

## Policy for Prevention of Sexual Harassment

Policy ID:	HR 19	Applies to:	All full-time employees of MPS Interactive
Policy Ver.	20.0		
Policy Owner:	HR Dept.	Reviewed by:	<b>VP – HR</b>
Effective Date	Sept 01, 25	Recommended by:	<b>Senior Manager - HR</b>
Supersedes Ver. No., Dtd:	19.9, Dtd. Aug 01, 24	Approved by:	<b>CEO</b>

### BACKGROUND

MPS Ltd is an equal employment opportunity company and is committed to creating a healthy working environment that enables working employees to work without fear of prejudice, gender bias, and sexual harassment. The Company also believes that all employees of the Company have the right to be treated with dignity. Sexual harassment at the workplace is, therefore, punishable.

### 1. DEFINITIONS

- 1.1 **‘District Officer’** means an Officer notified by the appropriate Government who may be a District Magistrate, or Additional District Magistrate or the Collector or Deputy Collector as a District Officer for every District to exercise powers or discharge functions under The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013.
- 1.2 **‘Employee’** means a person employed at a 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 Management, 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 called by any other such name.
- 1.3 **‘Management’** means Company's CEO or Director or such other officer or Officers/nominee(s) as may be authorized on this behalf by the CEO/Director and notified in the Notice Board of the establishment and also includes disciplinary authority and Appellate Authority as notified under the service rules or the certified standing orders as applicable."
- 1.4 **‘Respondent’** means the accused against whom the aggrieved person has made a Complaint.
- 1.5 **‘Sexual harassment** would mean and include any of the following unwelcome acts or behavior (whether directly or by implication) namely:
  - a. unwelcome sexual advances, requests, or demand for sexual favors, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a woman towards any company activity;

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- b. physical contact and advances, any unwelcome sexual advances involving verbal, non-verbal, or physical conduct including but not limited to making sexually coloured remarks, jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individual's sensibilities and affects her performance or any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- c. eve teasing, innuendos and taunts, physical confinement against one's will, and likely to intrude upon a woman's privacy;
- d. conduct of such an act at work place or outside in relation to a woman employee of the Company, or vice versa during the course of employment; and
- e. The Term also includes the following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment that may amount to sexual harassment:-
  - (i) implied or explicit promise of preferential treatment in her employment; or
  - (ii) implied or explicit threat of detrimental treatment in her employment; or
  - (iii) implied or explicit threat about her present or future employment status; or
  - (iv) interference with her work or creating an intimidating or offensive or hostile work environment for her; or
  - (v) humiliating treatment likely to affect her health or safety.

1.6 **'Workplace'** includes any place visited by the employee arising out of or during the course of employment including transportation provided by the Company for undertaking such journey.

### 2. OBJECTIVE

- 2.1 To ensure a conducive environment for the working of all associates.
- 2.2 To prevent the occurrence of acts of sexual harassment at the workplace.
- 2.3 To provide a mechanism for resolution, settlement, or prosecution of any such incidence.

### 3. SCOPE OF THE POLICY

3.1 This Policy extends to all women employees of the Company and is deemed to be incorporated in the Service conditions of all employees and comes into effect immediately and to any woman, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment at the workplace (referred to as **'aggrieved woman/complainant'**).

### 4. INTERNAL COMPLAINTS COMMITTEE

- 4.1 An Internal Complaints Committee (**'Committee'**), constituted by the Management, with at least four Members, will consider and redress complaints of Sexual Harassment.
- 4.2 The Members of the Committee will comprise (a) a Presiding Officer who shall be a female associate, (b) not less than two Members from amongst employees preferably committed to the cause of women or who have had experience in social work or have the legal knowledge and (c) one member from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.
- 4.3 Not less than half of the total Members of the Committee shall comprise of female members.
- 4.4 All members of the committee shall be neutral and unbiased.

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- 4.5 The complaint redressal committee, duly constituted by the Management of the Company for different administrative units, is detailed in **Exhibit 1**.
- 4.6 Members appointed from amongst the non-governmental organisations or associations shall be paid fees or allowances for holding the proceedings of the Committee, by the Company.
- 4.7 The tenure of the committee will not exceed a period of 3 years from the date of nomination. The Management may also reconstitute the committee prior to the expiration of the term.
- 4.8 The committee shall meet as and when required but at least once in six months to ensure the effectiveness of the system and to find out ways to promote a safe and healthy working environment.
- 4.9 A quorum of three members is required to be present for the proceedings to take place. The quorum shall include the Presiding Officer, at least two members, one of whom shall be a lady.
- 4.10 For the purpose of making an inquiry, the Committee shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely:
- (a) summoning and enforcing the attendance of any person and examining him on oath;
  - (b) requiring the discovery and production of documents: and
  - (c) any other matter which may be prescribed.

### **5. FILING OF COMPLAINT**

- 5.1 Any aggrieved woman, who feels and is being sexually harassed directly or indirectly may submit a complaint of the alleged incident (six copies of the complaint along with supporting documents and the names and addresses of the witnesses) to any member of the Committee in writing, with her signature within a period of three months from the date of occurrence of incident, and in case of a series of incidents, within a period of three months from the date of the last incident.
- 5.2 The Committee may for the reasons to be recorded in writing extend the time limit not exceeding three months if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period.
- 5.3 Where such complaint cannot be made in writing, the Presiding Officer or any Member of the Committee shall render all reasonable assistance to such woman for making the complaint in writing.
- 5.4 Where the aggrieved woman:
- a) is unable to make a complaint on account of her physical incapacity, a complaint may be filed by:
    - i) her relative or friend; or
    - ii) her co-worker; or
    - iii) an officer of the National Commission for Women or State Women's Commission; or
    - iv) any person who knows about the incident, with the written consent of the aggrieved woman;
  - b) is unable to make a complaint on account of her mental incapacity, a complaint may be filed by:
    - i) her relative or friend; or

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- ii) a special educator; or
  - iii) qualified psychiatrist or psychologist; or
  - iv) the guardian or authority under whose care, she is receiving treatment or care; or
  - v) any person who knows about the incident jointly with her relative or friend or a special educator or a qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care;
- c) is unable to make a complaint on account of any other reason, a complaint may be filed by any person who knows about the incident, with her written consent;
- d) is dead, a complaint may be filed by any person who knows about the incident, with the written consent of her legal heir.

5.5 The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.

### **6. REDRESSAL PROCEDURE**

#### **(A) CONCILIATION**

1. The Committee may, before initiating an inquiry and at the request of the aggrieved person take steps to settle the matter between her and the respondent through conciliation.
2. No Monetary settlement shall be made as a basis of conciliation.
3. If a settlement is arrived at through conciliation, the Committee shall record the settlement so arrived and forward the same to the Management of the Company to take action as specified in the recommendation.
4. The Committee shall provide copies of the settlement, as recorded, to the aggrieved woman and to the respondent.
5. Where a settlement is arrived at through Conciliation, no further inquiry shall be conducted by the Committee.

#### **(B) INQUIRY INTO COMPLAINT**

1. Where the aggrieved woman informs the Committee that any term or condition of the settlement arrived under the Conciliation process has not been complied with by the respondent, the Committee shall proceed to inquire into the complaint.
2. On receipt of the complaint, the complaints committee shall send one of the copies received from the aggrieved woman to the respondent within a period of seven working days.
3. The respondent shall file his reply to the complaint along with his list of documents and names and addresses of the witnesses, within a period not exceeding ten working days from the date of receipt of the documents.

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4. Where both the parties are employees, the parties shall, during the course of the inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the Committee.
5. The Committee will inquire into the complaint in accordance with the principles of natural justice.
6. The Committee shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, after giving a notice in writing, fifteen days in advance to the party concerned, if the complainant or respondent fails, without sufficient cause, to present herself or himself for three consecutive hearings convened by the Presiding Officer.
7. The parties shall not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings before the Committee.
8. In conducting the inquiry, a minimum of three Members of the Committee including the Presiding Officer shall be present.
9. The inquiry shall be completed within a period of ninety days.
10. On the completion of the inquiry, the Committee shall provide a report of its findings to the Management within a period of ten days from the date of completion of the inquiry and such report shall be made available to the concerned parties.
11. The Management shall act upon the recommendation within sixty days of its receipt by them.

### **(C) RELIEF TO THE COMPLAINANT DURING THE PENDENCY OF THE INQUIRY**

1. During the pendency of an inquiry, on a written request made by the aggrieved woman, the Internal Committee, may recommend to the Management to:
  - a) transfer the aggrieved woman or the respondent to any other workplace; or
  - b) grant leave to the aggrieved woman for up to a period of three months; or
  - c) restrain the respondent from reporting on the work performance of the aggrieved woman or writing her confidential report and assign the same to another officer;
2. The leave granted to the aggrieved woman under these circumstances shall be in addition to the leave she would be otherwise entitled to.
3. On the recommendation of the Committee, the Management shall implement the recommendations made and send the report of such implementation to the Committee.

### **(D) MANNER OF TAKING ACTION**

1. Where the Committee concludes that the allegation against the respondent has not been proved, it shall recommend to the Management that no action is required to be taken in the matter.
2. Where the Committee arrives at the conclusion that the allegation against the respondent has been proven, it will recommend to the Management:

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- (a) to take action for sexual harassment as misconduct which may include a written apology, warning, reprimand or censure, withholding of promotion, withholding of pay rise or increments, terminating the respondent from the services of the Company or undergoing a counseling session or carrying out community service.
  - (b) to deduct, notwithstanding anything in the service rules applicable to the respondent, from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the aggrieved woman or her legal heirs, as it may determine.
    - (i) For the purpose of determining the sums to be paid to the aggrieved woman, the Committee shall have regard to:
      - the mental trauma, pain, suffering, and emotional distress caused to the aggrieved woman;
      - the loss of a career opportunity due to the incident of sexual harassment;
      - medical expenses incurred by the victim for physical or psychiatric treatment;
      - the income and financial status of the respondent;
      - feasibility of such payment in a lump sum or in installments.
    - (ii) in case it is not possible to make such deduction from the salary of the respondent due to his being absent from duty or cessation of employment the Management may direct the respondent to pay such sum to the aggrieved woman.
    - (iii) in case the respondent fails to pay the sum referred to in clause (ii), the Committee may forward the order for recovery of the sum as an arrear of land revenue to the concerned District Officer.
3. The Management will direct appropriate action in accordance with the recommendation proposed by the committee.

### **(E) ACTION FOR FALSE OR MALICIOUS COMPLAINT OR FALSE EVIDENCE**

1. Where the committee arrives at the conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the Management to take action.
2. A mere inability to substantiate a complaint or provide adequate proof shall need not attract action against the complainant
3. Before any action is recommended, the malicious intent on part of the complainant shall be established by the inquiry process.

### **(F) APPEAL**

1. Any person aggrieved:
  - (i) from the recommendations made under the Inquiry report or
  - (ii) by the action recommended by the Committee for false or malicious complaint or false evidence or

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- (iii) where any person entrusted with the duty to handle or deal with the complaint, inquiry contravenes the provisions of clause 7.4 of this Policy,
  - (iv) from non-implementation of the recommendation
- may prefer an appeal to the Court or tribunal in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist then, without prejudice to provisions contained in any other law for the time being in force, the person aggrieved may prefer an appeal to the appellate authority notified under clause (a) of Section 2 of the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946).

2. The appeal shall be preferred within a period of ninety days of the recommendations.

### **7. MISCELLANEOUS**

- 7.1 The half-yearly meeting of the ICC members for POSH is scheduled to provide updates on location-specific issues related to sexual harassment in the workplace and to enhance awareness by discussing recent amendments and orders pertinent to the POSH Act.
- 7.2 As a part of the induction process, it is mandatory for all the new joiners to go through the POSH policy/training within 30 days of joining.
- 7.3 All the existing employees have to go through the posh policy /training at least once a year.
- 7.4 Filing of a complaint will not adversely affect the complainant's status/job, Salary/promotion, grades, etc. during the pendency of an inquiry and till the final determination of a complaint of sexual harassment under this Policy, the organization shall not alter the conditions of service of the Complainant/Supporter/Witness concerned to their prejudice, as a consequence to the filing, participation or holding of an inquiry under this Policy.
- 7.5 It will be ensured that victims or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.
- 7.6 The Identity of the victim and the witnesses shall be kept confidential.
- 7.7 The contents of the complaint, identity, and addresses of the aggrieved woman, respondent, and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Committee, and the action taken by the Management under this Policy shall not be published, communicated or made known to the public, press, and media in any manner. However, information may be disseminated regarding the justice secured to any victim of sexual harassment under this Policy without disclosing the name, address, identity, or any other particulars that may lead to the identification of the aggrieved woman and witnesses.
- 7.8 No observation regarding the work and behavior of either the complainant or respondent shall be made which are not related to the alleged act of sexual harassment. However, the committee may consider as relevant any earlier complaints of sexual harassment against the defendant.
- 7.9 The Management shall provide all necessary assistance to ensure full, effective, and speedy implementation of this policy, make available necessary information to the Committee, secure the attendance of respondent and witness before the committee, and shall provide necessary facilities to the Committee for dealing with the complaint and for conducting an inquiry.

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7.10 The Company will:

- a) assist the woman if she so chooses to file a complaint about the offence under the Indian Penal Code or any other law for the time being in force
- b) cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place;
- c) treat sexual harassment as misconduct under the service rules and initiate action for such misconduct;
- d) monitor the timely submission of reports by the Committee.

7.8 The Committee shall at the end of each calendar year prepare, in such form and at such time as may be prescribed, an annual report giving the following details and submit the same to the Management:

- The number of complaints of sexual harassment received during the year
- number of complaints disposed off during the year
- number of cases pending for more than ninety days
- number of workshops or awareness programs against Sexual harassment, carried out;
- nature of action taken by Management

7.9 The Management shall include the number of cases filed if any, and their disposal in the Annual Report of the Company.

7.10 The Committee shall be governed by The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act and Rules, 2013, and any amendments thereon.

### Document History

Date	Version	Prepared by	Reviewed by	Approved by	Description of changes
01-Sep-25	20.0	Senior Manager HR	VP - HR	CEO	Policy created and executed

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### Appendix: Annual Review History

An annual review conducted on	Version reviewed	Is change required (Y/N)	Document uploaded an internal portal	Remarks
19-Sept-25	20.0	Y	Y	NA

### POSH Committee:

Exhibit 1

#### INTERNAL COMMITTEE FOR MPSI

Ms. Prarthana Agarwal	CFO	Presiding Officer	prarthana.agarwal@mpslimited.com
Ms. Soma Bhaduri	VP	Member	somab@eidesign.net
Mr. Anandarup Nandi	VP	Member	anandarupn@eidesign.net
Ms. Megha Jain	Third Party	Member	joyfulmegha@yahoo.com
Ms. Tahaseen Shaik	Human Resources	Member	Tahaseen.s@mpslimited.com
Ms. Namrata Kudale	Sr. Director	Member	namratak@eidesign.net