internal Committee shall make an 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 and the External member shall be present. All proceedings of the inquiry shall be documented.
 - The Committee shall interview the respondent separately and impartially. The Internal Committee shall state exactly what the allegation is and who has made the allegation. The respondent is given full opportunity to respond and provide any evidence etc.
 - Detailed notes of the meetings shall be prepared which may be shared with the respondent and Complainant upon request.
 - Any witnesses produced by the Complainant and respondent are also interviewed and statements are taken. If the Complainant or respondent desires to cross examine any witnesses, the Internal Committee shall facilitate the same and record the statements.
 - In case a Complaint or respondent seeks to ask questions to the other party, they may provide the questions to the Internal Committee. The Internal Committee will ask the questions and record the statement of the other party.
 - The Internal Committee shall have the right to terminate the inquiry or give an *ex-parte* order if either the complainant or Respondent fail to be present for three consecutive hearings without sufficient cause. Prior to such termination or *ex-parte* order, a 15 (fifteen) day notice shall be given to the parties.
 - Any such inquiry shall be completed, including the submission of the Inquiry Report, within 90 (ninety) days from the date on which the inquiry is commenced. The inquiry procedure shall ensure absolute fairness to all parties.

INTERIM MEASURES

During process of the inquiry, on a written request made by the Complainant, the Internal Committee may recommend to the employer to –

- Transfer the Complainant or the respondent to any other team / location
- Grant leave to the Complainant for a maximum of 3 (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


ACTIONS TO BE TAKEN AND CONSIDERED POST 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. 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.

However, if the committee arrives at the conclusion that the allegation against the respondent has been proven, it recommends to the employer to take necessary action on the basis of the severity and gravity of the proven allegations which may include but are not limited to:

- Counselling
- Apology to be tendered by respondent
- Written warning
- Withholding promotion and/or increments /or loss of pay
- Suspension
- Termination of employment
- Or any other action that the Management may deem fit.

In the event that the Internal Committee finds beyond reasonable doubt that the Respondent was falsely accused by Complainant or that any evidence in relation to the complaint was falsified, the Internal Committee may recommend to the Employer to take action against such



Complainant.

CONFIDENTIALITY

This Policy and the law also prohibit any person including Internal Committee members from publishing, communicating or making known to the public, press and media in any manner, contents of the complaint, the identity and addresses of the Aggrieved Woman, respondent and witnesses, any information relating to conciliation and inquiry proceedings, or recommendations of the Internal Committee during the proceedings under the provisions of the Act/ this Policy. Any violation thereto shall also be subject to applicable disciplinary action. Further Employer shall impose monetary sanctions as per provisions of the Act and Rules.

However, this does not prevent or restrict the ability of the Internal Committee members from performing their duties and responsibilities to investigate any complaint.

PROTECTION TO COMPLAINANT/AGGRIEVED WOMAN

The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal.

Any reprisal will be subject to disciplinary action. The Company will ensure that the Aggrieved Woman or witnesses are not victimized or discriminated against while dealing with complaints of Sexual Harassment. However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

DISCIPLINARY ACTION

Pursuant to written recommendation to the Employer on the basis of report and findings of the Internal Committee and subject to the final outcome of the appeal proceedings, if any, necessary disciplinary proceedings may be initiated against the respondent.

Annexure – A

INTERNAL COMMITTEE MEMBERS DETAILS

S	Name	Role	Mobile No	Email id
1	Rijvi Selva Raj	Presiding Officer	9886220430	rijvi.selvraj@propertyshare.in
2	Madhuri R	Member	7349192299	madhuri.r@propertyshare.in
3	Unnathi Shetty	Member	7259633142	unnathi.shetty@propertyshare.in
4	Ganesh Babu Arunachalam	Member	9742397081	ganesh.arunachalam@propertyshare.in
5	Adv : Beaula Jemima	External Member	9845670279	beaulajemima@gmail.com