



## **Policy on Prevention of Sexual Harassment**

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## Sexual Harassment Policy

### Introduction

NetAmbit's quest for competitive excellence consists of our commitment to lawful and ethical conduct and adhering to NetAmbit's values. Integrity, honesty and respect for people remain some of our core values.

The company is committed to provide a safe and conducive work environment to its employees and expects them to combine "Expertise with responsibility". Towards this it is essential that each employee deals with their colleagues and third parties with full fairness and respect and realizes that his/her behavior will be attributed to the company and can affect its inward and outward reputation.

Under the corporate compliance, harassment of any kind including sexual harassment is forbidden. Every employee has the right to be protected against harassment, regardless of whether the accused considers his or her own behavior to be normal or acceptable and of whether the harassed person has the opportunity to avoid the harassment. NetAmbit Group philosophy for legal compliance and corporate responsibility emphasize on the above principle.

NetAmbit is committed to providing a work environment free of sexual harassment. Sexual harassment is a form of workplace harassment of a sexual nature that affects the dignity of men and women at work.

The NetAmbit Prevention of Sexual Harassment Policy has been formed, as a gender neutral policy, 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.

### Applicability

This Policy applies to all the employees, workers and trainees (whether in the office premises or outside while on assignment) of the following NetAmbit group companies "NetAmbit ValueFirst Services Private Limited, NetAmbit Insurance Broking India Limited, NetAmbit InfoSource & e-Services Private Limited, Futuresafe Service Private Limited, Appel Services Private Limited, Talentex Services Private Limited, (herein after referred to as NetAmbit or the Company).

Where sexual harassment occurs to a NetAmbit employee as a result of an act by a third party or outsider while on official duty, NetAmbit will take all necessary and reasonable steps to assist the affected person in terms of support and preventive action.

**This policy does not prevent any aggrieved person from taking recourse to the law of the land.**

### Important Definitions

**"Aggrieved Individual"** means in relation to a workplace, any individual, of any age whether employed in the Company or not, who alleges to have been subjected to any act of Sexual Harassment by the employee of the Company.

**"Employer"** means in any workplace, any person responsible for the management, supervision and control of the Workplace.

## What is “Sexual Harassment”?

Sexual Harassment includes such unwelcome sexually determined behavior, as physical contacts and advances, sexually coloured remarks, showing pornography and sexual demands whether by words, gestures or actions. Such conduct can be humiliating and may constitute a health, safety and emotional problem. It is discriminatory when the complainant has reasonable grounds to believe that his or her objection would disadvantage them in connection with employment, including recruiting or promotion or when it creates a hostile working environment.

Sexual harassment includes such unwelcome sexually determined behaviour (whether directly or by implication) as:

- (a) physical contact and advances;
- (b) a demand or request for sexual favours;
- (c) sexually coloured remarks;
- (d) showing pornography;
- (e) any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Sexual harassment is emotionally abusive and creates an unhealthy, unproductive atmosphere at the workplace. Sexual harassment cases can be classified into two categories - quid pro quo and creation of a hostile working environment.

“Sexual Harassment would also mean:

i. Quid pro quo sexual harassment, which means something in return or an exchange of one thing for another.

- In the workplace, quid pro quo sexual harassment takes place if sexual favors are asked in exchange for any kind of special treatment on the job. Threatening an employee about his/her present or future employment status if he/she does not consent to such sexual advances or a favour also amount to sexual harassment. The act of ‘asking’ may either be verbal or implied and the ‘sexual conduct’ may be verbal or physical. But, in either case, it must be unwelcome.

ii. Hostile work environment includes

- Hostile environment sexual harassment occurs when either speech or conduct of a sexual nature takes place and is seen or perceived as offensive and interferes with the work performance of the recipient or any one or more employee (s).
- Hostile environment sexual harassment may also include intimidating or harassing conduct that is directed at an individual, or a group of individuals.
- It will also mean related retaliation which includes marginalizing someone in the workplace with regard to his/her roles and responsibilities, socially ostracizing, intimidating someone physically, psychologically and emotionally someone close to or related to the victim, to the extent the humiliation or intimidation affects the health or safety.

Examples: Given below are few examples which may be considered as Sexual Harassment:

- Physically blocking a person’s movements; in other words – standing in their way
- ‘Accidentally on purpose’ brushing up against a person

- Staring or looking their body up and down
- Following them around or paying excessive attention
- Making insulting comments about someone's gender identity or sexual orientation or asking about someone's sexual orientation
- Telling vulgar jokes or sharing stories about sexual experiences – even if this is not directed at you but done in your presence to cause you discomfort
- Sending unwanted suggestive or vulgar emails, letters or other communications or sharing images of a sexual nature around the workplace or displaying posters, items or screensavers of a sexual nature
- Inappropriate and suggestive touching, kissing, rubbing or caressing of a person's body and/or clothing
- Repeatedly asking for dates despite being rebuffed or asking for sexual favors
- Making sexually offensive gestures, remarks or facial expressions
- Repeated compliments of an employee's appearance

Note : These are all indicative list and in no way intended to be construed as an exhaustive list which could be treated as sexual harassment.`

However, an employee who is sexually harassed can complain about the same even if there is no adverse job consequence.

#### **If you are being harassed:**

- (a) Tell the accused that his / her behavior is unwelcome and ask him/her to stop.
- (b) Keep a record of incidents (dates, times, locations, possible witness, what happened, your response). It is not mandatory to have a record of events to file a complaint, but a record can strengthen your case and help you remember the details over time, in case the complaint is not filed immediately.
- (c) File a complaint as soon as possible. If, after asking the accused to stop his / her behaviour, the harassment continues, report the abuse to the Complaints Committee formed for this purpose.

#### **The Complaints Committee (Internal Committee)**

A Complaints Committee has been formed for different locations which are as follows:

##### **1. Noida:**

<b>Sr. No</b>	<b>Name</b>	<b>Designation</b>	<b>e-mail</b>
<b>1.</b>	<b>Ms. Anamika Chandola Vice President – TA Strategy &amp; ER</b>	<b>Chairperson (Presiding Officer)</b>	<a href="mailto:anamika.chandola@netambit.net">anamika.chandola@netambit.net</a>
<b>2.</b>	<b>Ms. Ritu Tiwari (Associate Vice President – O D )</b>	<b>Member</b>	<a href="mailto:ritu.tiwari@netambit.net">ritu.tiwari@netambit.net</a>
<b>3.</b>	<b>Ms. Sunita (Manager – HR Operations)</b>	<b>Member</b>	<a href="mailto:sunita@netambit.net">sunita@netambit.net</a>

4.	Mr. Ranjeet Singh (VP & Head - HR)	Member	<a href="mailto:ranjeet.singh@netambit.net">ranjeet.singh@netambit.net</a>
5.	Rohit Thakur NGO 9810211104 Designation – Secretary, Dept. – Administration	(Independent Member)	<a href="mailto:raywelfaretrustngo@gmail.com">raywelfaretrustngo@gmail.com</a>
6.	Mr. Nikhilesh Kr Verma (DVP – CS & Legal)	Advisor to IC	

## 2. Bangaluru:

Sr. No	Name	Designation
1.	Ms. Nidhi Vyas (VP & Head- Business Development)	Chairperson (Presiding officer)
2.	Ms. Kumari Swati (Chief Manager-HR )	Member
3.	Ms. T M Latha – Manager	Member
4.	Mr. Ramiz Raza Razi - Regional Business Head	Member
5.	Mr. Rohit Thakur	(Independent Member)

## 3. Hyderabad:

Sr. No	Name	Designation
1.	Ms. Kumari Swati (Chief Manager-HR )	Chairperson (Presiding officer)
2.	Ms. T M Latha – Manager	Member

3.	Mahamad Niranjan Bee	Member
4.	Karthik Apsinghi (Business Head)	Member
5.	Mr. Rohit Thakur	(Independent Member)

**If you face or encounter any situation as an employee of the Company and feel aggrieved, please send your complaint to [posh@netambit.in](mailto:posh@netambit.in). Your complaint and its redressal will be kept confidential.**

## **Dealing with the Complaint**

- It is the obligation of all employees to report sexual harassment experienced by them personally. A concerned co-worker/relative may also inform the Complaints Committee of any instance or behaviour of sexual harassment with written consent of the employee.
- The concerned employee/c-worker/relative shall give the complaint in writing to the Chairperson of the Committee giving details of the incident, preferably within a week or within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident of its occurrence. In case, the 3 month period has passed, the concerned employee may still approach the Committee within a further period of 3 months giving circumstance which prevented the filing of complaint within the time period of 3 months and if the Committee is satisfied, it may Condon the delay.
- Once the complaint is received, it will be kept strictly confidential.
- The person accused will be informed that a complaint has been filed against him/her and no unfair acts of retaliation or unethical action will be tolerated.
- The Committee shall ensure that a fair and just investigation is undertaken immediately.
- Both the complainant and the alleged accused initially will be questioned separately with a view to ascertain the reality of their contentions. 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.
- 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, disciplinary action will be taken against the accused, accordingly.
- The victim of sexual harassment has the option to seek transfer of the accused or his/her own transfer.

## **Disciplinary Action**

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.

## **Confidentiality**

All information received shall be kept confidential. Any person (including witnesses) who breaches confidentiality shall be subject to disciplinary action.

## **Protection against retaliation**

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 behavior from 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 Complaints Committee against any such complaints which are found genuine.

### **Documentation**

The Committee shall keep complete and accurate documentation of the complaint, its investigation and the resolution thereof. The incident would be documented in both the complainant's and the accused's files with the full report of the Complaints Committee.

### **Dissemination of the Policy**

A copy of this Policy shall be given to all employees and to all new recruits and they shall sign a statement acknowledging that they have received, read, understood and will abide by the Policy.

### **Complaints made with a malicious intent**

This policy has been evolved as a tool to ensure that in the interest of justice and fair play, our employees have a forum to approach in the event of instances of sexual harassment. However, if on investigation it is revealed that the complaint was made with a malicious intent and with the motive of maligning the concerned individual / tarnishing his/her image in the company and to settle personal/professional scores, strict action will be taken against the complainant. The employees who are victims of sexual harassment may, in addition to the above, seek legal remedies as may be provided under the various laws for the time being in force.

### **Policy Implementation and Review**

The policy will be implemented and reviewed by the legal department. The Company reserves the right to amend, abrogate, modify, rescind / reinstate the entire policy or any part of it at any time.

### **Sections of the Indian Penal Code (IPC) – Sexual Harassment and Punishment for Sexual Harassment**

Under the Indian Penal Code, the newly introduced Section (Section 354A) which deals with Sexual Harassment has made this a 'cognizable offense' i.e. a person charged with Sexual Harassment may be 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 three years, or

with fine, or with both.

(3) Any man who commits the offence specified in clause (iv) above shall be punished with imprisonment of either description (i.e. either simple or rigorous) for a term which may extend to 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.

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