

## **POLICY ON PREVENTION OF SEXUAL HARASSMENT OF WOMEN (POSH) IN RBD Shelters LLP**

Sexual harassment at the workplace results in violation of the fundamental rights of a woman

- to equality under Articles 14 and 15 of the Constitution of India
- to life and to live with dignity under article 21 of the Constitution
- to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment.

RBD Shelters LLP is an equal employment opportunity company and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and in a harassment free workplace to all employees without regard to race, caste, religion, colour, ancestry, marital status, gender, age, nationality, ethnic origin or disability. The Company also believes that all employees of the Company have the right to be treated with dignity. Sexual harassment at the work place or other than work place if involving an employee or employees is a grave offence and is therefore, punishable.

### **1. Introduction**

At RBD Shelters LLP, all employees are expected to uphold the highest standards of ethical conduct at the workplace and in all their interactions with business stakeholders. This means that employees have a responsibility to

- Treat each other with dignity and respect
- Zero tolerance to any sexual harassment at workplace through Prevention, Resolution and Deterrence of acts of sexual harassment.
- Follow the letter and spirit of law.
- Refrain from any unwelcome behavior that has sexual connotation (of sexual nature)
- Refrain from creating hostile atmosphere at workplace via sexual harassment
- Report sexual harassment experienced and/or witnessed to appropriate authorities and abide by the complaint handling procedure of the company.
- To encourage the early reporting of any allegations of sexual harassment and ensure that complaints are dealt with in a sensitive, equitable, fair, timely and confidential manner, as per the principles of natural justice.

This policy has been framed in accordance with the provisions of “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” and rules framed thereunder (hereinafter “the Act”). Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail. If any aspect relating to sexual harassment not explicitly covered in this policy is provided for by the law, then the law will be applicable. In case of any conflict between the policy and the law, the law will prevail.

This policy provides protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

## 2. Scope

This Policy extends to all employees of RBD Group - **RBD Shelters LLP, Ferns Icon, Roach Properties & Developers LLP, Clover Greens Pvt Ltd** & any other company which may be incorporated in future - hereinafter referred to as 'Company' / 'Organization' in this policy. It is deemed to be incorporated for all employees of the Company in India. Local country laws will take precedence over this policy, in other geographies, if applicable.

## 3. Definitions

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

“Sexual Harassment” includes any one or more of the following unwelcome acts or behavior (whether directly or by implication), but not limited to:

1. Any unwelcome sexually determined behavior, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely:
  - a. Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implicit or explicit
  - b. Physical contact and advances including (but not limited to) touching, stalking, sounds which have explicit and /or implicit sexual connotation/overtones, molestation
  - c. Teasing, Voyeurism, innuendos and taunts with implicit sexual connotation, physical confinement and /or touching against one’s will
  - d. Demand or request for sexual favors
  - e. Sexually colored remarks or remarks of a sexual nature about a person's clothing or body
  - f. Display of pictures, signs etc. with sexual nature/ connotation/ overtones in the work area and work-related areas
  - g. Showing pornography, making or posting vulgar / indecent / sexual pranks, teasing, jokes, demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS, gestures etc.
  - h. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person’s wishes
  - i. Giving gifts or leaving objects that are sexually suggestive
  - j. Eve teasing, innuendos and taunts, physical confinement against one’s will or any such act likely to intrude upon one’s privacy; Persistent watching, following, contacting of a person; and
  - k. 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 behavior 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. Implied or explicit threat about the present or future employment status;
- d. Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
- e. Humiliating treatment likely to affect health or safety.

An alleged act of sexual harassment committed during or outside of office hours falls under the purview of this policy. 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.

- **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.
- **Complainant:** Any aggrieved woman who makes a complaint alleging sexual harassment under this policy
- **Respondent:** A person against whom a complaint of sexual harassment has been made by the aggrieved woman under this policy
- **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 coworker, a contract worker, probationer, trainee, apprentice or called by any other such name.
- **Special Educator:** A Special Educator means a person trained in communication with people with special needs in a way that addresses their individual differences and needs.
- **Workplace:**
  - Premises, locations, establishments, enterprises, institutions, offices, branches or units established, subsidiaries which are controlled by the Company.
  - Places visited by the Employee arising out of or during the course of employment including official events, accommodation and transportation provided by the employer for undertaking a journey.
- **Employer:** A person responsible for management, supervision and control of the workplace.

#### 4. Roles and Responsibilities

It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:

- a. Refusing to participate in any activity which constitutes harassment
- b. Supporting the person to reject unwelcome behavior
- c. Acting as a witness, if the person being harassed decides to lodge a complaint

## 5. Redressal Mechanism - Formal Intervention

In compliance with the Act, any complaint under this policy shall be followed by a formal redressal mechanism as described in this Policy.

### a. Internal Complaints Committee (Henceforth known as 'committee')

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, Internal Complaints Committees (IC) have been appointed in the company. The detail of the committee is notified to all covered persons at the location (workplace). The committee at each location comprises of:

1. Presiding Officer: A woman employed at a senior level in the organization or workplace
2. At least 2 members from amongst employees, committed to the cause of women or who have had experience of social work or have legal knowledge
3. One external member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.
4. At least one half of the total members nominated being women.

The committee will be responsible for:

1. Receiving complaints of sexual harassment at the workplace
2. Initiating and conducting inquiry as per the established procedure
3. Submitting findings and recommendations of inquiries
4. Coordinating with the employer in implementing appropriate action
5. Maintaining strict confidentiality throughout the process as per established guidelines
6. Submitting annual reports in the prescribed format

### b. Committee Members

For IC constitution at the following subsidiaries, members will be co-opted from the respective companies to participate in the investigations/POSH related initiatives that are required to be conducted:

- RBD Shelters LLP
- Ferns Icon
- Roach Properties & Developers LLP
- Clover Greens Pvt Ltd

Internal Complaint Committees have been formulated for the company. IC at the corporate level will comprise of the following:

1. Chairperson/Presiding Officer
2. Chief Human Resources Officer
3. 2 to 3 members

#### 4. External Member & NGO Representative

The term of the members of the ICC will not exceed three years from the date of their nomination

Meetings of the ICC to be held:

- i. Every quarter
- ii. Within 7 (seven) days from receipt of Complaint
- iii. Such other special meetings to address the Complaints pertaining to sexual harassment of the female employees

In conducting the inquiry, a minimum of three members of the ICC including the Presiding Officer shall be present

The details about the current members of the IC are enclosed in Annexure A.

#### c. Lodging a Complaint

An aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the Internal Committee within a period of 3 months from the date of incident/ last incident. The Internal Committee can extend the timeline by another 3 months for reasons recorded in writing (Format - Annexure B), if satisfied that these reasons prevented the lodging of the complaint within the period.

Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Complaint Committee shall render all reasonable assistance to the women for making the complaint in writing.

1. If the Aggrieved Woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by:
  - a. her relative or friend; or
  - b. her co-worker; or
  - c. an officer of the National Commission for Women or State Women's Commission; or
  - d. any person who has knowledge of the incident, with the written consent of the Aggrieved Woman
2. If the Aggrieved Woman is unable to make a complaint on account of her mental incapacity, a complaint may be filed by:
  - a. her relative or friend; or
  - b. a special educator; or
  - c. a qualified psychiatrist or psychologist; or
  - d. the guardian or authority under whose care she is receiving treatment or care; or
  - e. any person who has knowledge of the incident jointly with the Aggrieved Woman's relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority

under whose care she is receiving treatment or care

3. If the 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.
4. If the Aggrieved Woman is deceased, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.

The complaint shall be submitted by the complainant to the IC in writing or shall be submitted to the IC electronically at [poshatrbd@gmail.com](mailto:poshatrbd@gmail.com). The complaint can also be physically submitted to any IC member. The complaint can also be submitted to the external member whose contact details will be published in the POSH policy and on the notice board of the company.

#### **d. Receiving a Complaint (guidelines)**

Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed and it requires tact and discretion while receiving the complaint.

The following points are to be kept in mind by the receiver of the complaint:

- Complaints are listened to and the complainant informed that the Company takes the concerns seriously. Complainant is informed that these concerns will be reported to the appropriate committee and follow up will be done speedily.
- Situations are not to be pre-judged. Written notes are to be taken while listening to the person. When taking notes, complainants' own words, where possible, are to be used accurately. Clear description of the incident in simple and direct terms is prepared and details are confirmed with the complainant.
- All notes are kept strictly confidential. Complainant's agreement is taken to allow proceeding with the matter, which involves a formal investigation.
- The complainant is advised that although the process is confidential, the respondent needs to be informed and any witnesses and persons directly involved in the complaint process will also learn of the complainant's identity

Care is taken to prevent any disadvantage to or victimization of either the complainant or the respondent.

#### **e. Resolution procedure through conciliation**

Once the complaint is received, before initiating the inquiry, the committee may take steps to conciliate the complaint between the complainant and the respondent. This is only if requested by the aggrieved woman.

No monetary settlement can be made as a basis of conciliation.

In case a settlement is arrived at, the committee records & reports the same (Format Annexure E) to the employer for taking appropriate action. Resolution through conciliation is to happen within 2 weeks of receipt of complaint.

The committee shall provide copies of the settlement to complainant & respondent. Where a settlement

is arrived at, no further inquiry is to be conducted by the committee.

**f. Resolution procedure through formal inquiry**

The committee will initiate inquiry in the following cases:

- No conciliation is requested by aggrieved woman
- Conciliation has not resulted in any settlement
- Complainant informs the committee that any term or condition of the settlement arrived through conciliation, has not been complied with by respondent

**1. Manner and Procedure of inquiry into complaint:**

- Complainant should submit the complaint Format - Annexure B along with supporting documents and the names of the witnesses, if any.
- The Committee will hold a meeting with the Complainant within seven days of receipt of the complaint, but no later than a week in any case.
- At the first meeting, the Committee members shall hear the Complainant and record her allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate her complaint.
- The Committee shall proceed with the enquiry and communicate the same to the Complainant and Respondent.
- Upon receipt of the complaint, the committee will send 1 copy of the complaint to Respondent within 7 working days of receiving the complaint.
- Respondent shall reply with all supporting documents within 10 working days of receiving the copy of the complaint. Format - Annexure C
- Thereafter, the Respondent may be called for a deposition before the Committee and an opportunity will be given to him to give an explanation, where after, an inquiry shall be conducted and concluded.
- The Complainant shall be provided with a copy of the written explanation submitted by the Respondent.
- If the Complainant or the respondent desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es that they propose to call.
- The Committee shall call upon all witnesses mentioned by both the parties. Document the proceeding in Annexure D.
- The Committee shall provide every reasonable opportunity to the Complainant and the Respondent for putting forward and defending their respective case.
- If either party desires to tender any documents by way of evidence before the Committee, the same is to be supplied as original copies of such documents. Signatures should be affixed on the respective documents to certify these to be original copies.
- No legal practitioner can represent any party at any stage of the inquiry procedure
- The Complaints Committee is to make inquiry into the complaint in accordance with the principles of natural justice
- In conducting the inquiry, a minimum of three committee members including the Presiding Officer are to be present

- The employer shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy
- Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the company shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.

If the complainant or respondent desires to cross examine any witnesses, the Committee facilitates the same and records the statements. In case complainant or respondent seeks to ask questions to the other party, they may give them to the Committee which asks them and records the statement of the other party.

Any such inquiry is completed, including the submission of the Inquiry Report, within 90 days from the date on which the inquiry is commenced. The inquiry procedure should ensure absolute fairness to all parties.

## 2. Interim relief

During pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the employer to:

- Transfer the complainant or the respondent to any other workplace
- Grant leave to the aggrieved woman of maximum 3 months, in addition to the leave she would be otherwise entitled
- Prevent the respondent from assessing complainant's work performance
- Grant such other relief as may be appropriate

Once the recommendations of interim relief are implemented, the same is informed to the committee.

## 3. Termination of Inquiry

Committee may terminate the inquiry or give ex-parte decision, if complainant or respondent respectively is absent for 3 consecutive hearings, without sufficient reason. 15 day written notice is to be given to the party, before termination of enquiry or ex-parte order.

## 4. Action to be taken after inquiry

Post the inquiry, the committee submits its report containing the findings and recommendations to the employer, within 10 days of completion of the inquiry.

## 5. Complaint unsubstantiated

Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the employer that no action is required to be taken in this matter. Further, the committee ensures that both parties understand that the matter has been fully investigated, that the matter is now concluded, and neither will be disadvantaged within the Company.



## 6. Complaint substantiated

Where the committee arrives at the conclusion that the allegation against the respondent has been proved, it recommends to the employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:

- i. Counseling
- ii. Censure or reprimand
- iii. Apology to be tendered by respondent
- iv. Written warning
- v. Withholding promotion and/or increments
- vi. Suspension
- vii. Termination
- viii. Or any other action that the employer may deem fit.

The Company is required to act upon the recommendations within 60 days and confirm to the committee. Post implementation of the actions, follow up with the complainant should also occur to ascertain whether the behavior has in fact stopped, the solution is working satisfactorily and if no victimization of either party is occurring.

## 7. Penal Consequences of Sexual Harassment

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 employer, for making a Police Complaint. Under the Indian Penal Code, (IPC), the newly introduced Section (S. 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.

## 8. Malicious Allegations

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 employer to take action against the woman or the person making the complaint.

While deciding malicious intent, the committee should consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

## 6. Confidentiality

The identity of the complainant, respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the committees, action taken by the employer is considered as confidential materials, and not published or made known to public or media.

Undertaking to be taken in Annexure G

Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the act.

## 7. Appeal

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the appellate authority in accordance with the Act, within 90 days of the recommendations being communicated.

## 8. Awareness

Awareness sessions are to be organized to:

- Formulate and widely disseminate an internal policy or charter or resolution or declaration for prohibition, prevention and redressal of sexual harassment at the workplace intended to promote gender sensitive safe spaces and remove underlying factors that contribute towards a hostile work environment against women.
- Carry out orientation programs and seminars for the Members of the IC.
- Conduct capacity building and skill building programs for the Members of the IC.
- Declare the names and contact details of all the Members of the IC.
- Use modules developed by the State Governments to conduct workshops and awareness programs for sensitizing the employees with the provisions of the Act.

## 9. Legal Compliance

The IC shall in each calendar year prepare, in such format as may be prescribed, an annual report Format Annexure - F and submit the same to the employer and the District Officer (as defined in the Act). The report shall have the following details:

- number of complaints of Sexual harassment received in the year
- number of complaints disposed of during the year
- number of cases pending for more than 90 days
- number of workshops or awareness program against Sexual Harassment carried out
- nature of action taken by the employer or District Officer

## ANNEXURE A

### A. Constitution of Internal Complaints Committee (IC):

#### ICC MEMBER LIST

Entity	Name	Designation	Mail ID	Contact
RBD	Hilma Josephine Roach	Director	<a href="mailto:hilma.roach@gmail.com">hilma.roach@gmail.com</a>	
RBD	Christina Anisha Roach	Director	<a href="mailto:christinaroach@gmail.com">christinaroach@gmail.com</a>	
RBD	Gavin Louis Santiago	Chief Executive Officer	<a href="mailto:gavin@rbdshelters.com">gavin@rbdshelters.com</a>	
RBD	Sai Jandhyala	Head - Accounts & Finance	<a href="mailto:sai@rbdshelters.com">sai@rbdshelters.com</a>	9986936697
Roach	Madhura K J	Deputy Manager - HR	<a href="mailto:hr@rbdshelters.com">hr@rbdshelters.com</a>	8095000744
FI	Lakshmi	House Keeping Supervisor	<a href="mailto:mohanlakshmi542@gmail.com">mohanlakshmi542@gmail.com</a>	
FI	Vijay Michael Franklin Gojer	Property Manager	<a href="mailto:pm.icon@rbdshelters.com">pm.icon@rbdshelters.com</a>	9916022209
FI	Priya Naveen V	Executive Assistant to MD	<a href="mailto:priya@rbdshelters.com">priya@rbdshelters.com</a>	9916044337
RBD	Reshma D Souza	Marketing Executive	<a href="mailto:reshma@rbdshelters.com">reshma@rbdshelters.com</a>	9986904114
RBD	Deepika D K	Assistant Manager Legal	<a href="mailto:deepika@rbdshelters.com">deepika@rbdshelters.com</a>	8095000445
RBD	Vivek Kumar Gaur	DGM - Contracts & Procurement	<a href="mailto:vivek.gaur@rbdshelters.com">vivek.gaur@rbdshelters.com</a>	9901136977
	Ramitha K	External Member - NGO	<a href="mailto:ramitha1@gmail.com">ramitha1@gmail.com</a>	7829911200

ICC have been constituted for RBD Shelters LLP (RBD), Ferns Icon (FI), Roach Properties & Developers LLP (RPD), Clover Greens Pvt Ltd. (CG)

**a. ANNEXURE B**

Format of the Complaint

Sr. No.	Query	Particulars
1)	Name of Complainant	
2)	Address and contact number of the Complainant	
3)	Name, address and contact of next of kin of the Complainant	
4)	Designation of the Complainant	
5)	Immediate supervisor of the Complainant	
6)	Employer of the Complainant	
7)	Name of Respondent	
8)	Address and contact number of the Respondent, if Available	
9)	Name, address and contact of next of kin of the Respondent, if known	
10)	Designation of the Respondent, if known	
11)	Immediate supervisor of the Respondent, if known	
12)	Employer of the Respondent, if known	
13)	Details of the incident	
14)	Date and time of incident (If more than one, kindly mention all the dates and times)	
15)	Place of incident (If more than one, kindly mention all the places)	
16)	Details of the incident	
17)	Witnesses to the incident, if any (If more than one, kindly mention all the witnesses)	
18)	Any oral or written evidence of the incident (attach copies of the documents, if any)	
19)	Names and addresses of person(s) who the Complainant confided in about the incident, if applicable	
20)	Any further relevant details	
I state that the information as stated above is true and accurate		
Date:		
Signature of Complainant		

**Annexure C**

**Format of the Reply of the Respondent**

Sr. No.	Query	Particulars
1)	Name of Respondent	
2)	Address and contact number	
3)	Name, address and contact of next of kin	
4)	Designation	
5)	Immediate supervisor	
6)	Employer	
7)	<b>Details of the incident</b>	
8)	Defenses of the Respondent	
9)	Any oral or written evidence supporting the Respondent's defense (attach copies of the documents, if any)	
10)	Witnesses to support the Respondent's defense, if any (If more than one, kindly mention all the witnesses)	
11)	Any further details	
I state that the information as stated above is true and accurate		
Date:		
Signature of Respondent		

## ANNEXURE D

### Format of Witness Statement

Sr. No.	Query	Particulars
I.	Name of witness	
II.	Address and contact number	
III.	Designation	
IV.	Immediate supervisor	
V.	Employer	
VI.	Witness for Complainant or Respondent	
VII.	Details of the incident	
VIII.	Date and time of incident(s)	
IX.	Place of incident(s)	
X.	Circumstances	
XI.	Number of occurrences witnessed	
XII.	Reaction to the incident by Complainant/ Respondent	
XIII.	Any oral or written evidence of the incident	
XIV.	Any further details	
<p>I state that the information as stated above is true and accurate. I hereby confirm that I shall at all times maintain the confidentiality of all information that I am privy to and that may be shared with during the course of the inquiry proceedings. I will not, either directly or indirectly, make any disclosure of any confidential information to any third party.</p>		
Date:		
<p>Signature of Witness</p>		

**Annexure E**  
**Format for Settlement through the conciliation mechanism**

[On the letterhead of the ICC]

[Date]

[\_\_\_\_\_].Complainant

[\_\_\_\_\_].Respondent

ICC Members present:

[ ]  
[ ]  
[ ]

The Complainant had filed a Complaint dated [ ] with the ICC in relation to certain allegations against the Respondent. The Complaint had been duly taken on record by the ICC and had sent a copy of the Complaint to the Respondent within [ ] days.

The ICC has not yet initiated an inquiry into this matter.

The Complainant had <sup>1</sup>through her letter dated [ ] requested the ICC to settle the matter between the Complainant and the Respondent.

The parties have thus reached a settlement and the terms of which  
are as under: [ ]

The Respondent shall comply with the aforesaid terms and conditions within [ ] days of the date hereof.

## Annexure F

### Format of the Report of the ICC

Sr. No.	Broad Heads	Particulars
I.	Name and other details of the Complainant	
II.	Name and other details of the Respondent	
III.	Date of complaint	
IV.	Whether the inquiry has been concluded within 90 days of receipt of Complaint	
V.	Documentation/ oral evidence relied upon by the Complainant	
VI.	Documentation/ oral evidence relied upon by the Respondent	
VII.	Whether the Complainant requested conciliation and settlement of the matter and if yes, the reason why the complaint was not settled	
VIII.	Any recommendation for interim action pending completion of inquiry	
IX.	Reasons for the recommendation	
X.	Detailed facts of the incident	
XI.	Whether the incident can be termed as sexual harassment under the Act	
XII.	Detailed reasons for the decision in XI above	
XIII.	Action recommended against the Respondent	
XIV.	Reasons for recommending the said action	
XV.	Whether the Complainant has filed a criminal action against the Respondent and status of the same	
Date:		
Signature of the ICC Members		



## Annexure G

### NON-DISCLOSURE UNDERTAKING

Date: [\_\_\_\_\_]

I, [\_\_\_\_\_] [s/o][d/o] Mr. [\_\_\_\_\_], having his/her permanent residing address at [\_\_\_\_\_] (hereinafter referred to as “**Recipient**”) , working with [\_\_\_\_\_] as [\_\_\_\_\_] hereby execute this undertaking in relation to the complaint filed/to be filed or Inquiry proceedings initiated/to be initiated before the Internal Complaints Committee (“**ICC**”) constituted under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (“**Act**”), 2013 by [\_\_\_\_\_] (“**Complainant**”) against [\_\_\_\_\_] (“**Respondent**”).

I hereby agree and irrevocably undertake that I shall keep the Complaint, identity and addresses of the Complainant, Respondent, witnesses, any information relating to conciliation and inquiry proceedings, recommendations of ICC and action taken by the Employer under the Act or any other information related thereto (“**Confidential Information**”) strictly confidential and shall not either willfully or through any other act, omission or negligence, share, distribute, disclose or howsoever cause or induce any other person to share, distribute or disclose either verbally, electronically or in writing any such Confidential Information to any person, other than as required under applicable laws.

I further undertake not to publish, communicate or make known to public, press or media the Confidential Information in any manner whatsoever.

I am aware and acknowledge that in case of breach of this Undertaking, I shall be liable for penal consequences and other consequences in accordance with the services rules and/ or as per applicable laws.

Signed by

[\_\_\_\_\_]