

DEVOTED CONSTRUCTION LIMITED

**POLICY ON PREVENTION OF SEXUAL HARASSMENT AT
WORKPLACE**

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New Delhi-110048

POLICY OF PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

1. Introduction

Devoted Construction Ltd. is committed to fostering a safe, respectful, and inclusive work environment for all employees. The Company strictly prohibits any form of sexual harassment and ensures a workplace free from discrimination, intimidation, or gender bias.

This **Policy on Prevention of Sexual Harassment at the Workplace** (“the Policy”) is formulated in accordance with the **Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013** (“the Act”). It aims to prevent, prohibit, and redress incidents of sexual harassment while promoting a culture of dignity and equality within the organization.

The Policy outlines:

- The definition and scope of sexual harassment.
- The procedure for reporting complaints.
- The redressal mechanism and disciplinary actions.

Devoted Construction Ltd. is dedicated to ensuring a safe and healthy working environment where all employees can perform their duties without fear of prejudice or harassment.

2. Scope

This policy applies to all employees, including permanent, temporary, contractual, trainees, apprentices, and interns, as well as visitors, vendors, and clients interacting with employees.

It covers incidents of sexual harassment occurring:

- Within the Workplace, including employer-provided transport.
- At offsite work-related locations such as meetings, training, business trips, or official events.

3. Definitions

- **“Board”** refers to the Board of Directors of the Company.
- **“Company”** means Devoted Construction Limited.
- **“Member”** refers to a member of the Internal Committee.
- **“Parties”** collectively refers to the complainant and the respondent.

- **“Employee”** includes any person employed at the 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 principal employer. This includes individuals working for remuneration or on a voluntary basis, whether the terms of employment are express or implied, and covers co-workers, contract workers, probationers, trainees, apprentices, or any other similar designation.
- **“Employer”** includes any person, board, or committee responsible for formulating and administering policies for the management, supervision, and control of the Workplace.
- **“Workplace”** includes any location visited by an Employee in connection with work, including transportation provided by the Employer for work-related travel.
- **“Internal Committee”** refers to the committee constituted under Section 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (the “Act”), hereinafter referred to as the “Committee.”
- **“Sexual Harassment**

Sexual harassment includes, but is not limited to:

- Unwelcome sexual advances**—requests or demands for sexual favors, explicitly or implicitly, in exchange for employment benefits such as hiring, promotion, evaluation, or other professional opportunities.
- Verbal, non-verbal, or physical conduct**—sexually suggestive remarks, jokes, letters, phone calls, emails, gestures, pornography, staring, physical contact, molestation, stalking, inappropriate sounds, or offensive visual displays that affect an individual’s well-being or work performance.
- Eve-teasing and intrusive behaviour**—innuendos, taunts, or physical confinement that invades personal privacy.
- Abuse of authority**—acts by a person in power that create a hostile or intimidating work environment for a person of another gender.
- Workplace-related misconduct**—harassment occurring within or outside the Workplace in relation to an Employee, or vice versa, during the course of employment.
- Unwelcome gestures with sexual overtones**—any inappropriate conduct by an Employee that has sexual implications.
- Cyber harassment**—sending inappropriate messages, images, or content through digital platforms.

Sexual harassment may include situations where:

- a. There is an **implied or explicit promise** of preferential treatment in employment.
- b. There is an **implied or explicit threat** of adverse employment consequences.
- c. There is a **threat to employment status**, present or future.
- d. Work is **interfered with**, or an intimidating, offensive, or hostile work environment is created.
- e. **Humiliating treatment** affects an individual's health or safety.

4. Internal Complaints Committee (ICC)/ POSH Committee

The Board has constituted an Internal Complaints Committee (ICC) to address and redress complaints of sexual harassment in accordance with applicable laws.

The Members of the Committee are as follows:

Sl No.	Name of Members	Position
1	Mr. Suresh Bohra	Presiding Officer
2	Ms. Seema Sarna	Women Member
3	Mr. Narsimha kavadi	Member
4	Mr. Rohit Bohra	External Member(Legal Expert)

A quorum of three Members is required for the proceedings to take place, which must include the Presiding Officer and at least two other Members, one of whom shall be a woman.

5. Complaint Procedure

Filing a Complaint:

- a. Any employee facing sexual harassment may submit a complaint in writing, signed within three months of the incident.
- b. If unable to write, the Committee will assist in documenting the complaint.
- c. The Committee may extend the filing period by up to three additional months if justified in writing.
- d. Complaints can be submitted via email or in person.

Confidentiality:

The Committee will record complaints in a register and maintain confidentiality unless required for investigation.

Third-Party Complaint Filing:

If the complainant is unable to file due to physical or mental incapacity, death, or other reasons, the complaint may be filed by:

- i. A relative, friend, co-worker, or legal heir.
- ii. A qualified professional (e.g., psychiatrist, psychologist, special educator).
- iii. An officer from the National or State Women's Commission (for female complainants).
- iv. Any knowledgeable person, with the complainant's written consent.

Committee Proceedings:

- a. The Committee will meet with the complainant within 7-10 days of receiving the complaint.
- b. The complainant may provide supporting evidence (documents, statements, etc.).
- c. If the complainant is uncomfortable narrating the incident, a same-gender officer will record their statement.
- d. The accused will be given an opportunity to respond, followed by an inquiry.

Resolution:

- If the complaint does not constitute sexual harassment, it will be dismissed with recorded reasons.
- False complaints may lead to disciplinary action.
- Withdrawing a complaint does not prevent the Committee from continuing the investigation.

6. Conciliation

The Internal Committee may facilitate a settlement between the complainant and the respondent upon the complainant's request.

No monetary settlement shall be a basis for conciliation.

Any settlement reached must be recorded in writing and agreed upon by both parties.

Copies of the settlement will be provided to the complainant, respondent, and employer, with a recommendation that no further inquiry is needed.

If no settlement is reached, or if the respondent fails to comply with the agreed terms, the Committee must proceed with a formal inquiry.

7. Enquiry Process

- a) The Committee shall initiate the enquiry immediately and inform both the complainant and the respondent.
- b) The Committee shall provide the respondent with a statement of allegations and allow up to 10 days to submit a written explanation, if desired.
- c) The complainant shall receive a copy of the respondent's written explanation.
- d) Both parties may submit a written request to call witnesses, specifying their names.
- e) Any documentary evidence must be submitted in original form, signed by the submitting party to certify authenticity.
- f) The Committee shall summon all witnesses proposed by both parties.
- g) Both the complainant and the respondent shall be given a fair opportunity to present and defend their case.
- h) The enquiry shall be concluded within a reasonable timeframe, not exceeding three months. The Committee shall submit its findings and recommendations to the Human Resources department, which shall serve as the basis for any disciplinary action.
- i) The Head of Human Resources shall take appropriate action based on the Committee's recommendations.
- j) The Committee shall operate in accordance with applicable Supreme Court rulings and any subsequent legislation.

8. Disciplinary Actions

If the complaint is substantiated, the Company may impose one or more of the following disciplinary actions:

☐ Written apology or reprimand., ☐ Transfer or suspension of the respondent, ☐ Termination of employment, ☐ Deduction of wages or financial penalty, as deemed appropriate, ☐ Any other action deemed necessary by the Internal Complaints Committee (ICC).

Regardless of any complaint filed with the Internal Committee (IC), the complainant may, at their sole discretion, choose to report the same offence to the police. The IC shall provide reasonable assistance to the police during their investigation.

The IC may consider the findings of the police or any other competent authority when making its recommendations and conclusions. The respondent shall be bound by any findings or orders issued by a competent authority, including, but not limited to, a court of law.

9. False Complaints

If a complaint is found to be malicious or false, appropriate disciplinary action may be taken against the complainant, including written warnings or other corrective measures.

10. Determination of Compensation

In determining the compensation payable to the complainant under Clause (ii) of Sub-section (3) of Section 13 of the POSH Act, the Internal Committee shall consider the following factors:

- (a) The mental trauma, pain, suffering, and emotional distress experienced by the aggrieved woman.
- (b) Any loss of career opportunities resulting from the incident of sexual harassment.
- (c) Medical expenses incurred for physical or psychiatric treatment.
- (d) The income and financial status of the respondent.
- (e) The feasibility of payment as a lump sum or in instalments.

11. Confidentiality

In accordance with the law, this policy strictly prohibits any individual, including Committee members, from disclosing, publishing, or communicating or making known to the public, press and media in any manner, contents of the complaint, the identity and addresses of the aggrieved person, respondent and witnesses, any information relating to conciliation and inquiry proceedings, or recommendations of the Committee during the proceedings under the provisions of the Act.

Any violation thereto shall also be subject to applicable disciplinary action. The identity of the complainant, respondent, and witnesses shall be kept confidential throughout the inquiry process. Information shall only be disclosed to those directly involved in the investigation and resolution of the complaint.

12. Penalty for Breach of Confidentiality

Any person responsible for handling or dealing with a complaint, inquiry, recommendations, or actions under the provisions of the Act who breaches confidentiality shall be liable to a penalty of ₹5,000.

Additionally, any employee involved in the complaint proceedings—whether as a **witness, complainant, or respondent**—who violates the confidentiality provisions of this policy shall be subject to both the monetary penalty and appropriate disciplinary action.

13. Appeal

Any party dissatisfied with or aggrieved by the implementation or non-implementation of the **ICC's recommendations or findings** may file an appeal with the **appellate authority** as per the provisions of the Act and applicable rules. The appeal must be submitted within **90 days** from the date the recommendations are communicated.

14. Responsibilities of Employees & Management

All employees are expected to maintain a professional and respectful work environment.

Managers and supervisors should actively prevent any form of harassment and support employees in reporting grievances.

The Company shall promote a culture of zero tolerance towards sexual harassment and encourage reporting without fear of retaliation.

15. Review & Amendments

This policy shall be periodically reviewed and updated to ensure compliance with applicable laws, regulatory requirements, and organizational needs. Any revisions shall be approved by the appropriate authority and communicated to all employees. The latest version of the policy shall be made available through official company channels.

The company reserves the right to amend, modify, or repeal any provision of this policy at its discretion.

In the event of any conflict between this policy and the provisions of **any applicable law, regulation, or other relevant legislation**, the provisions of the applicable law or regulation shall prevail. Any such changes shall take effect from the date specified in the revised policy document.

FORMAT FOR FILING A COMPLAINT UNDER THE POSH ACT, 2013

To,
The Presiding Officer,
Internal Complaints Committee (ICC),
[Company Name],
[Office Address]

Subject: Complaint of Sexual Harassment at Workplace

Respected Madam/Sir,

I, _____ [Your Name], working as _____ [Your Designation] in _____ [Department Name], wish to formally report an incident of sexual harassment against [Respondent's Name, Designation]. On _____ [Date], at _____ [Location], the respondent engaged in _____ [briefly describe inappropriate behavior: unwelcome advances, verbal remarks, messages, etc.], making me feel uncomfortable and unsafe. Despite my objections, the behaviour persisted.

The incident was witnessed by _____ [Names, if any], and I have attached relevant evidence _____ [emails, messages, CCTV footage, etc., if available]. I request the ICC to investigate and take appropriate action per the POSH Act, 2013, and ensure my protection against any retaliation.

I hereby declare that the facts stated above are true to the best of my knowledge and belief. I request you to consider my complaint and take necessary action at the earliest.

Sincerely,
Your Name
Designation
Department
Contact No
Email ID
Date:

FREQUENTLY ASKED QUESTIONS (FAQS)

1. What is the POSH policy?

The POSH (Prevention of Sexual Harassment) policy is a framework established under the **Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013**. It aims to **prevent, prohibit, and redress** incidents of sexual harassment in the workplace.

2. Who does the POSH policy apply to?

This policy applies to **all employees**, including:

- Full-time, part-time, and temporary employees.
- Interns and contractual workers.
- Third parties interacting with employees, such as vendors and consultants.

3. How can an employee file a complaint under POSH?

An employee can submit a **written complaint** to the **Internal Complaints Committee (ICC)** within **three months** from the date of the incident.

4. What happens after filing a complaint?

Once a complaint is submitted, the process involves:

- A preliminary meeting with the complainant within **seven days**.
- The respondent being given an opportunity to present their case.
- Examination of witnesses and evidence.
- Completion of the inquiry within a **maximum of three months**.
- Submission of the ICC's findings and recommendations to the **HR department** for further action

5. Is there a time limit to file complaint?

Yes, an employee must file a **signed, written complaint** within **three months** from the date of the incident. Complaints can be submitted to any ICC member.

6. How long does it take to resolve a complaint?

The ICC shall complete the "Enquiry" within reasonable period but not beyond three months and communicate its findings and its recommendations for action to the human resources department.

7. Can an employee file a complaint anonymously?

No, complaints must be **signed** by the complainant. However, the ICC ensures **strict confidentiality**, and the identities of the complainant, respondent, and witnesses will not be disclosed to unauthorized persons.

8. Can a complaint be withdrawn?

Yes, a complainant may withdraw their complaint at any stage. However, the ICC reserves the right to proceed with the inquiry if deemed necessary.

9. Can an employee file a police complaint in addition to approaching the ICC?

Yes, employees have the right to **file a complaint with the police** in addition to submitting a complaint with the ICC. The ICC will provide **necessary assistance** during the process if required.

10. What support is available for complainants?

The company is committed to ensuring a **safe and supportive work environment** by:

- Protecting the complainant from **retaliation**.
- Providing **legal and psychological counselling**, if needed.
- Conducting a **fair, impartial, and confidential inquiry**.