



Prevention, Prohibition and Redressal of Sexual Harassment at Workplace (POSH Policy)

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1. Background

- 1.1. Edelweiss Financial Services Limited (*Company/Edelweiss*) and all its group entities collectively referred to as Edelweiss Group (*Edelweiss Group*) are committed to establishing and maintaining a congenial, safe, and fair work environment that is free from discrimination, intimidation and sexual harassment of women at workplace. This policy of Edelweiss Group on prevention of sexual harassment of women at workplace viz. Policy on Prevention, Prohibition and Redressal of Sexual Harassment at Workplace (*POSH Policy*) is formulated on the aforesaid principles which are part of the cornerstone of the Edelweiss Group's philosophy and to ensure compliance with The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (*Act*) and the Rules notified thereunder along with all amendments from time to time. It is the responsibility of all those connected with Edelweiss Group to comply with the POSH Policy.

2. Applicability

- 2.1. The POSH Policy extends to all employees of Edelweiss Group and is deemed to be incorporated in the service conditions of all employees and extends to all the premises of the Edelweiss Group, including branches and other units directly or indirectly controlled by the Edelweiss Group. The procedure described in this POSH Policy apply to all complaints of sexual harassment made by an Aggrieved Person (defined below) provided the sexual harassment has taken place at Workplace (defined below) or in the course of official duties.

3. Acts or Behaviour that constitutes Sexual Harassment

- 3.1. Sexual harassment includes any one or more of the following unwelcome* acts or behaviour (whether directly or by implication**) namely:
 - physical contact and advances
 - a demand or request for sexual favours
 - making sexually coloured remarks
 - showing pornography or
 - any other unwelcome physical, verbal, or non-verbal conduct of sexual nature.

The inappropriate behaviours listed above may be committed either verbally or in written form via letters, video calls/audio calls, phone calls, texts, e-mails, on any

social media platform or through any other electronic communication.

- 3.2. The following circumstances, amongst others, which if they occur or are present in relation to or connected with any act or behaviour of sexual harassment, may 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 present or future employment status
 - interference with work or creation of an intimidating or offensive or hostile work environment; or
 - Humiliating treatment likely to affect the health and / or safety of the Aggrieved Women / Person
- 3.3. It is pertinent to clarify that workplace behaviour such as enumerated below may not constitute sexual harassment (the list is illustrative and not exhaustive):
 - a) following-up on work absences
 - b) requiring performance to job standards
 - c) the normal exercise of management rights
 - d) work-related stress e.g., meeting deadlines or quality standards; or
 - e) constructive feedback about the work mistakes and not the person.
- 3.4. Every Aggrieved Woman can directly approach the person perceived to be harassing her and request such behaviour be immediately stopped, before formally making a complaint of sexual harassment
- 3.5. *Unwelcome denotes unwanted, undesirable, and uninvited behaviour that makes a person feel uncomfortable. A behaviour or a gesture, while may be acceptable to one person, need not be acceptable and comfortable for another person. Intention of the person and/or motive behind the behaviour will not be considered when it comes to classifying/naming behaviour as sexual harassment. Sexual harassment cannot be justified and defended from this point of view. If the concerned person was offended, humiliated, or intimidated by the behaviour of the person or even felt so, it will fall within the purview of the POSH Policy. It is important how the concerned person perceives/understands /interprets the behaviour. Impact and effect of the sexual harassment on the concerned person is important and supersedes intent in this case.

**Sexual harassment can happen both in direct and / or indirect manner. It could, either be asking something in exchange (quid pro quo) and / or difficult, intimidating, and offensive work environment (hostile work environment) that interferes with the work and performance of the Aggrieved Women at work. It could be either before and / or after the incident of sexual harassment. The behaviour may, either be a single incident or a series of unwelcome behaviour.

4. IMPORTANT DEFINITIONS

4.1. "**Workplace**" shall mean all places where the organization's work is carried out. It does not only include physical workspaces but also spaces from where work is carried out remotely or virtually. For example:

- a) All offices or other premises where organization's business is conducted.
- b) All organization related activities performed at any physical or virtual site.
- c) Any social, business, or other functions taking place physically or virtually where the conduct or comments may have an adverse impact on the workplace or workplace relations.
- d) Any alleged act of sexual harassment committed during or outside of office hours using any mode of communication including video calls/audio calls, phone calls, text, e-mails, on any social media platform or through any other electronic communication etc.
- e) Any sexual harassment on any social networking website during or outside of office hours.
- f) Any place visited by Employee or arising out of or during employment with the organization, including transport services provided by organization for undertaking such journey, audio/video conferencing applications or any other communication related tools/applications. For example, Employees who are on overseas programs and trainings in course of their employment with the organization.

4.2. "**Employee**" means and includes a person employed by the Company/Edelweiss Group for hire or reward to do such work as may be express or implied for which salary is fixed and who is also eligible for benefits provided by the Company/Edelweiss Group, subject to the terms and conditions of the relevant benefit program. To this policy, coverage also includes part time, internal contracts, interns, consultants employed by Edelweiss.

4.3. "**Visitor**" or "**Third Party**" includes any person who is visiting the Workplace and is not covered by any of the other categories defined by this Policy. For example, guests coming for physical/online interviews, meetings, events, programs, or people walking in for meeting existing Employees, etc.

5. Who can file a complaint and against whom?

Any woman of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent ("Aggrieved Woman") and the term "Respondent" shall refer to the person (i.e., the Employee of the Organization as defined above) against whom the complaint of sexual harassment has been filed.

6. Constitution of the Internal Complaints Committee (Internal Committee/IC)

- 6.1. The process established for dealing with any incidents of sexual harassment in an appropriate and expeditious manner is as described herein.
- 6.2. Each entity of Edelweiss Group will, in accordance with and if required by the Act, have its own Internal Committee(s) as described herein. The Internal Committee(s) will be constituted as per the provisions of the Act and each Internal Committee(s) so constituted will undertake and perform all its functions on a standalone basis.
- 6.3. At all times, the IC shall comprise of the following:
 - a) A senior level woman Employee shall be appointed as Presiding Officer of the IC ("Presiding Officer"). The Presiding Officer shall automatically vacate her office upon ceasing to be Employee of Organization.
 - b) Minimum two (2) members of the IC will be appointed from amongst Employees ("Internal Members"). These members shall automatically vacate office upon ceasing to be Employee of the organization.
 - c) Minimum one (1) member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to Sexual Harassment ("External Member"). This member shall vacate office upon termination of contract with the organization.
 - d) At least one-half of the total members nominated to the IC shall be women.
- 6.4. The Presiding Officer, the external and internal members shall hold office for such period, as specified, not exceeding 3 (three) years from the date of their appointment as a member of the Internal Committee(s).
- 6.5. For the internal members and Presiding Officer, the position is ex officio i.e, upon ceasing to be an employee of Edelweiss, there will be automatic vacation of office from the relevant Internal Committee(s). In case of any extenuating circumstances, presiding officer in discussion with management may include any other senior member as IC / Presiding Officer for very sensitive cases. Such appointment would be done in case-to-case basis
- 6.6. No person who is a complainant, witness, or defendant in the complaint of sexual harassment will be a member of the Internal Committee(s) during the inquiry of the complaint.
- 6.7. The Internal Committee(s) members will make all efforts to regularly meet at the end of every quarter for the purpose of implementation of the POSH Policy and monitoring the progress made till date

6.8. An IC member shall be removed / replaced if the IC member:

- a) breaches confidentiality
- b) has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against them
- c) has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against them
- d) has abused their position as to render their continuance in office prejudicial to the public interest

Any vacancy created in the IC due to cessation of employment, resignation, death, disability, or removal, as applicable, shall be filled by a fresh nomination by the organization in accordance with its guidelines and in conjunction with provision of Act (where applicable).

7. Complaints on behalf of the Aggrieved Woman

7.1. If the Aggrieved Woman is unable to make a complaint on account of their physical incapacity, a complaint may be filed, with the written consent of the Aggrieved Woman by:

- a) their relative or friend; or
- b) their co-worker; or
- c) an officer of the National Commission for Women or State Women's Commission; or
- d) any person who has knowledge of the incident

7.2. If the Aggrieved Woman is unable to make a complaint on account of mental incapacity, a complaint may be filed by:

- a) their relative or friend; or
- b) a special educator; or
- c) a qualified psychiatrist or psychologist; or
- d) the guardian or authority under whose care they are receiving treatment or care; or
- e) any person who has knowledge of the incident jointly with the Aggrieved Woman's relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care they are receiving treatment or care.

7.3. If the Aggrieved Woman for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with their written consent. If the Aggrieved Woman is deceased, a complaint may be filed by any person who has knowledge of the incident, with the written consent of their legal heir.

7.4. Any of the persons referred to above, who may file a complaint on behalf of the Aggrieved Woman shall be referred to as the "**Complainant**." Any reference to the term 'Complainant' throughout this Policy shall mean reference to 'Aggrieved Woman' and / or the 'Complainant' as applicable.

8. The Resolution Process

When a Complainant becomes aware or perceives an incident of sexual harassment, she can report the same in writing either to her Reporting Authority (RA) or report it to any member of the Internal Committee(s) or the HR Head.

8.1. A written complaint must include, as far as possible, the following details:

- Name of the alleged offender including designation and contact numbers
- Date(s) and location(s) of the alleged incident(s) of harassment
- Detailed description of the incident(s) in question as well as other relevant circumstances. The written complaint/email must provide the details of the incident together with the name(s) of the alleged harasser(s) and the victim(s) as available
- Names of witnesses and physical and/or documentary proof if any that supports the allegation
- Must be signed and dated. No anonymous complaints will be accepted by the relevant Internal Committee
- Complaint should include all details of the Complainant including name, address, contact number department and location.
- The complaint must be made within 3 (three) months from the date of the incident and in case of a series of incidents, within a period of 3 (three) months from the date of the last incident.
- The concerned Internal Committee may, in its discretion, extend the time limit for filing a complaint (which extension will not, in any case, be more than 3 (three) months from the expiry of the above three months), if it is satisfied that the circumstances were such that they prevented the Complainant from filing a complaint within the time period of 3 (three) months.
- In case of receipt of a complaint, by the Management and/or the HR Head and/or the RA, from an Aggrieved Woman, the same shall be immediately handed over to the Presiding Officer of the relevant Internal Committee.

8.2. The Complainant will then be apprised of the ensuing process for redressing the grievance.

8.3. Informal Process of Resolution / Conciliation

8.3.1. Prior to conducting an inquiry, if the Complainant chooses to adopt the informal process to resolve her complaint, then the concerned Internal Committee will work to resolve the complaint as follows:

- The concerned Internal Committee will explore ways to settle the matter between the Complainant and Respondent and if the informal process is successful, then the concerned Internal Committee will record the terms of settlement as acceptable to the Aggrieved Woman / Person and the respondent.

- In case a settlement has been arrived at, the IC shall record it and forward it to the HR Head of the concerned entity to enable further action as recorded therein.
- The terms of settlement will be signed by the Complainant and the respondent and copies of the same will be provided to them.
- All persons involved in the conciliation will maintain confidentiality of the persons involved.
- The Complainant will have the right to withdraw from the conciliation process by stating the reasons for withdrawal to the concerned Internal Committee.
- It is not mandatory for Complainant to request for Conciliation.
- Conciliation cannot be done if inquiry has already started.
- Upon the completion of the conciliation process and after the settlement terms have been agreed upon and signed, the Internal Committee will not make any further inquiry into the complaint and the complaint will be treated as having been settled.
- However, if the Complainant informs the Internal Committee in writing, that any term or condition of the settlement arrived at has not been complied with by the respondent then the concerned Internal Committee will proceed to make inquiry into the complaint
- Monetary settlement cannot be made the basis of such conciliation.

8.4. Inquiry as Complaint Resolution Process

8.4.1. If the Complainant opts for formal redressal, or if the conciliation reached between the parties is not complied with, then the concerned Internal Committee will respond to the complaint in the following manner:

- Internal Committee will make an inquiry into the complaint in accordance with the principles of natural justice.
- During the inquiry, a minimum of three members of the concerned Internal Committee including the Presiding Officer, the External Member shall be present
- Both parties will be given an opportunity to be heard by the Internal Committee during the inquiry process
- Within 7 (seven) working days of receiving the complaint, the concerned Internal Committee will send a copy of the complaint to the respondent.
- The respondent will, thereafter, have an opportunity to file the reply to the complaint along with list of documents, names and addresses of witnesses etc. within 10 (ten) working days.
- The concerned Internal Committee shall have the right to terminate inquiry proceedings or issue ex-parte decision in the complaint if the Complainant and/or respondent without sufficient cause, fail to present themselves before the relevant Internal Committee for 3 (three) consecutive hearings convened by the Internal Committee(s). Such decision can be taken by the Internal Committee(s) by giving notice of 15 (fifteen) days in advance.
- The parties shall not be allowed to bring in any legal practitioner to represent them

at any stage of the proceedings before the Internal Committee(s)

- At the first meeting, the Internal Committee members shall hear the Complainant and record the complaint. Thereafter, the respondent shall be called for a deposition and an opportunity will be given to them to give an explanation, which shall be recorded by the Internal Committee. The Complainant shall be provided with a copy of the written explanation submitted by the respondent
- If the Complainant or the respondent desires any witnesses to be called, they shall communicate in writing the names of witnesses that they propose to call. The Internal Committee shall call upon witnesses mentioned by both the parties after ascertaining their relevance to the case
- If the Complainant desires to tender any documents by way of evidence before IC, they shall supply copies of such documents. Similarly, if Respondent desires to tender any documents in evidence before IC, they shall supply copies of such documents. Both shall affix their signature on the respective documents to certify these to be authentic documents.
- The Internal Committee shall, depending upon the situation and circumstances, provide reasonable opportunity to the Complainant and to the respondent, for putting forward and defending their respective case by way of examination and cross-examination of witnesses.
- The IC has the powers to summon and enforce the attendance of any person and conduct an examination, request the discovery and production of documents and / or any other matter which may be necessary for the inquiry process. Any refusal by any Employee of Organization to attend any hearing before the IC when summoned or to provide to the IC, any documents and / or information within their power or possession shall constitute as misconduct, rendering such Employee for adverse action by Organization.
- IC shall notify in writing, the time, and dates of its meetings to the Complainant, the respondent, and witnesses.
- All inquiry proceedings will be documented in detail and treated as strictly confidential with restricted viewing only on need-to-know basis.
- Inquiry proceedings shall be minutes / recorded in writing. They may be audio recorded as well (where possible). The minutes / transcribed record of the proceedings and the statement of witnesses shall be endorsed by the persons concerned and IC in token of authenticity thereof.
- All colleagues and witnesses who are part of the IC proceedings will need to sign a confidentiality declaration.
- The IC shall be sensitive to the often covert, private, and insidious nature of sexual harassment and shall consider that often the Complainant may not be able to submit or present direct or corroborative evidence.
- The IC shall take note of the respective socio-economic positions of the parties, their hierarchy in the Workplace, and other power differentials while giving recommendation.
- While inquiring into a complaint, IC shall take note that in cases of harassment via postings and messages through electronic and social media, the IC shall consider the public humiliation that this involves for the Complainant as well as the unwitting exposure of others who are using this media to circulate such messages

and images.

Confidentiality would be maintained throughout the investigation process. Likewise, the Aggrieved Woman as well as the persons going through the process of an inquiry must maintain strict confidentiality of the matter and the proceedings thereto.

- The inquiry, including any time spent on the conciliation process, will be completed within 90 (ninety) days.
- On completion of the inquiry, a report would be submitted by the concerned Internal Committee to the HR Head of the entity concerned. The report will contain outline of the case, investigation process, conclusion, and recommendations. The Internal Committee shall share a copy of the findings of the inquiry with the Aggrieved Woman and the respondent.
- If the allegation(s) are proven, the concerned Internal Committee shall recommend that appropriate action be taken by the relevant entity against the respondent as set out herein.

9. Action During Pendency of Inquiry

9.1. During the pendency of an inquiry, on a written request made by the Complainant, the Internal Committee may recommend any of the following to the Management of the concerned entity:

- transfer either the Complainant or the respondent to any other workplace
- grant leave to the Complainant up to a period of 3 (three) months, which leave would be in addition to the one she is already entitled
- restrain the respondent from reporting on the work performance or confidential report of the Complainant and assign the same to another officer
- In case the complaint has been filed by an intern working under the respondent, restrain the respondent from supervising any official / academic activity of the Complainant and assign the same to another Employee.
- Direct the respondent to not communicate with the Complainant in any manner including any mode of electronic communication such as text messages, emails, video/audio calls, on any social media platform or via any other mode of electronic communication.
- Grant such other relief to the Complainant as may be prescribed.

In case complaint is filed by a Complainant on behalf of the Aggrieved Woman, the same benefits as above would apply, depending on facts and circumstances.

9.2 The concerned Internal Committee will recommend the above-mentioned actions after considering and determining the totality of the circumstances. The Management of the concerned entity shall implement the interim recommendations of the Internal Committee and send a report of the implementation to the Internal Committee.

9.3 If the respondent is a Visitor / Third Party adequate steps to ensure that they do not

enter the organization's premises or contact/threaten Complainant/witnesses directly or indirectly using any mode of communication. IC to suggest appropriate disciplinary action by the concerned authority including reaching out to the police if required with consent of Complainant.

10. Recommendations of Internal Committee (Inquiry Report)

10.1 **In case allegations against Respondent have not been proven:** In the event that the IC arrives at the conclusion that the allegation against the Respondent has not been proved, it shall recommend to the organization that no action is required to be taken in the matter.

10.2 **In case allegations against Respondent have been proven:** Where the IC determines that sexual harassment has taken place, to whatever extent, immediate corrective and preventive measures will be recommended. Severity of recommendation will be determined by the first time/ misunderstanding/ habitual offender etc.

- a) To take action for sexual harassment as a misconduct as per the organization's Policy
- b) To take action as per the service rules applicable to the Respondent and where no service rules are applicable to take any action including:
 - A written apology from the respondent
 - A letter of warning may be given to the respondent that will be placed in the personnel file
 - Reprimand or censure the respondent
 - Withholding the promotion or reduction in level / grade
 - Withholding of bonus and/ or increments
 - Immediate transfer or suspension without pay
 - Termination from service / dismissal from the services of the organization
 - Undergoing a counselling session
 - deduction from salary or wages of the respondent such sum as it may consider appropriate to be paid to the Complainant or to their legal heirs. In case, the concerned entity is unable to make deductions from salary of the respondent due to them being absent from duty or cessation of employment, it may direct the respondent to pay such sum to the Complainant. In case the respondent fails to pay the sum, the IC may forward the order for recovery of the sum as an arrear of land revenue to the concerned district officer.
- c) IC may consider various factors as required under law for the purpose of determining the sums to be paid to the Complainant and may take the following into consideration:
 - the mental trauma, pain, suffering, and emotional distress caused to the Complainant

- the loss in the career opportunity due to the incident of sexual harassment
- medical expenses incurred by the victim for physical or psychiatric treatment
- the income and financial status of the Respondent
- feasibility of such payment in lump sum or in instalments

10.3 Where the Respondent is a Third Party; IC may recommend any one or more of the following:

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

11. Action by Management

11.1 The concerned Management will act on the final recommendations of the Internal Committee and give effect to the same within 60 (sixty) days from the date of receipt of the recommendations.

11.2 For the purpose of this POSH Policy, Management will be senior member(s) of the management teams of the concerned entity(ies).

11.3 Disciplinary Action

11.3.1 The disciplinary action recommended by the Internal Committee and imposed by the concerned Management will be commensurate to the nature and impact of the sexual harassment. Non-adversarial modes of redress and resolution may be considered in appropriate cases, and these may include verbal warning, verbal apology, counselling, community service etc.

11.3.2 If the conduct of sexual harassment amounts to an offence under the Indian Penal Code, 1860 (IPC) or under any other law, then the Internal Committee will inform the Complainant of her right to initiate action in accordance with the law and give guidance regarding the same. Further, nothing in this POSH Policy will prevent a Complainant from pursuing legal remedies or resolution through courts of law in India. The provisions of the IPC dealing with sexual harassment and the penal consequences of committing such offences are set out in Annexure 1 of the POSH Policy.

11.4 Monitoring by Internal Committee(s) and/or HR

In all situations the behaviour of the respondent will be strictly monitored by the concerned Internal Committee(s) and/or the HR department of the relevant entity during the post inquiry phase. This mechanism will be used judiciously to ensure safe, fair, and congenial work environment within the organisation and create a positive work environment for the employees.

12. False or malicious complaints and false evidence

- 12.1. Edelweiss Group is strongly opposed to misuse of the POSH Policy. Therefore, both the Complainant and the respondent must be prepared to go through a detailed process of inquiry as the concerned Internal Committee deems appropriate.
- 12.2. If the concerned Internal Committee concludes that the allegation against the respondent is found to be fake and supported with despicable intent or the Complainant has made a complaint knowing it to be false or if the Complainant and/or witnesses have produced forged, fabricated or misleading documents, then the concerned Internal Committee may recommend to the Management to take suitable action so as to prevent such recurrence and that will deter others from raising complaints in bad faith. The Complainant and /or witnesses will be liable for strict disciplinary action by the concerned Management.
- 12.3. Mere inability to substantiate a complaint or provide adequate proof, however, need not attract action against Complainant. The culpable intent on part of the Complainant needs to be established through the inquiry process before any action against a Complainant is recommended by the concerned Internal Committee.

13. Appeal

- 13.1. In case the recommendation(s) of the Internal Committee(s) is not acceptable to either party to a complaint then the person who feels wronged by the recommendation(s) will be given an opportunity to represent the case to the concerned Internal Committee in person and the same will be recorded. The decision arrived at, thereafter, by the Presiding Officer of the concerned Internal Committee will be final and the concerned Management will implement the same. This is without prejudice to any aggrieved party's right to appeal to the appropriate authority, as specified by the law, within 90 (ninety) days of the recommendation/ report of the Internal Committee(s).

14. No Retaliation

There is zero tolerance to retaliation against the Complainant and all others who report such misconduct. Any act of retaliation should be reported to the concerned HR department. Appropriate steps will be taken to ensure that there is no retaliation against any Complainant who, in good faith, has provided information relating to incident(s) of sexual harassment regardless of whether or not the complaint was upheld. Any person indulging in retaliatory conduct will be subject to disciplinary

action by the concerned Management

15. Responsibility of the Management

- Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace.
- Declare names and contact details of all members of the relevant Internal Committee(s)
- Organise workshops and awareness programmes at regular intervals for sensitizing the employees with the provisions of the Act and orientation programmes for the members of the Internal Committee(s).
- Provide necessary facilities to the relevant Internal Committee for dealing with the complaint and conducting an inquiry.
- Assist in securing the attendance of respondent and witnesses before the Internal Committee(s) and make available such information to the Internal Committee(s) in the context of the complaint.
- Provide assistance to the Complainant if she so chooses to file a complaint in relation to the offence under the IPC or any other law for the time being in force.
- Treat sexual harassment as misconduct under the service rules/ code of conduct and initiate action for such misconduct.
- Monitor the timely submission of reports by the Internal Committee(s) to the Management.
- Management on the recommendation of the Internal Committee(s) and / or the concerned HR department may seek appropriate expert advice and arrange for help and support for the respondent in the form of counselling and / or medical attention.

16. Employee Guidelines

The primary focus of the POSH Policy is to ensure a congenial, safe, and fair work environment that is free from threat or fear. There are a few things employees can do to help translate the POSH Policy into day-to-day practices.

- Sexual harassment can take many forms viz., spoken, unspoken or physical. Recognize that you may be conditioned to accept behaviour that infringe on your rights and constitute
- Firmly say NO. It is possible that the offender does not know that the behaviour is unacceptable. Promptly make a direct statement and communicate that the offender's conduct is not acceptable.
- Participating in jokes and sexually tinged conversation is often taken as tacit permission to continue. Communicate early that this conduct is unacceptable.
- Warn the offender to immediately desist, first orally and then, if necessary, follow it up with a warning in writing.
- If employees are unsure of the course of action to take in a given situation, they should approach the Presiding Officer or any other member of the concerned

Internal Committee informally and take their counsel.

- Employees are also encouraged to discuss any issues they may have in this area with their supervisor / HR representative / any member of the Internal Committee(s)
- If employees believe that they have been a victim of harassment, or know of another employee who has been, they should report it immediately. Employees can raise concerns and make reports without fear of reprisal.
- Retaliation against an individual for bringing or corroborating harassment or discrimination allegations is strictly prohibited.
- Everyone has a personal responsibility to ensure that their behaviour is not contrary to this Policy.
- Set an example of dignified workplace behaviour and ethical standards in line with Organization's values and code of conduct.
- To be mindful of professional and personal boundaries while performing your duties for the organization and representing the organization.
- Create and sustain a healthy work environment.
- Be aware that the organization will take allegations seriously and will ask their cooperation in an inquiry if they bring a complaint forward.
- Handle information related to known or suspected violations of this Policy in a discreet and confidential manner and not attempt to investigate / inquire into the information or suspected violations of this Policy on your own i.e., without involving the IC.
- Report any inappropriate behaviour to IC immediately.
- Do not misuse the POSH Policy or the law by filing malicious complaints for settling personal scores, seeking revenge or for personal gains and benefits etc.
- To remember that on social media, the employees represent the organization and therefore to ensure that they post information/comment/opinion that is responsible, professional and protect the interests of the organization.
- With respect to virtual working:
 - I. Do not insist on video calls where not necessary, and/or if your colleague/s expresses difficulty in joining via video call.
 - II. While on video/audio calls, be mindful of the professional boundaries, and do not initiate conversations/jokes that could make others uncomfortable.
 - III. While on video calls, ensure that a professional dress code is followed, and the background does not have anything inappropriate.
 - IV. Do not share/forward inappropriate or offensive posts or images on team chat or social media, etc
 - V. Do not forward any personal message, image, or video sent to you without sender's consent
 - VI. Do not repeatedly send messages to engage in personal discussions, comment, like on posts, pictures etc. in absence of any positive, enthusiastic response
 - VII. Do not repetitively ask any employee to accept your friend/follow request on any social media platform

VIII. Do not engage in online bullying, stalking or harassment

17. Confidentiality

Any complaints or incidents reported under the POSH Policy shall be treated with all possible care sensitivity and discretion in protecting the sensibilities of the parties concerned and no information will be divulged publicly or to any third party which could enable discovery of the identity of the parties involved

18. Responsibilities of IC

- Receive and address complaints of sexual harassment and inquire into complaints in detail.
- Assist Complainant in filing the complaint in case, the Complainant is unable to do so.
- Inquiry shall be a priority for an IC member.
- Ensure quorum of minimum three (3) members is met during all inquiry meetings, with mandatory presence of the Presiding Officer at all inquiry meetings.
- Seeking consent from involved parties and witnesses for audio/video recording of the inquiry proceedings.
- Follow the principles of natural justice and treat the Complainant, respondent, witnesses, and related persons to the inquiry with dignity and respect and give both the Complainant and the Respondent a fair opportunity to make their submissions. All members of the IC shall be acting without any prejudice or bias while conducting inquiries or dealing with complaints of sexual harassment in any other manner.
- Make efforts to ensure that the Complainants and the witnesses are not further victimized or discriminated against while the complaint is pending.
- Recuse themselves from their assigned job for the purpose of conducting an Inquiry if there is conflict of interest or a bias coming in the way of conducting a fair Inquiry.
- Take appropriate measures to ensure confidentiality of the inquiry process while conducting inquiry physically or virtually.
- Document in detail all the inquiry proceedings and the inquiry report.
- Refrain from talking about a potential, pending, or completed case of sexual harassment to any member directly or indirectly connected to any form of media, including print, Television, online media etc.
- Review the status of all complaints received.
- Recommend action against anyone who threatens or intimidates the Complainant or members of the IC.
- Read and acquaint themselves with the Policy and attend trainings on this subject matter.
- Compile annual reports and submit to the concerned authorities.
- 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, forward the same to the concerned person / committee.

19. Conclusion

Edelweiss Group is committed to the implementation of the objectives of the POSH Policy, the procedures laid down and the training and awareness of all employees. The POSH Policy is subject to modification periodically as per changing times and needs of the Edelweiss Group and/or changes in law.

ANNEXURE 1

Provisions of the Indian Penal Code, 1860 (IPC) - Sexual Harassment and punishment for sexual harassment

Under the IPC, section 354A deals with sexual harassment and reads as set out below. Sexual harassment is a 'cognizable offence' i.e., a person charged with sexual harassment maybe arrested **without a warrant**.

1. A man committing any of the following acts:
 - i. physical contact and advances involving unwelcome and explicit sexual overtures; or
 - ii. a demand or request for sexual favours; or
 - iii. showing pornography against the will of a woman; or
 - iv. making sexually coloured remarks, shall be guilty of the offence of sexual harassment.
2. Any man who commits the offence specified in clause (i) or clause (ii) or clause (iii) above, shall be punished with rigorous imprisonment for a term which may extend to 3(three) years or with fine, or with both. Any man who commits the offence specified in clause (iv) above shall be punished with imprisonment of either description for a term which may extend to 1(one) year, or with fine, or with both.

In addition to section 354A set out above, acts of sexual harassment may also constitute other offenses under IPC including Section 354 (assault or criminal force to woman with intent to outrage her modesty), Section 354C (Voyeurism), Section 354D (Stalking), Section 375 and 376 (Rape) and Section 509 (word, gesture or act intended to insult the modesty of a woman) of the IPC.