

# Prevention of Sexual Harassment (POSH)

## **Purpose**

This Policy has been drawn up in line with The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal Act, 2013 and Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013. The purpose of this Policy is to provide safe environment by prevention and redressal of sexual harassment at workplace and for matters connected therewith or incidental.

The Policy covers all women employees in the H.O, Sales, Sales offices and any other offices lying in the jurisdiction of the Employer. This also covers third party employees, contractual part / full time employees, probationer, trainee, consultants on assignment on Employer premises and the women visiting the Employer premises.

## **Definitions**

*"Aggrieved Person"* means any women whether employee or not, against whom any act of Sexual Harassment is alleged to have been committed at the Workplace.

*"Committee"* means an Internal Complaints Committee.

*"Complaint"* means the allegation of Sexual Harassment by the Aggrieved Person.

*"Employer"* means Pramerica Life Insurance Company Ltd.

*"Member"* means a Members of Committee.

*"Presiding Officer"* means the Presiding Officer of the Committee.

*"Respondent"* means a person against whom a complaint has been made.

*"Sexual Harassment"* includes any one of the following unwelcome acts or behavior (whether directly or by implications) namely:

- i) Physical contacts and advances; or
- ii) A demand or request for sexual favors; or
- iii) Making sexually colored remarks; or
- iv) Showing pornography; or
- v) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

*"Special Educator"* means a person trained in communication with people with special needs in a way that addresses their individual differences and needs.

*"Workplace"* in relation to an employee, means any place where an aggrieved person or defendant or both is/are employed or work(s), or visit(s) in connection with work during the course of or arising out of employment with the Employer. In case of non-employee, the Workplace shall mean the Employer premises.

*"Rules"* shall mean the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 as amended from time to time.

### **Prevention of Sexual Harassment at Workplace**

No person at a workplace shall be subjected to sexual harassment or any other unwelcome conduct of sexual nature whether verbal, textual, physical, graphic or electronic or by any other actions, which may include:

- a. Implied or overt promise of preferential treatment in employment; or
- b. Implied or overt threat of detrimental treatment in employment; or
- c. Implied or overt threat about the present or future employment status;
- d. Conduct which interferes with work or creates an intimidating or offensive or hostile work environment; or
- e. Humiliating conduct constituting health and safety problems.

More examples of the types of conduct expressly prohibited by this Policy include, but are not limited to, the following:

1. Unwelcome sexual advances or propositions  
Touching, such as rubbing or massaging someone's neck or shoulders, stroking someone's hair, brushing against another's body: or grabbing, groping, kissing or fondling another person;
2. Lewd, foul, off-color, sexually oriented comments or jokes;
3. Sexually suggestive or explicit posters, calendars, photographs, graffiti, cartoons, or screen savers;
4. Unwanted or offensive letters or poems;
5. The transmission of sexually offensive e-mail, voicemail, or instant or text messages;
6. Sexually oriented or explicit remarks, including written or oral references to sexual conduct, gossip regarding one's sex life, body, sexual activities, deficiencies, or prowess;
7. Questions about one's sex life or experiences;
8. Repeated requests for dates;
9. Requests, demands, or pressure for sexual favors in return for employment rewards, or threats if sexual favors are not provided;
10. Any other related conduct deemed inappropriate by the Employer.

### **Exclusion**

*Any consensual conduct between the employees*

### **Constitution of Internal Complaints Committee ("Committee")**

1. Employer shall constitute an Internal Complaints Committee which shall have jurisdiction over all Workplaces of Employer. The Internal Complaints Committee shall consist of following Members:
  - A Presiding Officer, from amongst employees, who shall be a woman employee of Senior Management.
  - Two members, from amongst employees, preferably committed to the cause of women or having legal knowledge
  - One member from amongst such non-governmental organizations or associations or other interests committed to the cause of women, at such fees / allowances as may be prescribed in the Rules.
  - Such other member as the Employer may deem fit.
  - At least fifty per cent of the members nominated shall be women.
2. The Presiding Officer and every member of the Committee shall be a part of the Committee up to a period of three years from the date of appointment.

3. Committee members shall not appoint anyone else to represent them in the Committee.
4. Committee members shall be disqualified / removed from the Committee in accordance with the Rules.

#### **Logging a Complaint**

Aggrieved Person may be reluctant to complain or to make a formal written complaint against the Respondent due to any of the reasons but not limited to:

1. Lack of clarity that whether a behavior construes Sexual Harassment or not
2. Any fear about the impact of the Complaint on work performance
3. High sensitivity of the behavior involved or the relationship with the Respondent
4. Need to resolve the issue directly with the Respondent without a formal enquiry.

In such a case, Aggrieved Person can clearly explain to the Respondent that

- The conduct in question is unwelcome and/or offensive to the recipient and/or
- Makes the recipient uncomfortable and/or it interferes with the recipient's work and,
- As such, the Respondent should immediately cease such conduct.

#### **OR**

Aggrieved Person can contact a Committee member and seek advice.

#### **OR**

A complaint to the Committee can be made in writing by the Aggrieved Person. In case the Aggrieved Person is unable to make a complaint on account of her physical or mental incapacity or any other reason, the complaint can be made by any of the following persons:

##### **A. In case Aggrieved Person is unable to make a complaint on account of her physical incapacity:**

- a) her relative or friend; or
- b) her co-employee; 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 Person.

##### **B. In case Aggrieved Person is unable to make a complaint on account of her mental incapacity:**

- 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 her relative or friend or Special Educator or qualified psychiatrist or psychologist or guardian or authority under whose care she is receiving treatment or care.

C. In case Aggrieved Person is unable to make a complaint for any other reason, any person who has knowledge of the incident can file the complaint with the written consent of the Aggrieved Person or her legal heir in case the Aggrieved Person is dead.

In case the Complaint cannot be made in writing, the Committee or any of its members shall provide reasonable assistance for making the Complaint in writing.

The Complaint can be made within 3 months from the date of incident of Sexual Harassment or from the date of last such incident in case of series of incidents. The Committee may, in deserving cases, extend the time for make a Complaint.

The person making the complaint shall submit to the Committee, six copies of the complaint along with supporting documents, and names and addresses of the witnesses.

### Conciliation

1. At the request of an Aggrieved Person, the Committee may, before initiating inquiry, take steps to settle the matter between him/her and the Respondent through conciliation. The conciliation shall not result in any kind of monetary settlement.
2. Where a settlement is arrived at, the Committee shall record the settlement and recommend to the Employer, the action, if any, to be taken in the matter.
3. The Committee shall provide the copies of the settlement to the Aggrieved Person and the Respondent.
4. Where a settlement is arrived at, no further enquiry shall be conducted by the Committee.

### Inquiry into the Complaint in case Aggrieved Person is Employee

1. Where conciliation is not arrived at, the Committee, shall, proceed to make Inquiry into the Complaint.
2. Where the Aggrieved Person informs that any term or condition of the conciliation arrived at has not been complied with by the Respondent, the Committee shall also proceed to make inquiry into the Complaint.
3. On receipt of the Complaint, the Committee shall forward a copy of the Complaint to Respondent within seven working days.
4. The Respondent shall submit the reply to Complaint along with supporting documents and name and addresses of the witnesses, within 10 working days of the receipt of the Complaint from the Committee.
5. The quorum for the Committee meetings shall be minimum three Members including the Presiding Officer.
6. The Committee shall have such powers for the purpose of making inquiry and shall act in accordance with the principles of natural justice.
7. The inquiry shall be completed within a period of ninety days from the date of receiving Complaint.
8. The Committee shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the Complaint, if the Complainant or Respondent fails to present before the Committee, without sufficient cause, for three consecutive hearings convened by the Presiding Officer. However, a notice of fifteen days shall be given to the concerned party prior to passing a termination or ex-parte order.
9. During the pendency of inquiry, on a written request made by the Aggrieved Person, the Committee can recommend to-
  - a. Transfer the Aggrieved Person or the Respondent to any other function or Workplace; or
  - b. Grant leave (over and above the entitlement) to the Aggrieved Person for a period not exceeding three months; or
  - c. Grant to the Aggrieved Person any other relief, which may be considered appropriate by the Committee
  - d. Restrain the Respondent from reporting on the work performance of the Aggrieved Person or writing her confidential report, if any and assign the same to another supervisor.
10. On the recommendation of the Committee, the Employer may take such necessary action against the Respondent as may be deemed proper which could be any of the following but not limited to:
  - a. **Verbal Counseling / Warning:** The Respondent shall be given an oral warning not to repeat misconduct in future.
  - b. **Written Warning:** The Respondent shall be given written communication detailing the violation, warning against and stating the consequences of repeat misconduct.

- c. **Indemnification:** The Respondent is required to reimburse the Employer for any loss or fines resulting from the misconduct
- d. **Disqualification:** The Respondent is disqualified from promotions, role changes, transfers and/or reward and recognition programs.
- e. **Suspension:** The Respondent is suspended from services for such period as may be determined by the Committee as consequence for misconduct.
- f. **Termination:** The Respondent is given a written termination letter and is immediately discharged from duties with or without payment of notice period allowance based on Employer's discretion.
- g. **Deduction of Salary:** The deduction of salary of the Respondent as the Committee may deem appropriate and payment of such amount to the Aggrieved Person or Legal heir. The amount shall be determined having regard to the income and financial status of the Respondent and feasibility of such payment, loss / sufferings / expenses incurred by the Aggrieved Person.

The Employer may direct the Respondent to pay the specified amount to Aggrieved Person or Legal heir, in case no salary balance is available with Employer. The Employer may take such action as may be necessary, in case Respondent fails to pay such amount.

#### **Inquiry Report**

1. The Committee shall provide a report of its findings to the Employer and the concerned parties, within 10 days of completion of the Inquiry.
2. Where the Committee arrives at the conclusion that the allegation against the Respondent has not been proved, it shall recommend to the Employer that no action is required to be taken in the matter.
3. Where the Committee, arrives at the conclusion that the allegation against the defendant has been proved, it shall recommend to the Employer the action to be taken by the Employer, as Committee may deem appropriate.
4. Where any recommendation has been made to the Employer
  - a) The Employer shall act upon the recommendation within sixty days of its receipt.
  - b) The Employer shall send a report to the Committee on the action taken on the recommendation.

#### **Complaint Withdrawal**

If at any stage, after the filing of a Complaint and during any proceedings, the Aggrieved Person wishes to withdraw the Complaint, then the Aggrieved Person shall have the right to withdraw the Complaint in writing and the Committee shall permit the same and if an inquiry has commenced, then the Committee shall discontinue the inquiry.

If it is brought to the notice of the Committee, or the Committee is of the opinion that, pressure is being brought on the Aggrieved Person to withdraw the Complaint or not go through with the Complaint, then the Committee will record the same.

#### **Punishment for false or malicious complaint and false evidence**

1. Where the Committee, arrives at a conclusion that the allegation against the Respondent is false or malicious or the Aggrieved Person or any other person making the Complaint has produced any forged or misleading document, then the Committee may recommend to the Employer such disciplinary action to be taken against such person making the Complaint as it

would deem appropriate. However, no action shall be recommended against the person making the Complaint merely on the ground of inability of the complainant to substantiate the Complaint.

2. Where the Committee arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, then it may recommend to the Employer, the appropriate disciplinary action against the witness or the person who has made the Complaint.

### **Confidentiality**

Prohibition of publication or making known contents of Complaint and inquiry proceedings:

1. The contents of the Complaint, the identity and addresses of the Aggrieved Person, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Committee, and the action taken by the Employer shall not be published, communicated or made known to the public, press and media in any manner.
2. Where any person entrusted with the duty to handle or deal with the Complaint, inquiry or any recommendations or action to be taken contravenes the provision mentioned hereinabove, the Employer may take appropriate disciplinary action.

### **Third Party Harassment**

Where Sexual Harassment occurs as a result of an act or omission by any third party or outsider, the Employer and person in charge will take all steps necessary and reasonable to assist the Aggrieved Person in terms of support and preventive action.

### **Queries**

Please write at [IC@pramericalife.in](mailto:IC@pramericalife.in) for any queries around the Policy.

**Annexure- A1**

**Internal Committee – Head Office (Version V: 13)**

**Effective from Friday, December 1, 2023**

No.	Name	Designation	Contact Details	
			Address	Contact Number E-mail ID
1.	Ms. Umang Chawla	Presiding Officer	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91- 9911674484 umang.chawla@pramericalife.in
2.	Ms. Gunjan Gupta	Member	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91- 9891600643 gunjan.gupta@pramericalife.in
3.	Ms. Shilpa Vij	Member	Pramerica Life Insurance Ltd. Ground Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91- 9818488440 shilpa.vij@pramericalife.in
4.	Mr. Kartike Paliwal	Member	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91-9650290202 kartike.paliwal@pramericalife.in
5.	Ms. Preeti Goel	External Member / Legal Consultant	344, Jai Maa Apartments, Plot # 16, Sector # 5, Dwarka, New Delhi – 110075	+91-9971001899 preetiadvocate2010@gmail.com
6.	Ms. Sonia Gupta	Coordinator	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91 -9899785310 sonia.gupta@pramericalife.in

## Annexure- A2

### Internal Committee – North Region (Version V: 13)

**Effective from Friday, December 1, 2023**

No.	Name	Designation	Contact Details	
			Address	Contact Number E-mail ID
1.	Ms. Umang Chawla	Presiding Officer	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91- 9911674484 umang.chawla@pramericalife.in
2.	Ms. Gunjan Gupta	Member	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91- 9891600643 gunjan.gupta@pramericalife.in
3.	Mr. Kartike Paliwal	Member	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91-9650290202 kartike.paliwal@pramericalife.in
4.	Ms. Shivani Negi	Regional Member	Pramerica Life Insurance limited, C-190, First Floor, Naraina Industrial Area Phase – I, Pin Code - 110028, New Delhi	+91-9564650077 shivani.negi1@pramericalife.in
5.	Ms. Preeti Goel	External Member / Legal Consultant	344, Jai Maa Apartments, Plot # 16, Sector # 5, Dwarka, New Delhi – 110075	+91-9971001899 preetiadvocate2010@gmail.com
6.	Ms. Sonia Gupta	Coordinator	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91 -9899785310 sonia.gupta@pramericalife.in



### Annexure- A3

#### Internal Committee – Central Region (Version V: 8)

Effective from Friday, December 1, 2023

No.	Name	Designation	Contact Details	
			Address	Contact Number E-mail ID
1.	Ms. Umang Chawla	Presiding Officer	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91- 9911674484 umang.chawla@pramericalife.in
2.	Ms. Gunjan Gupta	Member	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91- 9891600643 gunjan.gupta@pramericalife.in
3.	Mr. Kartike Paliwal	Member	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91-9650290202 kartike.paliwal@pramericalife.in
4.	Ms. Shivani Negi	Regional Member	Pramerica Life Insurance limited, C-190, First Floor, Naraina Industrial Area Phase – I, Pin Code - 110028, New Delhi	+91-9564650077 shivani.negi1@pramericalife.in
5.	Ms. Preeti Goel	External Member / Legal Consultant	344, Jai Maa Apartments, Plot # 16, Sector # 5, Dwarka, New Delhi – 110075	+91-9971001899 preetiadvocate2010@gmail.com
6.	Ms. Sonia Gupta	Coordinator	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91 -9899785310 sonia.gupta@pramericalife.in

**Annexure- A4**

**Internal Committee – East Region (Version V: 13)**

**Effective from Friday, December 1, 2023**

No.	Name	Designation	Contact Details	
			Address	Contact Number E-mail ID
1.	Ms. Umang Chawla	Presiding Officer	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91- 9911674484 umang.chawla@pramericalife.in
2.	Ms. Gunjan Gupta	Member	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91- 9891600643 gunjan.gupta@pramericalife.in
3.	Mr. Kartike Paliwal	Member	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91-9650290202 kartike.paliwal@pramericalife.in
4.	Ms. Mharoni Nguillie	Regional Member	Pramerica Life Insurance limited, Second Floor, NK Commercials, GBC/H No. 1206, Zion Hospital, NH-29, Purana Bazaar, Dimapur, Pin Code – 797112, Nagaland	+91-7005737280 mharoni.nguillie1@pramericalife.in
5.	Ms. Preeti Goel	External Member / Legal Consultant	344, Jai Maa Apartments, Plot # 16, Sector # 5, Dwarka, New Delhi – 110075	+91-9971001899 preetiadvocate2010@gmail.com
6.	Ms. Sonia Gupta	Coordinator	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91 -9899785310 sonia.gupta@pramericalife.in

**Annexure- A5**

**Internal Committee – South Region (Version V: 14)**

**Effective from Friday, May 10, 2024**

No.	Name	Designation	Contact Details	
			Address	Contact Number E-mail ID
1.	Ms. Umang Chawla	Presiding Officer	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91- 9911674484 umang.chawla@pramericalife.in
2.	Ms. Gunjan Gupta	Member	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91- 9891600643 gunjan.gupta@pramericalife.in
3.	Mr. Kartike Paliwal	Member	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91-9650290202 kartike.paliwal@pramericalife.in
4.	Ms. Kirti Obhan	Regional Member	Pramerica Life Insurance limited, Office Unit No. 01, Ground Floor, Building No. 11, Solitaire Corporate Park, CTS No-131A/1- A, Chakala, Andheri-Ghatkoper Link Road, Andheri-East, Mumbai, Pin Code-400093, Maharashtra	+91-8828920296 kirti.obhan@pramericalife.in
5.	Ms. Preeti Goel	External Member / Legal Consultant	344, Jai Maa Apartments, Plot # 16, Sector # 5, Dwarka, New Delhi – 110075	+91-9971001899 preetiadvocate2010@gmail.com
6.	Ms. Sonia Gupta	Coordinator	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91 -9899785310 sonia.gupta@pramericalife.in

### Annexure- A6

#### Internal Committee – West Region (Version V: 15)

Effective from Friday, December 1, 2023

No.	Name	Designation	Contact Details	
			Address	Contact Number E-mail ID
1.	Ms. Umang Chawla	Presiding Officer	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91- 9911674484 umang.chawla@pramericalife.in
2.	Ms. Gunjan Gupta	Member	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91- 9891600643 gunjan.gupta@pramericalife.in
3.	Mr. Kartike Paliwal	Member	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91-9650290202 kartike.paliwal@pramericalife.in
4.	Ms. Kirti Obhan	Regional Member	Pramerica Life Insurance limited, Office Unit No. 01, Ground Floor, Building No. 11, Solitaire Corporate Park, CTS No-131A/1-A, Chakala, Andheri-Ghatkoper Link Road, Andheri-East, Mumbai, Pin Code- 400093, Maharashtra	+91-8828920296 kirti.obhan@pramericalife.in
5.	Ms. Preeti Goel	External Member / Legal Consultant	344, Jai Maa Apartments, Plot # 16, Sector # 5, Dwarka, New Delhi – 110075	+91-9971001899 preetiadvocate2010@gmail.com
6.	Ms. Sonia Gupta	Coordinator	Pramerica Life Insurance Ltd. 4 <sup>th</sup> Floor, Building No. 9, Tower-B, DLF Cyber City, Phase III, Gurgaon – 122002	+91 -9899785310 sonia.gupta@pramericalife.in