

PREVENTION OF PERSONAL AND / OR SEXUAL HARASSMENT AT WORKPLACE POLICY

Company: I-Stay Housing Pvt. Ltd.

Policy Owner: Corporate Human Resources

Approved By: Chairperson

1. POLICY STATEMENT

I-Stay Housing Pvt. Ltd. (“Company”) is committed to providing a professional, respectful, safe and inclusive working environment in which every individual is treated with dignity and fairness.

The Company has zero tolerance towards sexual harassment, personal harassment, intimidation, discrimination, victimisation, retaliation or any other conduct that adversely affects the dignity, safety or well-being of an individual at the workplace.

Every employee, consultant and other person covered by this Policy is expected to maintain appropriate standards of professional behaviour and to respect the dignity, privacy and personal boundaries of others.

The Company shall take appropriate action against any person found to have engaged in conduct prohibited under this Policy, in accordance with the applicable service rules, employment terms and law.

For matters relating to sexual harassment of women at the workplace, this Policy shall be read and implemented in conjunction with the applicable provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (“POSH Act”), the Rules framed thereunder and amendments thereto.

2. OBJECTIVES OF THE POLICY

The objectives of this Policy are to:

1. Establish a clear standard of conduct relating to personal and sexual harassment at the workplace.

2. Prevent and prohibit conduct that constitutes or may amount to personal or sexual harassment.
 3. Provide employees and other covered persons with a safe mechanism for reporting incidents or concerns.
 4. Establish a fair, impartial and confidential process for dealing with complaints.
 5. Protect complainants, respondents and witnesses from retaliation or victimisation.
 6. Ensure that complaints are handled promptly and sensitively.
 7. Provide appropriate corrective and disciplinary measures where misconduct is established.
 8. Promote awareness and responsibility amongst employees concerning acceptable workplace behaviour.
 9. Ensure compliance with applicable laws and regulatory requirements relating to prevention and redressal of sexual harassment.
 10. Prohibit unlawful activities and other serious misconduct that may adversely affect the safety, reputation or integrity of the Company and its employees.
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3. APPLICABILITY

This Policy shall apply to all employees and full-time in-house consultants of the Company.

To the extent applicable under law and depending upon the circumstances, the principles of this Policy may also extend to persons interacting with the Company, including consultants, contractors, trainees, visitors, vendors, service providers, clients and other persons present at or connected with the workplace.

The Policy shall apply to conduct occurring:

- At the Company's offices;
- At project and construction sites;
- At client or business locations;
- During business travel;

- At meetings, conferences, training programmes and business events;
- During Company-sponsored social or professional activities; and
- Through electronic or digital communication systems where the conduct has a workplace connection.

The workplace shall be interpreted broadly to the extent prescribed under applicable law.

4. GENERAL PRINCIPLE OF ZERO TOLERANCE

The Company shall not tolerate any act of personal or sexual harassment or any retaliation against a person who raises a genuine concern, makes a complaint, participates in an inquiry or assists in an investigation.

Any employee found guilty of violating this Policy may be subject to appropriate disciplinary action, which may extend to termination of employment or engagement, depending upon the seriousness of the misconduct and applicable law.

Where the conduct also constitutes an offence under applicable law, the Company may take or facilitate such further legal action as may be appropriate.

5. DEFINITIONS

5.1 Sexual Harassment

For the purposes of this Policy, sexual harassment shall have the meaning assigned to it under applicable law, including the POSH Act.

Sexual harassment may include any unwelcome act or behaviour of a sexual nature, whether verbal, non-verbal, physical, written, electronic or otherwise.

Examples may include, without limitation:

- a. Unwelcome physical contact or advances;
- b. Requests or demands for sexual favours;
- c. Sexually coloured remarks or comments;
- d. Sexual jokes, comments or innuendo;

- e. Unwelcome comments concerning a person's body, appearance or physical characteristics;
- f. Repeated or unwelcome invitations for personal or sexual interaction;
- g. Displaying sexually explicit or inappropriate photographs, images, posters, videos or other material;
- h. Sharing sexually suggestive or explicit material through email, messaging applications, social media or other electronic platforms;
- i. Making sexually suggestive sounds, gestures or remarks;
- j. Unwelcome touching, patting, brushing against or similar physical conduct;
- k. Any other unwelcome conduct of a sexual nature which violates the dignity of an individual or falls within the scope of applicable law.

The above examples are illustrative and shall not be regarded as exhaustive.

6. PERSONAL HARASSMENT

Personal harassment refers to unwelcome, offensive, intimidating, humiliating or degrading conduct directed towards an individual which creates an unhealthy, hostile or disrespectful working environment.

The Company expects all employees to treat one another fairly and respectfully and shall not tolerate discriminatory or abusive behaviour.

Personal harassment may include, but is not limited to:

1. Use of abusive, foul, insulting or humiliating language.
2. Repeatedly making derogatory or offensive remarks concerning a person's background, geographical origin, language, accent, appearance or other personal characteristics.
3. Making insulting or disrespectful comments concerning a person's religion, age, disability or other legally protected characteristic.
4. Displaying offensive, humiliating or inappropriate pictures, posters, cartoons, calendars or other material directed towards or likely to demean an individual or group.

5. Persistent teasing, ridicule, humiliation or belittling of an employee.
6. Making offensive remarks about an individual's age, disability, appearance or personal characteristics.
7. Intimidation, bullying, threats or deliberate humiliation.
8. Victimising an employee because of a personal bias, dislike or prejudice.
9. Deliberately isolating, humiliating or undermining an employee in a manner that amounts to harassment.
10. Any other conduct which, having regard to its nature, frequency and circumstances, is reasonably likely to create an intimidating, hostile, humiliating or offensive workplace environment.

The above list is illustrative and does not limit the Company's right to take action against other forms of inappropriate conduct.

7. IMPACT OF CONDUCT

The Company recognises that the effect of conduct on the recipient is important in determining whether behaviour is inappropriate or unwelcome.

The fact that a person claims that no offence was intended shall not, by itself, determine whether the conduct is acceptable.

Conduct may be verbal, physical, written, visual, electronic or non-verbal.

Certain serious acts may constitute harassment even if they occur only once, while less severe conduct may constitute harassment when it is repeated or forms part of a pattern of behaviour.

At the same time, every complaint shall be examined fairly and objectively on the basis of the facts, circumstances and applicable law.

8. INTERNAL COMMITTEE / PREVENTION OF PERSONAL AND SEXUAL HARASSMENT COMMITTEE

The Company shall constitute an Internal Committee ("IC") in accordance with the requirements of the POSH Act, wherever applicable.

For the Company's broader internal framework, the committee may also be referred to as the **Prevention of Personal and/or Sexual Harassment Committee ("POPSHC")**.

The Committee shall function independently and shall handle complaints in accordance with applicable law and this Policy.

The composition, tenure and eligibility of members shall comply with the applicable statutory requirements.

Where applicable, the Company shall ensure that the Committee has the required representation of women and includes an external member as prescribed under the POSH Act.

The Company may review and reconstitute the Committee from time to time as required by law or based on organisational requirements.

Present Committee Members

The following members have been designated by the Company:

1. **Chairperson / Presiding Officer:** Ms. Manasi Salvi (HR Manager)
2. **Other Member:** Ms. Priyanka M (Accounts Sr. Executive)
3. **Other Members:** Mr. Jitendra Kesarkar (Legal Manager)
4. **External Member:** Adv. Mamta Singh

The Company shall update the above details whenever there is a change in the constitution of the Committee.

9. ROLE AND RESPONSIBILITIES OF THE COMMITTEE

The Committee shall, subject to applicable law:

1. Receive and consider complaints of sexual harassment.
2. Maintain confidentiality throughout the complaint and inquiry process.
3. Conduct or supervise inquiries in a fair and impartial manner.
4. Provide reasonable opportunity to the parties to present relevant information and evidence.
5. Examine relevant documents, communications and other material where necessary.

6. Call for information or assistance as permitted under law.
 7. Prepare its findings and recommendations in accordance with the applicable statutory procedure.
 8. Recommend appropriate action where allegations are established.
 9. Take steps to prevent retaliation or victimisation of persons participating in the process.
 10. Maintain appropriate records of complaints and proceedings.
 11. Undertake or facilitate awareness and sensitisation initiatives relating to prevention of sexual harassment.
 12. Perform such additional functions as may be required under applicable law.
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10. MAKING A COMPLAINT

Any person who believes that he or she has experienced conduct prohibited by this Policy, or who has witnessed such conduct, is encouraged to report the matter at the earliest opportunity.

A complaint relating to sexual harassment may be made to the Internal Committee / PPOSHC in accordance with the procedure prescribed under applicable law.

Complaints may be submitted in writing through the designated Company email address or other officially notified communication channel.

The Company shall make appropriate contact details of the Committee available to employees.

A person making a complaint should, wherever possible, provide:

- A description of the incident or conduct;
- Date, time and location of the incident;
- Name and designation of the person complained against;
- Names of persons who may have witnessed the incident;
- Relevant documents, messages, emails, photographs or other evidence; and
- Any other information that may assist in examining the complaint.

A complainant shall not be required to prove the allegation at the time of making the complaint.

11. PROTECTION AGAINST RETALIATION

The Company strictly prohibits retaliation, victimisation, intimidation or adverse treatment against:

- A complainant;
- A person who reports a concern;
- A witness;
- A person providing information or evidence;
- A person assisting the Committee; or
- Any person participating in an inquiry in good faith.

Retaliatory conduct itself may constitute misconduct and may result in disciplinary action.

The Company shall endeavour to ensure that persons participating in the complaint process are not subjected to adverse consequences merely because they have made or supported a genuine complaint.

12. CONFIDENTIALITY

Confidentiality shall be maintained throughout the complaint, inquiry and decision-making process.

The identity and personal details of the complainant, respondent and witnesses, the contents of the complaint, evidence, proceedings, findings and recommendations shall not be disclosed except to the extent disclosure is authorised or required under applicable law.

Members of the Committee, investigators and persons involved in handling the matter shall maintain strict confidentiality.

Unauthorised disclosure of information relating to a complaint or inquiry may itself result in appropriate action.

13. INQUIRY PROCESS

Upon receipt of a complaint, the Committee shall determine the appropriate course of action in accordance with the applicable statutory framework.

Where an inquiry is required, the Committee shall ensure that:

1. The respondent is informed of the allegations in accordance with the applicable procedure.
2. The complainant and respondent are provided a reasonable opportunity to present their respective cases.
3. Relevant documents and other evidence are considered.
4. Relevant witnesses may be examined where necessary.
5. The proceedings are conducted fairly, objectively and without bias.
6. Confidentiality is maintained throughout the process.
7. The Committee records its findings and recommendations in accordance with applicable law.

The statutory inquiry process under the POSH Act is required to be completed within the period prescribed by law.

The Company shall endeavour to ensure that complaints are handled without unnecessary delay.

14. RIGHTS OF THE COMPLAINANT AND RESPONDENT

The Company recognises the importance of procedural fairness.

The complainant shall have an opportunity to present relevant facts, documents and other material supporting the complaint.

The respondent shall be informed of the allegations and shall have an opportunity to respond and present relevant information in accordance with the applicable procedure.

Where an inquiry is conducted, the parties shall be dealt with fairly and without prejudice.

The mere making of a complaint shall not be treated as proof of misconduct.

Likewise, inability to substantiate an allegation by itself shall not automatically mean that the complaint was false or malicious.

15. INTERIM MEASURES

Where circumstances warrant, the Committee may recommend appropriate interim measures in accordance with applicable law to protect the complainant or otherwise ensure a fair inquiry.

Such measures may include, wherever legally permissible and appropriate:

- Changes in reporting arrangements;
- Temporary relocation or change of work assignment;
- Leave or other protective measures;
- Restrictions on direct interaction between the parties; or
- Any other appropriate measure permitted by law.

Interim measures shall not be treated as a finding of guilt against the respondent.

16. FINDINGS AND DISCIPLINARY ACTION

Following completion of the inquiry, the Committee shall make its findings and recommendations in accordance with applicable law.

Where an allegation is established, the Company may take disciplinary action in accordance with its service rules, employment terms and applicable law.

Depending upon the seriousness of the misconduct, disciplinary action may include:

1. Written warning or reprimand;
2. Counselling or corrective measures;
3. Written undertaking or other corrective action;
4. Withholding of benefits or other permissible disciplinary measures;
5. Suspension or other appropriate employment action;
6. Termination of employment or engagement; or

7. Any other action permitted under applicable law.

Where the conduct may constitute a criminal offence, the Company may take appropriate legal action or assist the aggrieved person in approaching the appropriate authorities, as required or permitted by law.

17. FALSE OR MALICIOUS COMPLAINTS

The Company recognises that complaints must be made responsibly and in good faith.

Where an inquiry establishes that a complaint was knowingly and deliberately false, malicious or supported by forged or misleading material, appropriate action may be recommended in accordance with applicable law and the Company's disciplinary rules.

However, a complaint shall not be treated as false merely because it could not be substantiated or sufficient evidence could not be established.

Any action concerning an alleged false or malicious complaint shall be taken only after the required facts and circumstances have been properly examined and the applicable legal requirements have been followed. This approach is consistent with the statutory safeguard under Section 14 of the POSH Act.

18. UNLAWFUL ACTIVITIES AND SERIOUS MISCONDUCT

The Company expects every employee and person covered by this Policy to comply with applicable laws and regulations.

Any employee who becomes aware of serious unlawful activity connected with the workplace should report the matter to the appropriate Company authority, HR Department or the designated Committee, depending upon the nature of the issue.

Where a matter involves conduct that may constitute a serious criminal offence, the Company may take immediate steps as considered appropriate, including:

- Conducting an internal review or investigation;
- Taking disciplinary action;
- Suspending or restricting the involvement of the concerned person where necessary;

- Reporting the matter to the appropriate law-enforcement authority; and/or
- Taking any other action permitted or required by law.

Serious misconduct may include, among other unlawful activities:

- Violence or threats of violence;
- Sexual assault or rape;
- Kidnapping or unlawful confinement;
- Extortion;
- Theft or misappropriation;
- Drug trafficking or unlawful possession or use of prohibited substances;
- Illegal betting or gambling activities where prohibited by law;
- Rioting or serious disorder;
- Terrorist or other prohibited activities; and
- Other acts of a similar serious or criminal nature.

The above list is illustrative and shall not restrict the Company from taking action against any other unlawful or seriously improper conduct.

Any disciplinary action shall be undertaken in accordance with applicable law and the Company's employment and disciplinary procedures.

19. MANAGEMENT RESPONSIBILITIES

Management shall take reasonable and appropriate steps to:

1. Maintain a workplace free from sexual and personal harassment.
2. Communicate this Policy to employees and persons covered by it.
3. Ensure that employees are made aware of the mechanism for reporting complaints.
4. Constitute and maintain the Internal Committee as required by law.
5. Provide appropriate facilities and support to the Committee for conducting its functions.
6. Protect confidentiality to the extent required by law.
7. Prevent retaliation against complainants and witnesses.

8. Take appropriate disciplinary or legal action where misconduct is established.
9. Conduct awareness and sensitisation programmes from time to time.
10. Ensure statutory reporting and compliance requirements are fulfilled.

The POSH Act specifically places duties upon the employer concerning prevention, assistance, action for misconduct and timely reporting by the Internal Committee.

20. EMPLOYEE RESPONSIBILITIES

Every employee and person covered by this Policy is expected to:

- Treat colleagues and other workplace participants with dignity and respect;
 - Maintain professional conduct;
 - Avoid behaviour that may reasonably be perceived as offensive, intimidating, humiliating or unwelcome;
 - Cooperate honestly with any inquiry;
 - Maintain confidentiality concerning complaints and proceedings;
 - Report serious misconduct or harassment when they become aware of it; and
 - Refrain from retaliation against any person involved in a complaint or inquiry.
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21. AWARENESS AND TRAINING

The Company shall endeavour to create awareness regarding:

- The Company's zero-tolerance approach to harassment;
- The meaning and examples of sexual and personal harassment;
- Employees' rights and responsibilities;
- The complaint mechanism;
- The role of the Internal Committee;
- Confidentiality requirements; and
- Protection against retaliation.

Appropriate sensitisation and awareness programmes may be conducted periodically for employees, management and members of the Internal Committee.

22. RECORDS AND REPORTING

The Company shall maintain appropriate records relating to complaints, inquiries, actions and statutory reporting requirements.

All records shall be maintained securely and access shall be restricted to persons authorised to handle such matters.

The Company shall comply with the reporting and annual reporting requirements prescribed under applicable law.

Information relating to complaints and inquiry proceedings shall not be publicly disclosed except as permitted or required by law. The POSH Act specifically restricts publication or disclosure of the identity of the complainant, respondent and witnesses and other protected information relating to the proceedings.

23. NON-DISCRIMINATION AND RESPECTFUL WORKPLACE

The Company is committed to maintaining a workplace in which individuals are treated fairly and respectfully.

Harassment or discriminatory conduct based on legally protected characteristics or personal attributes shall not be tolerated.

The Company expects employees to avoid derogatory remarks, discriminatory behaviour, intimidation, humiliation or victimisation directed towards another individual.

This Policy is intended to supplement, and not replace, the Company's other policies concerning employee conduct, equal opportunity, discipline, grievance redressal and workplace safety.

24. POLICY INTERPRETATION

This Policy shall be interpreted in accordance with applicable laws and regulations.

In the event of any inconsistency between this Policy and a mandatory provision of law, the applicable statutory provision shall prevail.

The Company may modify this Policy from time to time to reflect changes in legislation, regulatory requirements, organisational structure or best practices.

25. REVIEW AND AMENDMENT

The Company shall review this Policy periodically and may amend, modify, supplement or replace any provision as may be considered necessary.

Any amendments shall be approved by the competent authority of the Company in accordance with its governance requirements.

The Company shall ensure that the composition and functioning of the Internal Committee remain compliant with applicable statutory requirements.

26. EFFECTIVE DATE

This Policy shall come into effect from the date approved by the competent authority of I-Stay Housing Pvt. Ltd. and shall remain operative until amended or replaced.

APPROVED BY:

For I-Stay Housing Pvt. Ltd.

Chairperson / Authorised Director