

Intellius Recode Limited

PREVENTION OF SEXUAL HARASSMENT POLICY
HR/POL-POSH/003-REV-3.0

DOCUMENT REVIEW HISTORY

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2.0	Internal Complaints Committee Revamp	Archana Chintagunta	Pradeep Jeyaraj	03-Oct-2023
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For and on behalf of Board of Intellius Recode Private Limited



Name: Prasanna Ramaswamy

Designation: Director

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Purpose:

To create and maintain safe work environment, free from sexual harassment & discrimination for all its employees thereafter enacted The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (“Act”) vide Notification No SO 3606(E) dt 09 Dec 2013.

Scope:

Intellius Recode Private Limited aims to adopt zero tolerance attitudes against any kind of Sexual Harassment or discrimination caused by any employee during their tenure in the organization towards any other person being an employee of Intellius Recode Pvt Ltd, Client, Vendor, Contractors in the organization premises or elsewhere in India.

Applicability:

All employees of Intellius Recode Private Limited

Definitions:

“**Aggrieved Woman**” means, a woman of any age whether employed or not, who alleges to have been subjected to any act of Sexual Harassment

“**Employee**” means a person employed at a Work Place 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 called by such other name.

“**Sexual Harassment**” includes any of the following unwelcome acts or behavior, which are sexually determined or with a sexual overtone (whether directly or by implication) against a woman:

- Physical contact and advances
- A demand or request for sexual favors
- Showing pornography
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

When any of the following circumstances arise along with acts or behavior stated above, such circumstance may also amount to Sexual Harassment of a woman:

- Implied or explicit promise of preferential treatment in employment
- Implied or explicit threat of detrimental treatment in her employment
- Implied or explicit threat of present or future employment status.
- Interference with work or creating an intimidating or offensive or hostile work environment
- Humiliating treatment likely to affect health.

Some forms of unwelcome conduct (sexually determined or with a sexual overtone) against woman that may constitute Sexual Harassment are enumerated below:

- **Visual:**
 - Ogling, lurid stares
 - Sexually explicit gestures,
 - Offensive posters, cartoons, pictures, or drawings
 - Graphic descriptions of pornography
 - Leaving behind the magazines with obscene photographs or write ups
- **Verbal:**
 - Epithets, derogatory or suggestive comments
 - Lewd and threatening conversations, eve teasing
 - Discussing sexual activities
 - Dirty jokes

- Whistling, cat calling
- Soliciting/Demanding sexual services
- Comments about an individual's body

- **Written:**
 - Dirty cartoons, filthy jokes
 - Obscene cc/bcc: mail messages
 - Sending e-mails depicting suggestive pictures

- **Physical:**
 - Unwelcome touching and hugging
 - Patting/Grabbing/ Kissing/Pinching etc
 - Accidental" collisions
 - Inappropriate gifts (for example, lingerie)

"Respondent" shall mean the person against whom a complaint has been made

"Work Place" shall mean any all units/offices of Intellius Recode Pvt Ltd, client/customer locations, or any place visited by an Employee arising out of or during the employment including transportation, accommodation, or work-related gatherings or social events arranged by Intellius Recode Pvt Ltd.

Classification:

Sexual harassment cases can be classified into two categories:

- Quid Pro Quo – Implied or explicit promise/threat of preferential/detrimental treatment in employment.
- Creation of a hostile and intimidating working environment.

Quid Pro Quo ("Something for Exchange" or "This for that")

A person or authority demands sexual favors from a woman for getting or keeping a job benefit and where submission or rejection of such conduct will lead to decision(s), which will affect a woman unfavorably at the workplace. Quid Pro Quo harassment can occur anywhere, anytime, on or off the work place.

Hostile and intimidating working environment

A hostile or intimidating work environment arises when a co-worker or supervisor creates a work environment for a woman, through behaviors such as unwelcome sexual advances, requests for sexual favors or any other verbal or physical conduct of a sexual nature that interferes with the woman's job performance or creates a Work Place\ which is intimidating, hostile, offensive, unpleasant, threatening, antagonistic or humiliating and is experienced as an attack on personal dignity.

Preventive Steps:

Without prejudice to the generality of this obligation, the following steps will be taken to prevent sexual harassment

- Prohibition of sexual harassment at work place along with the penal consequences of sexual harassment and the order constituting the ICC will be notified, published and circulated in appropriate ways.
- Safe working environment will be provided at work place in respect of work, leisure, health and hygiene to further ensure that there is no hostile or intimidating environment for a woman and no woman should have reasonable grounds to believe that she is disadvantaged in connection with her employment.
- Organizing workshops and awareness programs at regular intervals for sensitizing the employees in order to prevent and prohibit any instance of Sexual Harassment
- Where such misconduct amounts to a specific offense under any law, appropriate action will be initiated in accordance with law by making a complaint with appropriate authority.

In case of misconduct during employment, appropriate disciplinary action, as per service rules, will be initiated by the company including termination of employment.

Who may file a complaint?

- An Aggrieved Woman
- Where an Aggrieved Woman is unable to file a complaint on account of her physical incapacity, the complaint maybe filed by:

- Her relative or friend
- Her co-worker
- An officer of the National/State Commission for Women (SCW)
- Any person who has knowledge of the incident with the consent of the Aggrieved Woman
- Where an Aggrieved Woman for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident with her written consent.
- Where an Aggrieved Woman is dead, a complaint may be filed by any person who has knowledge of the incident with the written consent of her legal heir.

The person filing the complaint is referred to as “Complainant”

Complaints Mechanism:

- A Complainant may make, in writing, a complaint of Sexual Harassment at Work Place to the ICC within a period of three (3) months from the date of incident and in case of a series of incidents within a period of three (3) months from the date of last incident. The Complainant should provide 6 copies of (a) complaint (b) supporting evidence (c) with list of witness.
- Where such complaint cannot be made in writing the Presiding Officer or any member of the ICC shall render all reasonable assistance to the Complainant for making the complaint in writing.
- The ICC may extend the time limit, not exceeding three (3) months, upon the Complainant, giving satisfactory explanation of the circumstances that prevented them from filing a complaint within three (3) months of the incident
- The written complaint must be provided with details of incident together with the name of harasser(s)
- On receipt of the complaint, ICC shall send one copy to the Respondent within Seven (7) working days.
- The Respondent shall provide his reply along with supporting evidence and list of witnesses within Ten (10) working days of receipt of the complaint and the supporting evidence and other documents filed by the Complainant
- Failure by the Complainant or the Respondent to be present for three consecutive hearings without cause will result in termination of the proceedings or the ICC giving an ex parte decision.
- On receipt of a request from the Complainant, the ICC may request the employer to:
 - Restrain the Respondent from reporting on the work performance of the Aggrieved Woman
 - Assign the Aggrieved Woman to another supervisor if the Respondent is the reporting supervisor.

Internal Complaints Committee (ICC):

Internal Complaints Committee Email: posh.complaintscommittee@recodesolutions.com

Internal complaints committee consisting of

- Presiding Officer: Head of Department
- 1 Member - Head of Department
- 1 Lady Member (Manager)
- 1 Male Member
- 1 Lady Member (From NGO or Psychologist or lawyer)
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Name	Mobile Number	Email
Vaishnavi Raghavan	9600002943	vaishnavi.raghavan@recodesolutions.com
Archana Chintagunta	8939127297 / 9150001284	Archana.chintagunta@recodesolutions.com
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Punitha Anthony	9840215812	punitha.anthony@gmail.com

Redressal & Inquiry Process:

ICC may at the request of the Complainant take steps to settle the matter through conciliation provided that no monetary settlement shall be the basis for the conciliation. If a settlement has been arrived at, the settlement will be recorded and forwarded to the employer and the matter will stand closed. Copies of the recorded settlement will be forwarded to the Complainant and the Respondent. In the event of failure by the Respondent to comply with any terms of the settlement, the ICC will proceed to make inquiry into the complaint or forward the issue to Police.

Generally based on the complaint from the Complainant, the ICC will proceed to make inquiry into the complaint in accordance with the provisions of the service rules applicable to the Respondent and the procedure set out in the Act and Rules. The inquiry shall be completed within 90 days of receipt of the Complaint.

Possible Disciplinary Process / Actions:

- A letter of warning that will be placed in the personal file of the Respondent
- Immediate transfer or suspension without pay or both
- Fine equivalent to 3-6 months' salary
- Stoppage of increment with or without cumulative effect
- Reduction in Level/Designation
- Termination/dismissal from the services of the Company
- Any other action that the Disciplinary Authority may deem fit such as deputing the individual for a counselling session, transfer to another location of the company, etc.,
- Filing a complaint before the relevant police station/Court

Responsibilities of Employee & Employer:

Employee:

- Employees are encouraged to familiarize themselves with the key elements of this policy
- Abstain from committing any acts which amount to sexual harassment at the workplace
- Report incidents of sexual harassment (even if that may not directly impact individual) without fear or favor immediately
- Create an environment of conduciveness for co-workers to work together without fear of harassment
- Avoid sending confusing signals: If a colleague expresses an attraction and employee is not interested, then instead of saying "Maybe some other time", say "No"
- If a colleague indicates that a particular behaviour makes them uncomfortable, stop it immediately
- Watch for non-verbal signals that may indicate that a particular behavior/action is making some one uncomfortable
- Get clarifications from HR / Internal Complaints Committee (ICC) Members whenever in doubt

Employer:

- Provide a safe working environment with respect to work, leisure, health and safety
- Display of penal consequences of sexual harassments at common areas
- Organize workshops and awareness programs at regular intervals for sensitizing the employees with the provisions of the Act and orientation program for the members of the ICC
- Ensure there is no retaliation or hostile environment in the work place for complainant/victim
- Taking immediate actions for promptly investigating any such allegations
- Provide assistance to the Complainant if they choose to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force

Additional General Guidelines:

- The management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of the policy.
- Where sexual harassment occurs as a result of an act or omission by any third party or outsider, Intellius Recode Pvt Ltd shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.



- The committee shall analyze and put up report on all complaints of this nature at the end of the year for submission to Global Head – HR
- In case the committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police complaint.

Confidentiality:

The details of all complaints received, the names of witnesses and supporting evidences shall be kept confidential and will be preserved for such period as permitted under law.

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