



Segmental Infrastructure Development Ltd.

CIN: U70200HR2009PLC114856

Prevention of Sexual Harassment Policy (POSH Policy)

1. Applicability

POSH Act is applicable on each and every Company, workspace, establishment or organization employing 10 or more employees whether full time, part time, interns or on contract, irrespective of its nature of industry or location.

2. Definitions

What constitutes Sexual Harassment?

Sexual harassment may occur not only where a person uses sexual behaviour to control, influence or affect the career, salary, or job of another person, but also between co-workers. It may also occur between the company's employee and someone that employee deals within the course of his/her work who is not employed by the Company.

2.1 "Sexual Harassment" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication):

1. Any unwelcome sexually determined behaviour, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behaviour or conduct was directed namely:
 - a. Physical contact and advances
 - b. Demand or request for sexual favours
 - c. Sexually colored remarks or remarks of a sexual nature about a person's clothing or body
 - d. Showing pornography, making, or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS etc.
 - e. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes
 - f. Giving gifts or leaving objects that are sexually suggestive
 - g. Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy
 - h. Persistent watching, following, contacting of a person; and





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- i. Any other unwelcome physical, verbal, or non-verbal conduct of sexual nature
2. The following circumstances if it occurs or is present in relation to any sexually determined act or behaviour amount to sexual harassment:
 - a. Implied or explicit promise of preferential treatment in employment
 - b. Implied or explicit threat of detrimental treatment in employment
 - c. Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
 - d. Humiliating treatment likely to affect health or safety of someone

The reasonable person standard is used to determine whether the conduct was offensive and what a reasonable person would have done. Further, it is important to note that whether harassment has occurred or not, does not depend on the intention of the people but on the experience of the aggrieved woman.

2.2 Aggrieved Woman: In relation to a workplace, a woman, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent and includes contractual, temporary employees and visitors.

2.3 Complainant: Any aggrieved individual (including a representative as more fully described under Rule 6 of the said Rules, if the aggrieved individual is unable to make a complaint on account of his/her physical or mental incapacity or death or otherwise) who makes a complaint alleging Sexual Harassment under this Policy.

2.4 Employee: A person employed at the workplace, for any work on 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, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or by any other such name.

2.5 Employer: A person responsible for management, supervision, and control of the workplace.

2.6 Respondent: A person against whom a complaint of sexual harassment has been made by the aggrieved woman.

2.7 Workplace: In addition to the place of work [Head office / Branch offices, Project Offices] it shall also include any place where the aggrieved individual or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with the company, including transportation provided for undertaking such a journey.

2.8 Internal Complaints Committee (ICC): Committee constituted as per Section 4 of the Act, to address sexual harassment at workplace.

2.9 Presiding officer: A senior level woman employed at the workplace, nominated under sub-section (2) of section 4 of the Act and who presides over ICC.





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3. Introduction to the policy

Segmental Consulting & Infrastructure Advisory Private Limited believes in equal employment opportunity. We do not tolerate verbal or physical conduct creating an intimidating, offensive, or hostile environment for employees. Harassment of any kind including sexual harassment is forbidden in the Company and every employee has the right to be protected against it.

We are committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Company believes that all employees of the Company have the right to be treated with dignity.

The Sexual Harassment Policy has been formed in accordance with the provisions of “**The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**” and rules framed thereunder namely the “**Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013**” to prohibit, prevent or deter the commission of acts of sexual harassment at workplace and to provide the procedure for the redressal of complaints pertaining to sexual harassment. We have also formed an Internal Complaints Committee (ICC) for taking up and addressing all complaints of sexual harassment.

4. Scope

4.1 This policy is applicable to all employees, workers, volunteers, probationer and trainees including those on deputation, part time, contract, working as consultants or otherwise (whether in the office premises or outside while on assignment). This policy shall be considered to be a part of the employment contract or terms of engagement of the persons in the above categories.

4.2 Where the alleged incident occurs to our employee by a third party while on a duty outside our premises, the Company shall perform all reasonable and necessary steps to support our employee.

5. Redressal Mechanism

5.1 If you are working for our Company and in the course of your work, you have been sexually harassed by anyone through means which are mentioned in Clause 2.1, we urge you to come forward with a written complaint as early as you can. Your complaint will be taken seriously and confidentiality would be maintained by us in the matter. We will have zero tolerance towards such practices once they are proven.

A complaint with respect to sexual harassment may be made by a written or electronic application to the Committee as specified in **Annexure I**.

The Committee may administer a declaration form to verify that the contents of the complaint are true and genuine, before they proceed further with the complaint. Where necessary (for example, when the complaint is incomplete), the complainant may be contacted to provide further details in relation to the complaint to enable the Committee to appreciate the situation more comprehensively.





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The complaint must be given to any of the members of the Internal Complaints Committee (ICC) specified above within 3 months of the occurrence (the complaint can be made within 6 months if the person is able to prove that there were some exceptional circumstances due to which complaint could not be made earlier) and we advise you to be vigilant and keep any document with you which can be used to substantiate an allegation. The redressal system will work based on other evidence if you cannot produce any documentary evidence.

5.2 Redressal Mechanism:

Once the complaint is received:

1. The person who is accused by the complainant will be informed that a complaint has been filed against him (he will be made aware of the details of the allegation and also the name of the complainant as it would be necessary for proper inquiry) and no unfair acts of retaliation or unethical action will be tolerated.
2. The complainant has the opportunity to ask for conciliation proceedings by having communication with the accused in the presence of the Committee. Please note that in such conciliation the complainant cannot demand monetary compensation.
3. The Committee shall provide the copies of the settlement as recorded during conciliation to the aggrieved employee and the respondent. 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.
4. The Committee will question both the complainant and the alleged accused separately. If required, the person who has been named as a witness will need to provide the necessary information to assist in resolving the matter satisfactorily.
5. The Committee shall call upon all witnesses mentioned by both the parties.
6. The Committee can ask for specific documents from a person if it feels that they are important for the purpose of investigation.
7. The complainant may be permitted to work from home, if it is practicable, keeping in mind the nature of work of the complainant, health and mental condition. However, the complainant is under a good faith obligation and shall not abuse the process to request unjustifiably long periods of leave, keeping in mind the effects of the leave to the organization. The Committee shall have the discretion to grant leave of an appropriate duration, depending on the facts and circumstances of the case, as it deems fit. Where leave is granted to the complainant, the Committee shall make best attempts to ensure speedy completion of the inquiry process and to minimize adverse economic consequences to the Company arising out of the absence of the complainant from the workplace.
8. The complainant and the accused shall be informed of the outcome of the investigation. The investigation shall be completed within 3 months of the receipt of the complaint. If the investigation reveals that the complainant has been sexually harassed as claimed, the accused





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will be subjected to disciplinary action accordingly. However, if the complaint is found to be untrue and filed with a view to harass/ humiliate a co-worker, the Committee may, in its discretion, recommend Disciplinary Action against the complainant. The report of the investigation shall be supplied to the accused and the complainant within 10 days of completion of the investigation.

9. The contents of the complaint made, the identity and addresses of the aggrieved employee, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Committee and the action taken by the employer shall not be published, communicated or made known to the public, press and media in any manner.

It must be noted that neither the complainant nor the accused is allowed to be accompanied or represented by a lawyer during the pendency of the ICC's proceedings.

6. Disciplinary Action:

6.1 Where any misconduct is found by the Committee, appropriate disciplinary action shall be taken against the accused. Disciplinary action may include transfer, withholding promotion, suspension or even dismissal. This action shall be in addition to any legal recourse sought by the complainant.

If it is found out through evidence by the Committee that the complainant has maliciously given false complaint against the accused, disciplinary action shall be taken against the complainant as well.

Regardless of the outcome of the complaint made in good faith, the employee lodging the complaint and any person providing information or any witness, will be protected from any form of retaliation. While dealing with complaints of sexual harassment, the Committee shall ensure that the complainant or the witness are not victimized or discriminated against by the accused. Any unwarranted pressures, retaliatory or any other type of unethical behaviour by the accused against the complainant while the investigation is in progress should be reported by the complainant to the Complaints Committee as soon as possible. Disciplinary action will be taken by the Committee against any such complaints which are found genuine.

5.2 This policy shall be disseminated to each employee of the company as well as new recruits who will have to acknowledge that they have read and understood the policy and that they shall abide by the policy.





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Annexure – 1 Constitution of Internal Complaint Committee

S. No.	Name of the Member	Designation
1.	Mrs. Rajika Mishra, Whole-time Director	Presiding Officer
2.	Mr. Amnish Singh Jamwal, General Manager-HR	Member
3.	Ms. Richa Sharma, Company Secretary	Member
4.	Mr. Yaman Yadav, HR & POSH Consultant	External Member

