

IIT Madras Research Park

Prevention of Sexual Harassment Policy

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APPROVED BY
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1. Introduction

IIT Madras Research Park (“Organization”) is committed to providing equal opportunity to its employees and strives at creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Organization also believes that all employees of the Organization have the right to be treated with respect and dignity. Sexual harassment is a grave offence and is, therefore, punishable.

Therefore, the focus of this Policy is directed to ensure a zero-tolerance towards verbal, psychological conduct of a sexual nature by any employee or stakeholder that directly or indirectly harasses, disrupts, or interfaces with another’s work performance or that creates an intimidating, offensive, or hostile environment.

This Policy is aimed at educating employees of their rights against any form of unwelcome sexual behaviour and to provide firm yardsticks that shall not be crossed while in employment with the Organization. This Policy is made under the overall ambit and in accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (“Act”).

2. Scope

The Prevention of Sexual Harassment of women at workplace Policy is applicable: To all consultants and employees of (company name) which as per section 2 (f) of the Act, means any person who has been employed as regular, temporary, ad hoc or on daily wages basis either directly / through an agent, including a contractor with or without the knowledge of thereof the principal employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are expressed or implied and shall include contract worker / probationer / apprentice / Executive Trainee / Management Trainee etc. hereinafter defined as “Employees / Consultants”.

To employers, which as per section 2 (g) of the Act, shall mean any person authorized / designated to be the employer within the means of the Act by MBSL.

3. Policy Statement

The company has zero tolerance to harassment at workplace and is committed to providing a workplace free of harassment, including sexual harassment. The company is also committed to protect the dignity and respect of every employee

This document is based on the provisions of “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013”, hereinafter known as “the Act” and will form as the guideline for creating a workplace free of sexual harassment.

4. Definitions

4.a. Sexual Harassment:

For the purpose of this Policy, Sexual Harassment shall include:

- Any form of verbal or physical behavior which is unsolicited and unwelcome and interferes with an individual’s work performance by creating an intimidating/insecure working environment.
- Unwelcome sexually determined behavior (whether directly or by implication) in any form, regardless of intention, such as:
 - a.) Physical contacts and advances
 - b.) A demand or a request for sexual favors
 - c.) Sexually colored remarks
 - d.) Showing pornography
 - e.) Any other unwelcome physical, verbal/non-verbal conduct of sexual nature
 - f.) Online sexual harassment

Where any of these acts is committed in circumstances where the Complainant has a reasonable apprehension that in relation to the Complainant’s employment or work whether drawing salary, honorarium or voluntary, whether in public or private enterprise such conducts can be humiliating and may constitute a health and safety problem.

This list is illustrative and not exhaustive and applicable irrespective of gender.

Aggrieved Employee/Complainant: Means in relation to a workplace, a person, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.

Respondent: The person who is alleged / reported to have committed an act of Sexual Harassment.

4.b. Employee:

Employee means any person employed at the company on regular, temporary, ad hoc or daily wage basis, either directly or through an agent, including a contractor, with/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 any other such name, at the workplace or at client sites.

4.c. Workplace:

Office premises and all areas which can be termed as notional extension of employer's premises. The incident among two employees is also covered irrespective of whether the alleged incident occurred during or after office hours.

All the visitors & vendors associated with us & visiting any premises of the company, or whose premises our employees visit during the course of business.

An extended workplace would mean and include, "any place visited by the employee arising out of or during the course of employment including transportation by the employer for undertaking such journey".

4.d. Employer:

IV.A person responsible for management, supervision and control of the workplace. Currently this refers to the CEO of the company. The IC shall submit the final report and the annual compliance report to the employer.

ALWAYS KEEP IN MIND!

If a person suspects being sexually harassed

- **Speak Out:** Tell the accused, clearly and firmly, that his behavior is unwelcome and ask him to stop. Speaking out is an effective tool in combating harassment.
- **Gather Evidence:** Keep record of all incidents (dates, times, messages, notes, 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.
- **Take Action:** File a complaint as soon as possible in writing

WHAT ARE THE KEY DETERMINING FACTORS FOR AN ORGANIZATION INVESTIGATION?

- The aggrieved should be an employee/person who is authorized to be associated with the Organization, including but not limited to regular, temporary, ad-hoc employees, consultants, and Executive / Management Trainee;
- The alleged perpetrator should be a person under the control and supervision of the Organization
- There should have been an act of unwelcome sexual behavior falling within the ambit of 'Sexual Harassment'.
- The alleged act of sexual harassment should have been committed in the Organization premises or areas which can be termed as a notional extension of the Organization premises such as Organization transportation, Organization Offsite, etc.

5. Internal Committee (IC)

To prevent sexual harassment at the workplace and for redressal of complaints made by the Complainants in a time bound manner, an Internal Committee (“IC”) is constituted within the Company, as stipulated in the Act.

6. Objectives of Internal Committee

- To create awareness on the rights of employees against sexual harassment.
- To prevent sexual harassment at the workplace
- To conduct an inquiry on any complaints received from employees and to ensure time bound treatment of such complaints.
- To provide procedure for the resolution, settlement, or prosecution of acts of sexual harassment by taking all steps required.

7. Powers of IC

For the purpose of making an inquiry the IC shall have the same powers as are vested in a civil court as per the Code of Civil Procedure, 1908 (5 of 1908) when trying a suit in respect of the following matters

- Summoning and enforcing the attendance of any person and examining them on oath
- Summoning witnesses or documents for finding facts
- Recording the statements of all the people appearing before them and taking their signatures.

8. Guidelines for the IC

- The Internal Committee will comprise of the following members out of which at least 50% members will be women:
 - a.) Presiding officer (woman at senior level)
 - b.) One member from amongst the NGO or associations committed to the cause of women or familiar with the issues relating to sexual harassment
 - c.) Not less than 2 members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge
- The meetings of the Committee will require 3 members to be present, including presiding officer.
- Any vacancy caused among the Committee members shall be filled by fresh appointments, or as mutually decided by other members to fulfill the requirements of the Act.
- The Presiding Officer and every member of the Committee shall hold office not exceeding 3 years, from the date of their nomination.
- The Committee may investigate any complaint received from an employee.

- Final decision and recommendation regarding the complaint shall rest with the Committee.
- Accordingly, the Committee will consist of members as mentioned in Annexure I.

9. Guidelines for employees

- Often sexual harassment goes unpunished mostly because of hesitation on the part of employees to report such behaviour out of a sense of shame or fear or both. It is important for employees to report any behavior that they know is unwelcome and unacceptable. The Internal Committee at the Company has been set up with the aim of providing employees with a platform to complain about any unwelcome behaviour that is sexual in nature.
- Employees are requested to ensure the following:
 - a.) Be aware of your Policies and attend Prevention of harassment training to keep yourself updated. Ensure your actions and comments are not impacting on your colleagues in any way.
 - b.) If you are a victim,
 1. Do not feel a sense of shame. Tell the harasser very clearly that you find their behaviour offensive and you want them to STOP immediately.
 2. Do not ignore the harassment in the hope that it will stop on its own. Register a formal complaint if the behavior persists.
 3. Keep a written record of all incidents of sexual harassment. If you feel the need to register a formal complaint later, this record will be helpful.
 - c.) If you are a Witness, do not ignore the harassment. Be an Ally, stand up, speak up and show up for the victim. Report the behaviour to the internal committee immediately.
 - d.) Sexual harassment is a crime and by reporting, you are creating a safer workplace. When in doubt reach the Internal committee's support.

10. Procedure for raising a complaint

- The complainant may make, in writing, a complaint of sexual harassment at workplace to the IC within a period of 3 months from the date of incident and in case of series of incidents, within a period of 3 months from the date of last incident.
- Complaints recorded in an email, need to be sent to posh@respark.iitm.ac.in Where the complainant is unable to make a complaint on account of their physical or mental incapacity or death or otherwise, their representative may make a complaint to the IC.
- If a complaint cannot be made in writing, the Presiding Officer or any member of the Internal Committee shall provide all reasonable assistance to the employee to make the complaint in writing.

- The Internal Committee may extend the time limit not exceeding 3 months, if it is satisfied that the circumstances prevented the employee from filing a complaint within the said period. The reasons for the same need to be recorded in writing.
- Upon receipt of a complaint, the IC needs to respond to or hold a meeting with the Complainant within 7 working days.
- Within 7 working days of receiving the written complaint, the IC must share the Complaint copy and inform the alleged respondent in writing that a complaint has been filed against them.

11. Redressal Process

11.a. Conciliation

- Before initiating an inquiry and at the request of the Complainant, the IC may take steps to settle the matter between complainant and the respondent through conciliation, provided that no monetary settlement shall be made as a basis of conciliation.
- If a settlement has been arrived at, the IC needs to record the settlement and forward the same to the employer of the company.
- The IC needs to provide copies of the settlement, as recorded, to the Complainant and the respondent.
- Where a settlement has been arrived at, no further inquiry needs to be conducted by the IC.
- However, in the event
 - a.) no conciliation is requested by the Complainant, or
 - b.) no settlement has been arrived at between the parties, and / or
 - c.) if the Complainant informs the IC that any term or condition of the Settlement arrived at earlier has not been complied with, then, the IC, in the above situations, needs to proceed to inquire into the complaint.

11.b. Inquiry into complaint

- In cases where a settlement is not feasible or could not be arrived at through conciliation, the IC shall proceed to conduct an inquiry into the complaint and complete the inquiry within 90 days from the date of receipt of the complaint.
- The IC, within seven working days of receiving the complaint, shall forward one copy thereof to the respondent, to obtain a written response.
- The respondent within ten working days of receiving the complaint shall file their reply to the complaint along with a list of supporting documents, names and addresses of witnesses.

- The IC shall consider a reply from the respondent and initiate an inquiry.
- The complainant or the respondent to the complaint shall not be allowed to bring any legal practitioner to represent them at any stage of the proceedings before the IC.
- The IC shall hear both the complainant and the respondent on date(s) intimated to them in advance and the principles of natural justice will be followed accordingly.
- If both parties involved are employees, they will be given an opportunity of being heard and a copy of the findings shall be made available to both, enabling them to make representation against the findings before the committee, during inquiry.
- In conducting the inquiry, a minimum of three members of the IC including the Presiding Officer shall be present.
- In the event of a failure to attend a hearing before the IC by the complainant or the respondent on three consecutive dates (intimated in advance), the IC shall terminate the inquiry proceedings or give an ex-parte decision respectively. However, the IC shall serve a notice in writing to the party(ies) 15 days in advance, before such termination or the ex-parte order is given.
- At the commencement of the inquiry the IC will explain to both the complainant and respondent the procedure which will be followed in the inquiry.

12. Action during pendency

- During the pendency of an inquiry, on a written request made by the Complainant, the IC may recommend the employer to:
 - a.)** Transfer the Complainant or the respondent to any other workplace; or
 - b.)** Request the Complainant or the respondent to work from home; or
 - c.)** Grant leave to the Complainant up to a period of 3 months
- The final decision, however, is left solely to the discretion of IC and the Company.
- The leave granted to the Complainant will be in addition to the leave they would be otherwise entitled to.

13. Inquiry report

- All proceedings of the IC will be recorded and along with the statement of witnesses shall be endorsed by the complainant and respondent. The refusal to endorse the same by either party shall be noted by the IC.
- On the completion of the inquiry, the IC will submit a inquiry report to the Company within a period of 10 days from the date of completion of the inquiry and the same shall be made available to both parties. The inquiry report shall specify the details of the allegations against the respondent, the evidence relied upon in the inquiry and the reasons based on which the Committee has reached its decision and recommendations, if any.
- 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:
 - a.) Counseling
 - b.) Censure or reprimand
 - c.) Apology to be tendered by respondent
 - d.) Written warning
 - e.) Withholding promotion and/or increments
 - f.) Suspension
 - e.) Termination

This is not an exhaustive list, and the final decision shall be on the basis of IC's discretion.

The employer must act upon the IC's recommendations within 60 days from the date of receipt of the same and confirm to the IC.

14. Punishment for false or malicious complaint and false evidence

- If an employee is found to have raised a false complaint, then severe action will be taken against the employee.
- A mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant.
- The malicious intent on part of the complainant shall be established after an inquiry in accordance with the procedure prescribed, before any action is recommended.

- In case the IC arrives at a conclusion that during an inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the Company to take action in accordance with the provisions of the service rules applicable to the employee. This may include verbal warning or suspension or termination from services of the Company as recommended by the IC.

15. Protection to complainant/witnesses

- The Company will ensure that Complainants and witnesses will not be victimized or discriminated against because of their complaint.
- Any form of unwarranted pressures, retaliation, victimization or any other type of unethical behavior by the alleged respondent against the Complainant and / or witnesses shall be reported immediately to the IC.
- In case of genuine complaints, the IC may recommend to the employer, to take appropriate disciplinary action.

16. Responsibilities of the Employees, Senior Management and HR

16.a. Employees Responsibilities

- All employees of the Company have a personal responsibility to ensure that their behaviour is not contrary to this policy.
- All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

16.a.1. Duties

- Participate in the PoSH programme.
- Seek clarification on PoSH, including what constitutes Sexual Harassment.
- Understand the process of giving a complaint.
- Support the fellow employee if they are sexually harassed.
- Provide acknowledgement that the PoSH Policy is understood.

16.b. Senior Management Responsibilities

- Ensures that the PoSH Policy process is followed.

16.b.1. Duties

- Provide a safe working environment at the workplace which also includes employees, visitors, clients, or any other internal or external individuals.
- Provide necessary facilities to the Internal Complaints Committee (IC) for dealing with the complaint and conducting the inquiry.
- Include all the cases of sexual harassment and the action taken in the Annual Report.
- Treat sexual harassment as a misconduct under the Standards of Conduct.

16.c. Employees Responsibilities

- Provide a safe working environment at the workplace which also includes employees, visitors, clients, or any other internal or external individuals.
- Provide necessary facilities to the Internal Complaints Committee (IC) for dealing with the complaint and conducting the inquiry.
- Include all the cases of sexual harassment and the action taken in the Annual Report.
- Treat sexual harassment as a misconduct under the Standards of Conduct.
 - a.) What constitutes Sexual Harassment.
 - b.) What constitutes Workplace.
 - c.) Method of giving complaints.
 - d.) Organisation's support to the individual when there is a complaint.
 - e.) Responsibilities of employee, Management, Human Resources, etc.
- Submit a quarterly report on the status of awareness programmes to the Management

16.c.1. Duties

- Display at conspicuous place in the workplace, the penal consequences of sexual harassment.
- Organise workshops and awareness programmes at regular intervals for sensitizing the employees about the policy.
- Organise orientation programmes for the members of the Internal Complaints Committee (IC).
- Assist in securing the attendance of the respondent and the witnesses before the IC.
- Provide assistance to the Complainant if he/she chooses to file a complaint in relation to the offence under the Indian Penal Code.
- Assist the Complainant to initiate action under the Indian Penal Code against the perpetrator who is not an employee in the workplace where the sexual harassment has taken place.
- Monitor the timely submission of reports by the Internal Complaints Committee.
- Communicate the PoSH policy to all external collaborators, interns, etc., and obtain an undertaking from them.

17. Confidentiality

The Company understands that it is difficult for the Complainant to come forward with a complaint of sexual harassment and recognizes the Complainant's interest in keeping the matter confidential.

To protect the interests of the Complainant, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout any investigatory

process to the extent practicable and appropriate under the circumstances.

It is the duty of all the parties concerned i.e., the Complainant, alleged respondent and / or any of the witnesses to maintain utmost secrecy and confidentiality with respect to the identity of the Complainant, details of the complaint, inquiry proceedings, findings, recommendations and action taken by the Company

18. Appeal

Any party (Aggrieved woman and/or the Respondent) not satisfied or further aggrieved by the implementation or non-implementation of recommendations made by the IC, may appeal to the appropriate appellate authority in accordance with the Act and rules, within 90 days of the receipt of the inquiry report.

19. Support through counseling

The Company shall assist the persons affected by cases of sexual harassment, through counselling by independent professionals / specialists / bodies, as deemed fit.

20. SCHEDULE – A

List of members in Internal Committee w.e.f. 1 August 2025

The Company reserves all rights to make changes to this policy at its sole discretion which when affected, the impacted stakeholders will be notified.

Name	Title/ Role	Contact number	Email
Preethi Shankar	Presiding Officer	8754594754	preethi@respark.iitm.ac.in
Raj Subramaniam	IC member	9884041682	raj.s@respark.iitm.ac.in
Shrividya N	IC member	9962405306	shrividya@respark.iitm.ac.in
Jayalakshmi Umadikar	IC member	9176217205	jaya@incubation.iitm.ac.in
Viji Hari	External IC member	9840171717	viji@cecureus.com

For more clarifications on this policy, you can write an email to : posh@respark.iitm.ac.in