

I. DEFINITION:

1. SEXUAL HARASSMENT

Sexual Harassment means such unwelcome sexually determined behaviour (directly or through implication), like physical contact and advances by the employee(s) including but not limited to:

- A demand or request for sexual favours, sexually coloured remarks, showing pornography, any other unwelcomed physical conduct of sexual nature, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs;
- Eve teasing, innuendos and taunts, physical confinement against one's will;
- A demand or request for sexual favours, whether verbally or non-verbally, where the submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or promotion/evaluation of work thereby denying an individual equal opportunity at employment;
- An act or conduct by a person in authority which makes the environment at workplace hostile or intimidating to a person or unreasonably interferes with the individual's privacy and productivity at work;
- Verbal harassment of a sexual nature, such as lewd comments, sexual jokes or references, and offensive personal references; demeaning, insulting, intimidating, or sexually suggestive comments (oral or written) about an individual's personal appearance or electronically transmitted messages (Jokes, remarks, letters, phone calls);
- Any other behaviour which an individual perceives as having sexual overtones.

What does not constitute sexual harassment:

- Any incidents that occur beyond working hours where employees interact with one another on mutual agreement, unrelated to business activities
- Any incidents that occur outside of defined workplace where employees interact with one another on mutual agreement, unrelated to business activities
- Any incidents that take place between employees who have a personal relationship in addition to workplace relationship

Prevention of Sexual Harassment at Workplace (POSH) policy of NumberNagar® (Brainstars Services Pvt. Ltd.) follows the guidelines laid down in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013.

II. COMMITMENT:

NumberNagar® (Brainstars Services Pvt. Ltd.) hereafter referred to as 'Company' is committed to providing a work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment.

The Company is also committed to promoting a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity.

The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees are safe within the work place and are not subjected to any form of harassment. Similarly, the Company is committed to redress the Sexual Harassment issue at the earliest possible time to the aggrieved and provide proper support to punish the wrong doer.

III. SCOPE:

This policy applies to all employees (full - time, part - time, trainees and those on contractual assignments) of the Company including all Franchises, subsidiaries and affiliated companies at their workplace or at client sites. The Company will not tolerate sexual harassment, if engaged in by clients or by suppliers or any other business associates. All the above mentioned persons are entitled to launch a process claiming they are the victim of sexual harassment.

The workplace includes:

- All offices, Franchise centres and other premises where the Company's business is conducted.
- All company - related activities performed at any other site away from the Company's premises.
- Any work-related social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

Working hours include the employee's stipulated working hours. Typically, it is 10 am to 7 pm, Monday to Saturday. This may vary based on employee-specific offer letter. The working hours may extend beyond the typical hours in case of business-related events happening over weekends and evenings (i.e., including but not limited to business dinners, social networking events, marketing events).

IV. RESPONSIBILITIES REGARDING SEXUAL HARASSMENT:

All employees of the Company have a personal responsibility to ensure that their behaviour is not contrary to this policy or the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013.

All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

All the employees are liable to restrain from making false allegation i.e., misuse the provisions and protections given under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013.

V. ANTICIPATORY MEASURES

The Constitution of India embodies the concept of equality under Articles 14 and 15 and prohibits discrimination on grounds of religion, race, caste, sex or place of birth or any of them. Article 19(1)(g) gives the fundamental right to all citizens to practice any profession, or to carry on any occupation, trade or business.

Article 21, which relates to the right to life and personal liberty includes the right to live with dignity, and in the case of women, it means that they must be treated with due respect, decency and dignity at the workplace.

For this reason, as soon as a possible situation is detected, the employee must adopt the measures considered necessary to avoid that conduct susceptible to result in sexual harassment.

Where it is not possible to do this, or considered necessary to the circumstances of the case, the complaint should be brought to the attention of the Complaint Committee, who will evaluate the most opportune measures that can be taken to prevent a final case of harassment, if the issue is of this nature.

VI. COMPLAINT MECHANISM

An appropriate complaint mechanism in the form of “**Complaints Committee**” is constituted in the Company to look into the matters concerning sexual harassment. A complainant can approach any member of the committee with their written complaint.:

VII. COMPLAINTS COMMITTEE

The Company has constituted a Complaints Committee for redressal of sexual harassment complaint (made by the victim) and for ensuring time bound treatment of such complaints.

Initially, and till further notice, the Complaints Committee will comprise of the following four members:

Role	Name
Presiding Officer	Dr. Soumya Sreehari
Member	Ms. Aruna C
Member	Mr. Nishant Krishna
External member	Ms. Mamatha Roy

Complaint against any member of the Complaints Committee should be sent directly to the CEO of the Company:

CEO Mr. Ravi Shankar R

The Complaints Committee is responsible for:

- Investigating every formal written complaint of sexual harassment
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment
- Discouraging and preventing employment - related sexual harassment

VIII. PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT:

The Company is committed to providing a supportive environment to resolve concerns of sexual harassment as under:

A. Informal Resolution Options

When an incident of sexual harassment occurs, the victim of such conduct can communicate their disapproval and objections immediately to the harasser and request the harasser to correct his behaviour and further abstain from such acts.

If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, the victim can bring their concern to the attention of the Complaints Committee for redressal of their grievances. The Complaints Committee will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.

B. Complaints:

The Procedure comprises of Three Phases:

- Initiation Phase
- Development Phase
- Conclusion and Decision Phase

1. INITIATION PHASE:

- a. An employee with a harassment concern, who is not comfortable with the informal resolution options or has previously exhausted such options, may make a formal complaint to the Complaints Committee.
- b. The complaint shall be in writing and shall be in the form of a letter, submitted within 3 months from the date of the incident and in case of a series of incidents, within a period of 3 months from the date of the last incident. Further, for any reason, the Complainant/Victim is prevented from giving a letter in writing, she shall be given assistance by the Committee members to make such formal complaint.
- c. The Complaints Committee after hearing the cause may extend the timeline for filing the complaint, for reasons to be recorded in writing, by a period of 3 months.
- d. Alternately, the employee can send complaint through an email.
- e. The employee is required to disclose their name, department, division and location they are working in, to enable the Committee members to contact them and take the matter forward.
- f. In case of termination of employee's employment during the 3-month time period (either due to resignation or termination by employer), the employee shall make it known of such incident or lodge the complaint during the exit interview; failing to do so shall absolve such allegations if made in future.
- g. Any complaint raised by employee after they leave the Company's employment will not be covered under the policy. Similarly, no Complaint will be encouraged, if the perpetrator at the time of making such complaint is no longer in employment of the Company

The Complaint Committee will comply with the Regulations drawn up for its role and on receiving the complaint shall immediately commence investigation.

2. DEVELOPMENT PHASE:

Once the Complaint is received by the Committee, they will:

- a. Pass the complaint document to the accused person or people so that the allegations are clarified and that reports or questions of interest related to the case can be dealt with within seven working days of receipt of the complaint. The complainant shall also be informed of the start of the actions by the Internal Complaints Committee.
- b. On the request/consent of the complainant start conciliation proceedings by having communication with the accused and the complainant in their presence. Please note that in such conciliation no relief of monetary nature will be available to the complainant. If

- the matter has been settled by conciliation but the respondent is not complying with the terms and conditions, the aggrieved party can approach the Committee for Redressal.
- c. Take statements from colleagues or potential witnesses where they can bring information that is needed to clarify the allegations presented in the complaint.
 - d. Similarly take statements from the immediate superiors of the Complainant and accused if necessary.
 - e. Additionally, the complainant or accused could be asked to expand upon or clarify the events that occurred.
 - f. Ask for various antecedents or information it considers useful (disciplinary or work records) to obtain a better knowledge of the allegations and investigate their accuracy.
 - g. Evaluate and adopting whatever other temporary measure that is convenient and justifiable and that helps bring the process begun for these types of claims to a conclusion.
 - h. The Committee shall make all endeavours to conclude this phase within 30 working days from the date of receipt of the Complaint

3. CONCLUSION AND DECISION PHASE

As a function of the result of the previous phases, the Committee shall follow the below norms:

- a. In the event, the allegation does not fall under the purview of Sexual Harassment or the allegation does not constitute an offence of Sexual Harassment, the Presiding Officer will record this finding with reasons, and communicate the same to the complainant.
- b. If the Complaints Committee determines that the allegations constitute an act of sexual harassment and where such conduct, on the part of the accused, amounts to a specific offence under the law, the Company shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.
- c. The Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations on action to be taken by the Company as soon as practically possible and in any case, not later than 90 days from the date of receipt of the complaint. The committee will jointly take decision on the corrective action based on the recommendations of the Complaints Committee and keep the complainant informed of the same. Examples of corrective action are:
 - Formal apology.
 - Counselling.
 - Written warning to the perpetrator and a copy of it maintained in the employee's file.
 - Change of work assignment / transfer for either the perpetrator or the victim.
 - Suspension or termination of services of the employee found guilty of the offence.
 - Direct the Accused to pay compensation as determined by the committee.

- d. The exact corrective action will be decided on a case-by-case basis and likewise for determination of the compensation.
- e. In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management the same shall also be determined as the facts and circumstance of each case.

IX. CONFIDENTIALITY:

The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.

To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

X. ACCESS TO REPORTS AND DOCUMENTS:

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

XI. PROTECTION TO COMPLAINANT / VICTIM:

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 victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

However, anyone who abuses the procedure (for example, false and malicious initiation of proceedings knowing it to be untrue) will be subject to disciplinary action.

XII. CONCLUSION:

In conclusion, the Company reiterates its commitment to providing its employees, a workplace free from harassment/ discrimination and where every employee is treated with dignity and respect.

DISCLAIMER: WOMEN EMPLOYEES ARE COVERED UNDER THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013.

AND EMPLOYEES OF OTHER GENDERS ARE PROTECTED UNDER THE COMPANY'S STANCE AGAINST SEXUAL HARASSMENT.