

POLICY AGAINST SEXUAL HARASSMENT AT THE WORK PLACE

SEEDS stands for zero tolerance to sexual harassment at the work place. This Policy applies to all persons employed at SEEDS for any work of regular, temporary, ad-hoc or daily wage basis, directly or through an agent / contractor, including persons working on a voluntary basis and also apprentices, trainees, probationers, agents, including consultants of SEEDS.

Any woman who alleges to have been subjected to any act of sexual harassment by any man at the workplace, shall be referred to as the "Aggrieved Woman". Any man against whom the Aggrieved Woman makes a Complaint of sexual harassment, shall be referred to as the "Respondent".

OBJECTIVE:

SEEDS firmly believes that every Employee has the right to work in an environment free from harassment, intimidation or offensive behaviour and that issues of harassment shall be resolved without fear of reprisal. The Policy is designed to take effective measures to prevent and prohibit sexual harassment and have a mechanism to redress cases of sexual harassment and impose punishment for those responsible for sexual harassment.

Harassment in any form will not be permitted, tolerated or condoned by the Management whether it is based on a person's race, colour, ethnic or national origin, gender, real or suspected sexual orientation, religion or perceived religious affiliation, disability or other personal characteristics. The use of the SEED's property including e-mail, bulletin boards or any document as a vehicle for harassment is prohibited.

MEANING OF SEXUAL HARASSMENT AND SEXUALLY ORIENTED BEHAVIOUR:

'Sexual Harassment', includes any unwelcome sexually determined behaviour, direct or by implication, and includes physical contact and advances, a demand or request for sexual favours, sexually coloured remarks, showing pornography, any other unwelcome physical, verbal or nonverbal conduct of a sexual nature. Sexually Oriented behaviour shall mean and include but is not limited to the following:

Material that is sexual in nature, sexist, sexually explicit and so on and is displayed in the workplace, circulated, or put in someone's workspace or belongings, or device such as computer, mobile phone, etc. or on any other machine or on the internet or any other public display system or public place in the work premises.

Verbal abuse or comments that put down people because of their sex.

Comments about people's (women/men) bodies.

Tales of sexual exploits

Graphic descriptions – pornography

Pressure for dates



Sexually explicit gestures

Unwelcome touching and hugging

Sexist and insulting remarks

Sexist jokes and cartoons

Displaying pornography in the workplace

Insisting that workers wear revealing clothing

Inappropriate gifts

Discussion of one's partner's sexual life

Lewd and threatening letters

Pressing or rubbing up against an aggrieved woman

Indecent exposure

Subtle or overt pressure for sexual favours

Soliciting sexual services

Demanding sexual services

Sexual or physical contact, such as kissing or touching

Intrusive questions about sexual activity

Sexual assault

Repeated sexual invitations when the person invited has refused/ignored similar invitations

Coerced sexual intercourse (e.g., as a condition of employment or promotion and the like)

“Sexual Harassment” should not be confused with simple friendly behaviour, if these are mutually desired and accepted. The difference between friendly behaviour and sexual harassment is that sexual harassment is an unwelcome act as per the version of the Aggrieved Woman.

PREVENTION OF SEXUAL HARASSMENT

No person shall indulge in sexual harassment and No person shall be subjected to sexual harassment at any work place.

The following circumstances amongst other circumstances, if they occur or are present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment.
implied or explicit promise of preferential treatment in the persons employment/promotion, or

implied or explicit threat of detrimental treatment in the persons employment/promotion, or



ICC shall forward a copy of the written Complaint of the Aggrieved Woman to the Respondent within 7 days.

Thereafter, the Respondent shall submit his Reply/Explanation in response; on receiving a copy of the Complaint, to ICC within a period of 10 days of the receipt of the Complaint

The Aggrieved Woman will be afforded confidentiality in respect of the Complaint before the Internal Complaints Committee members.

The Chairperson shall convene a meeting of the Internal Complaints Committee at the earliest convenience possible.

The Internal Complaints Committee shall examine the Complaint and shall undertake investigation of the Complaint after giving sufficient opportunities to the Aggrieved Woman to present her case and the Respondent to give his version. The Internal Complaints Committee may examine witnesses from both the sides and also give opportunity for cross-examination of the witness, to both parties. The proceedings shall be conducted in the presence of both Aggrieved Woman and Respondent. Documents if any produced by the parties may be taken on record and duly exchanged to enable both parties to effectively present their respective version. Neither the Aggrieved Woman nor the Respondent is allowed to bring in any Outsider or legal practitioner to represent them in their case before the Internal Complaints Committee. However, they may be represented by a Co – Employee of their choice, should they so desire. On completion of the inquiry, the Committee will submit a copy of its Report to the Aggrieved Woman, the Respondent and the Management of SEEDS.

The Internal Complaints Committee will inquire into the Complaint as prescribed under the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Rules made thereunder.

PROTECTION AGAINST VICTIMISATION:

In the event the Aggrieved Woman being an Employee and the Respondent being her Superior, then during the pendency of the investigation and even after such investigation if the Respondent is found to be guilty, the Respondent shall not act as the Superior of the Aggrieved Woman.

CONSEQUENCE OF COMPLAINT BEING PROVED:

If as per the findings of the Committee, the allegations made in the Complaint by the Aggrieved Woman against the Respondent, are proved, then it will be considered as a proved misconduct and the Competent Authority may impose commensurate punishment as envisaged in the policy on disciplinary process, including dismissal.

CONSEQUENCE OF FALSE COMPLAINT:

If as per the findings of the said Committee, the allegations made by the Aggrieved Woman against the Respondent, are proved to be false, then the Competent Authority may impose any of the punishment as envisaged in the policy on disciplinary process including dismissal.

OBLIGATIONS OF THE MANAGEMENT:

SEEDS shall provide all necessary assistance for the purpose of ensuring full effective and speedy implementation of this Internal Complaints Committee constituted as above and shall implement the decisions in an expeditious manner.

THIRD PARTY HARASSMENT:

In case of third-party Sexual Harassment, the Internal Complaints Committee will actively assist and provide all its resources to the Aggrieved Woman in pursuing the Complaint.



implied or explicit threat about the persons present or future employment/promotion status; or

interference with work or creating an intimidating or offensive or hostile work environment for the persons; or

humiliating treatment likely to affect the persons health or safety.

RIGHTS AND RESPONSIBILITIES OF EMPLOYEES

Every Employee is entitled to a work environment with dignity and free from sexual harassment.

Every Aggrieved Woman is entitled to complain in writing against sexually oriented behaviour to which she is subjected to or which was targeted at her. Further, she shall promptly report in writing any incident of Sexual Harassment that comes to her knowledge to the Internal Complaints Committee or to the Chairperson or any other Member of the Internal Complaints Committee established under this Policy, as the case may be.

The Aggrieved Woman can make Complaint within a period of three months from the date of the incident

The Internal Complaints Committee may, before initiating an Enquiry, at the written request of the Aggrieved Woman, take steps to settle the matter between her and the Respondent through the mechanism of Conciliation/Mediation. However, no monetary Settlement shall be made as a basis of such Conciliation/Mediation.

Where a Settlement has been arrived at, the Internal Complaints Committee shall record the Settlement so arrived and forward the same to the Management. Further, it shall provide the copies of the Settlement as recorded to both the Aggrieved Woman and the Respondent, subject to a written request to that effect.

THE INTERNAL COMPLAINTS COMMITTEE

The names and contact details of the members of the Internal Complaints Committee (ICC) is given in Annexure One. The same are also available with the HR Department. The term of office of the Internal Complaints Committee is for a period of 3 years from the date of appointment. On the expiry of the three years period, the existing members of the Internal Complaints Committee (ICC) will continue to hold office, till the new Internal Complaints Committee is constituted. If a member of the Internal Complaints Committee who is an Employee of SEEDS, ceases to be an Employee, then such a person will automatically cease to be a member of the Internal Complaints Committee.

POWERS AND DUTIES OF THE INTERNAL COMPLAINTS COMMITTEE

The Internal Complaints Committee will receive the Complaint on sexual harassment from the Aggrieved Woman in writing, with copies provided to each member of the ICC. The Committee is required to investigate into the Complaint after receiving a written response from the Respondent and satisfying itself that a *prima facie* case is made out and that the Aggrieved Woman is not agreeable to any Mediation or Conciliation initiative by the ICC as is stipulated in the law and this Policy.

The Committee will conduct its proceedings strictly in accordance with principles of natural justice. Thereby giving both parties full, fair and sufficient opportunities to present their respective version before the Committee. Finally, the ICC is required to submit its findings on the Complaint of the Aggrieved Woman.

COMPLAINTS PROCEDURE

Every Aggrieved Woman has the right to lodge a Complaint concerning sexual harassment at the workplace against a person.

Such a Complaint needs to be in writing



SAVINGS:

The proceedings under this policy shall not be stalled or postponed merely because the Aggrieved Woman is proceeding against the Respondent under any other provision of civil or criminal law.

Annexure One**Name and Details of the Internal Complaints Committee Members**

Name	Designation	Company Employee / External Person	Contact Address & E-Mail	Tel. Number & Mobile Number
Ms. Samhita Das Sharma	Presiding Officer	Board Member	SEEDS samhita.dass@gmail.com	011-26174272 8527027666
Ms. Meghna Chawla	Member	Employee	SEEDS meghna@seedsindia.org	011-26174272 9811795747
Mr./Mihir Joshi	Member	Employee	SEEDS mihir@seedsindia.org	011-26174272 9891896263
Adv. Michael Dias	Member	External Person	michaeldias.delhi@gmail.com	(O)011- 29244432 9810037322

Approved By


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 Co-founder


 Anshu Sharma
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Dated 21-1-2019Place New Delhi

N.B. This Policy is in line with The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Rules made thereunder.