

## **Protection of Women from Sexual Harassment Policy (POSH)**

### About the Organisation

Navnirmity Eduquality Foundation (NEF) is registered under Section 8 of the Companies Act, 2013, bearing Registration No. U80904MH2013NPL243158 having its registered office at 3rd Floor, Priyadarshini Hsg Society, Padmavati Road, IIT Market, Powai, Mumbai, Maharashtra 400076.

NEF was established in 2013 to provide quality education. NEF has collaborated with Anganwadis, government bodies, and private educational institutions to integrate innovative teaching methods into their daily processes, enhancing learning and knowledge retention. Our primary focus areas are Early Childhood Education (ECE), Mathematics, and STEM.

This policy is drafted by Majlis, a non-profit organisation with a mission for the protection and promotion of women's and children's rights through legal representation, advocacy and training. Address: Bldg. 4, Flat A/2, Golden Valley, Kalina Market, Santacruz E, Mumbai 400098 Mobile: 7506732641. Email: [majlislaw@majlislaw.com](mailto:majlislaw@majlislaw.com)

This Protection of Women from Sexual Harassment Policy (POSH) aligns with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013; and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013.

In the event, any part of this policy is contrary to any law(s) in force, such part shall be deemed to be null and void. In the event this policy doesn't cover any legal compliance requirement on the subject, the same shall be deemed to be a part of this policy and the Organisation shall be duty-bound to follow the same.

The POSH policy has been approved by the Board and is effective from 12th December 2025.

### Objective

The objective of the **Protection of Women from Sexual Harassment** Policy is to educate about what conduct constitutes sexual harassment, the ways and means the Organisation shall adopt to prevent the occurrence of any such harassment, and in the event of such an occurrence, to enable a fair mechanism to deal with such conduct.

- a. **Ensure Safety and Well-being:** To create a safe and secure environment for women, free from any form of harassment, exploitation, and discrimination, while promoting their dignity and welfare.
- b. **Establish Clear Guidelines and Procedures:** To implement a strict code of conduct, along with clear procedures and guidelines, for our employees to follow in preventing, identifying, and addressing any incidents of abuse or exploitation.
- c. **Promote Accountability and Responsibility:** To designate specific responsibilities to our employees, ensuring that they are accountable for preventing sexual harassment within the organisation.

### Definitions

- a. **Application:** This Policy applies to all women who come in direct or indirect contact with the Organisation
- b. **Workplace:** This policy applies to all the organisation's offices and branches, at all locations or any other place where the organisation carries out its activities. It includes any place visited by the employee arising out of or during the course of the employment. It includes business trips, business-related social events, and transportation. It includes all forms of electronic communication and virtual or online platforms, including emails, online meetings, chat rooms, and digital chatbots etc intended for official use. This policy applies to harassment that has taken place during the period of employment.
- c. **Employee:** This Policy applies to all persons (hereinafter collectively referred to as Employee) who are connected to the Organisation without any exceptions and irrespective of the person's role/position/designation. It includes Board members, Management, Donors, Permanent, Temporary and Contract Staff. This includes any person employed, whether full time, part time or occasional; whether paid a salary, fee or honorarium or providing free services. (Volunteers, Consultants, Service Providers, Fellows, Trainers, interns, visitors, vendors, clients, and such.
- d. **Aggrieved person/Victim/Complainant:** Any woman (within the definition of Employee) including a trans-woman who alleges to have been subjected to any act of sexual harassment.
- e. **Sexual Harassment:** Any unwelcome acts or behaviour (overt/ covert) of a sexual nature. It could be asking for something in exchange (Quid Pro Quo) and/or a difficult, intimidating, and offensive work environment (Hostile Work Environment) that interferes with work and performance. It could be either before and/or after the incident of sexual harassment. It may constitute a single incident or a series of incidents. Explained
- f. **Respondent:** Any man (within the definition of Employee) against whom an aggrieved person has complained.
- g. **Third Party:** Where sexual harassment occurs to an employee by a third party or an outsider while on official duty, the organisation shall take all necessary and reasonable steps to assist the complainant in filing a criminal complaint.

- h. Internal Committee:** Committee formed to ensure the Prevention, Prohibition and Redressal of sexual harassment at the workplace and to ensure that any incidence of sexual harassment is dealt with appropriately, sensitively and expeditiously. The IC is responsible for maintaining, reviewing and overseeing this policy.
- i. Management:** Management includes the person, board or committee responsible for the formulation and administration of policies for the organisation.

### Sexual Harassment

Sexual Harassment shall include any of the following:

- a. Unwelcome acts or behaviour (whether direct or by implication): Any unwelcome behaviour with a sexual undertone or an advance that has been directed against a woman either directly or indirectly. This unwelcome behaviour could be in the form of physical contact and advances like sexually coloured remarks, jokes, letters, phone calls, e-mail, SMS, gestures, stares, assault, molestation, stalking, sounds, display of pictures, signs, using offensive language.
- b. Physical contact and advances; or
- c. A demand or request for sexual favours; or either explicitly or implicitly, in return for employment, promotion, or examination;
- d. Interference with work or creating an intimidating/hostile/offensive work environment.
- e. Passing any remarks that are or may be inferred as being sexually coloured; or
- f. Showing pornography or an offer to show pornography; or
- g. Any other unwelcome physical, verbal or non-verbal conduct of a sexual nature that offends a woman's sensibilities and affects her performance.
- h. Entry into specific areas earmarked for female employees, with the intent to commit mischief and harassment.
- i. Eve teasing, innuendos and taunts, physical confinement against a woman's will and intrusion into her privacy.
- j. Over and above the aforementioned, the following acts shall also amount to sexual harassment whether implicit or explicit:

- Promise of preferential treatment in work/employment; or
- Threat of detrimental treatment in work/employment; or
- Threats made about present or future work/employment status; or
- Interference with work or creating an intimidating or offensive or hostile work environment; or
- Humiliating treatment that is likely to affect the health or safety of the person.
- Sexual harassment does not refer to normal conversation that all parties affected find acceptable. It does not refer to office relationships that are freely entered into without intimidation or coercion.

The following list is indicative and not an exhaustive list of the possible forms of sexual harassment.

### **Internal Committee (IC)**

- a. The IC consists of 4 members, nominated by the Management by an order.
- b. One-half of the total members shall be women.
- c. The Chairperson of the IC shall be a senior woman employee of a managerial cadre.
- d. Two members shall be representatives of the staff members.
- e. One member shall be a representative of an NGO in the field of women's rights.
- f. An IC employee member shall hold office for a period not exceeding 3 years from the date of nomination.
- g. No IC member shall have a proven complaint of sexual abuse against them.
- h. Where the accused is a person who is senior to the Chairperson of the IC, the Management shall appoint another person senior in rank and status to the Respondent.
- i. An IC member shall report any conflict of interest in the case immediately to the Management.
- j. The Chairperson of the IC will be responsible for convening meetings.
- k. A quorum of at least 3 members is required for the proceedings to take place.
- l. Any member of the IC can request to conduct an emergency meeting by giving 48 hours' notice.

### **Role Of IC**

**Preventive:** To make recommendations to the Management to organise and arrange regular orientations, awareness drives, workshops and training programmes for all the employees.

**Remedial:** To take notice of complaints of sexual harassment, conduct enquiries, and assist a complainant. To redress complaints of sexual harassment, and make interim and final recommendations to the Management. To follow up with Management on the action taken on the recommendation and monitor the same.

**Administrative:** To meet quarterly, even if there is no live case, and to review the Organisation's preparedness to fulfil all requirements under the Policy, to monitor the implementation and progress done to date. To record minutes of every meeting in the Minutes Register (soft copy).  
Annexure 6.

## **Complaint Mechanism**

### **How to file a complaint?**

- a. All the complaints under this Policy shall be made in writing to the IC within 3 (*three*) months from the date of the incident and in case of a series of incidents, within 3 months from the date of the last incident. (The IC can extend the period for a further period of 3 (*three*) months in special circumstances by recording the reasons for the same.)
- b. Complaints can be sent by email, phone call, registered post, or handed over in person to any IC member.
- c. The complaint shall be submitted along with supporting documents, if any and the names and addresses of the witnesses, if any. Annexure 5 contains a sample draft.
- d. If for any reason, the complainant cannot make the complaint in writing, the IC members shall render all reasonable assistance to the complainant to draft the complaint.
- e. Any person who knows about the incident may also file a complaint with the consent of the complainant.
- f. If the complainant is unable to make the complaint due to any physical or mental incapacity or death or otherwise, the legal heir or any of the following may make the complaint on their behalf: A relative or friend of the complainant; or A special educator; or A qualified psychiatrist or psychologist; or The guardian or authority under whose care, the complainant is receiving treatment if any; or Any person who knows about the incident together with any one of the above-mentioned people or with the consent of the legal heir in case the complainant is dead.

## **Inquiry Procedure**

### **Conciliation**

- a. At the request of the Complainant, the IC before initiating an enquiry shall take steps to assist the parties to settle the matter through conciliation, provided that no monetary settlement shall be made a basis of such conciliation.

- b. Where the parties have arrived at a settlement, the IC shall record the settlement and forward the same to the Complainant, the Respondent and the Management.
- c. The settlement, if any arrived through the conciliation proceedings, shall be acted upon by the Management under the oversight of the IC.
- d. Once a settlement is arrived at by way of conciliation proceedings, no further inquiry shall be conducted by the IC in relation to the complaint.
- e. Provided however, if the complainant informs the IC that any of the terms of settlement have not been complied with by the alleged harasser, then the IC may initiate a fresh inquiry into the matter.

### **Inquiry**

- a. Within 3 working days of receiving a complaint, the IC shall meet to determine whether the case falls in the realm of the policy.
- b. A Complaint Register (soft copy) bearing the date of opening of such cases shall be maintained by the IC. All complaints received shall be numbered and entered in the Complaint Register with date of receipt of the Complaint. Annexure 7.
- c. Complaints sent by registered post shall bear the correct name and address of the complainant and respondents and witnesses thereof.
- d. Within 5 working days, the IC shall intimate the date, time and place of the hearing of the complaint to the Complainant.
- e. Within 7 working days of receipt of the complaint, the IC shall send the details of the complaint along with the date, time and place of the hearing to the Respondent.
- f. In case of conciliation, the terms shall be informed to the Respondent.
- g. In case of inquiry, the Respondent shall file his reply to the complaint within 10 working days from the date of receipt of the complaint along with the list of supporting documents and names and addresses of the witnesses, if any.
- h. The IC shall permit either party to include, introduce and add new documents as evidence even during the oral hearing.

- i. The IC shall provide a reasonable opportunity to the Complainant and the Respondent to present and defend their case.
- j. The IC shall have the right to summon as many times the Complainant, or the Respondent against whom the complaint is made, or any other witnesses for the purpose of supplementary testimony or any clarification.
- k. The parties shall not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings before the IC.
- l. The IC must complete its investigation within a period of 90 days.

#### **Powers Of The Committee**

- a. The IC shall have the same powers vested in a civil court under the Code of Civil Procedure, 1908 including but not limited to summoning and enforcing attendance of any person, requesting the discovery and production of documents.
- b. The IC shall act in accordance with the principles of natural justice and ensure all parties are treated with dignity and respect and are given an opportunity to be heard and ensure the inquiry is conducted in a fair and impartial manner.
- c. The IC can either terminate the inquiry proceedings or pass an ex parte order if either the complainant and/or the respondent fails to present themselves during the proceedings without sufficient cause for 3 consecutive hearings.
- d. The IC can suo-motto take cognisance if they are aware of the alleged Sexual Harassment.

#### **Interim Reliefs To The Complainant**

- a. During the pendency of the proceedings and upon the receipt of a written request from the complainant and/or if the IC deems fit, the IC can recommend to the Management by way of an interim order, interim relief keeping in mind the nature and gravity of the misdemeanour. Annexure 2.

#### **Inquiry Report And Action**

- a. Upon completion of inquiry proceedings, the IC within a period of 10 working days shall provide its decision i.e. guilty or not guilty.
- b. If it is found that the Respondent is guilty then the IC shall make recommendations to the Management for further action against the Respondent. Annexure 2.

### **Malicious Complaints**

- a. Upon the completion of a detailed inquiry, if the IC concludes that the complainant and/or witness has malicious intent or knows it to be false or that the documents presented were either false or misleading, the IC shall take action against the complainant. Annexure 2.
- b. The malicious intent on the part of the complainant and/or witness shall be established only after an independent inquiry is conducted.
- c. Provided, however, mere inability to substantiate the complaint or provide adequate proof shall not attract any action against the complainant and/or witness.

### **Appeal**

- a. Any party who is aggrieved by the order passed by the IC can file an appeal before the Labour Officer (district level) within a period of 90 days of the passing of the order.

### **Confidentiality**

- a. All the complaints received under this Policy shall be kept in strictest confidence by the IC members and the Management.
- b. Details of the complainant, names of witnesses or any documents shall not be disclosed to any other person in the Organisation, any third party, the general public, the press or the media.
- c. If the complainant so desires then the identity of the complainant shall be kept secret at all times.
- d. No detrimental action shall be taken against any witness to the proceedings unless it is proven upon due inquiry that such witness had given false statements with either malicious intent or knowing it to be false.

- e. No person who is aware of a complaint and inquiry proceedings, whether a party or not, shall disclose the details of the complaint to any other person in the Organisation, any third party, the general public, the press or the media.
- f. Any person who is found guilty of violating these provisions related to confidentiality may be terminated by the Organisation with immediate effect without any compensation whatsoever.
- g. Information may be disseminated regarding justice to aggrieved persons under this Policy without disclosing the name, address, identity, or any other particulars leading to the identification of the persons involved.
- h. The Organisation shall recover a sum of Rs. 5,000/- (Rupees Five Thousand Only) as a penalty from any person who violates the confidentiality obligation under this Policy, in addition to other disciplinary actions.

### **Role Of Management:**

- a. To create and ensure a safe environment that is free of sexual harassment.
- b. To maintain an atmosphere of equality and gender justice.
- c. To publicise the policy with the names, and email IDs of members of the IC.
- d. To prepare an annual report and submit it to the District Collector annually. Annexure 4.
- e. To provide administrative and other support to the IC.
- f. To take action on recommendations made by the IC and report back to the IC on action taken.
- g. To organize and arrange regular orientations, workshops and training programmes for all the employees of the Organization including members of the IC.

### **Policy Review**

- a. This document shall be reviewed annually and altered to be in line with the existing laws.
- b. Such alterations shall be intimated to the team via email as well as be uploaded on the website.

This Policy is exclusive to Navnirmity Eduquality. Anybody who selectively or in whole adapts

## **POSH Policy**

or misappropriates any ideas, portions or any concept from the policy will be causing a breach of terms and conditions in the MOU between **Navnirmiti Eduquality** and Majlis.

**ANNEXURE 1**

**List of Internal Committee members as of Navnirmit Eduquality**

<b>Name</b>	<b>Designation</b>	<b>Contact Details</b>
Shivangi Mahajan	Presiding Officer	<a href="mailto:mshivangi293@gmail.com">mshivangi293@gmail.com</a> , 9833928458
Raja Francis	Internal Member	<a href="mailto:raja@navnirmitieduquality.org">raja@navnirmitieduquality.org</a> , 9969955442
Pooja Kabre	Internal Member	<a href="mailto:pooja@navnirmitieduquality.org">pooja@navnirmitieduquality.org</a> , 9930035976
Sonal Shinde	Internal Member	<a href="mailto:warehouse@navnirmitieduquality.org">warehouse@navnirmitieduquality.org</a> , 8097751142
Majlis (Adv Ms. Audrey Dmello)	External NGO Member	<a href="mailto:majlislaw@majlislaw.com">majlislaw@majlislaw.com</a> , 7506732641 Mon-Fri 11 am to 7 pm

## **ANNEXURE 2**

### **Recommendations**

#### **Action against Respondent if found guilty**

- a. Written apology to the complainant;
- b. Warning, Reprimand or censure to Respondent in writing;
- c. Promotion of the Respondent to be withheld;
- d. Withholding of pay rise or increments of the Respondent;
- e. Terminate the services of the Respondent with immediate effect and without any compensation whatsoever;
- f. Compensation to the Complainant;
- g. Any other action that the IC deems fit by the Organisation against the respondent;
- h. Such proceedings shall not reflect on work records with the Organisation;
- i. Final findings shall be part of all recommendation letters issued by the Organisation

#### **Interim Reliefs that can be granted**

- a. Suspend and prohibit the Respondent from entering the premises;
- b. Transfer the respondent to any other workplace;
- c. Restrain the respondent from any attempt on his part, or by the person(s) acting on his behalf, to contact or influence, intimidate, or exert pressure on the complainant or witnesses that may prove prejudicial to his case;
- d. Restrain the respondent from reporting on the work performance of the aggrieved woman or writing her confidential report, and assign the same to another officer;
- e. Grant leave to the complainant for a period of up to 3 months which shall be in addition to the leave entitlement of such complainant under the Leave Policy of the Organisation;
- f. Transfer the complainant to any other workplace if she requests;
- g. Issuance of a no-contact order between the complaint and the Respondent
- h. Provision of counselling or support services to the complainant.
- i. Any other relief as the IC may deem fit;

#### **Action against complainant for false complaint**

- a. Written apology to the Respondent;

- b. Warning, Reprimand or censure to the complainant in writing;
- c. Any other action that the IC deems fit;

**ANNEXURE 3**

**Medical Care:**

Shambhavi Paswan. Admin, 9167844102; admin@navnirmityeduquality.org

**Counseling:**

Shambhavi Paswan. Admin, 9167844102; admin@navnirmityeduquality.org

**Legal Aid:**

Majlis

Golden Valley Bldg 4 Flat A 2, Kalina Market, Opp. Canara Bank. Santacruz E, Mumbai 98.

Mon-Fri 11 am to 7 pm

Official: 7506732641

email majlislaw@gmail.com

website <https://majlislaw.com/>

**ANNEXURE 4**

**Annual Report for the year  
The Sexual Harassment of Women at Workplace  
(Prevention, Prohibition and Redressal) Act, 2013**

<b>Name of the Organisation</b>	
<b>IC Members Names</b>	
<b>No. of cases reported</b>	
<b>No. of cases Disposed</b>	
<b>No. of cases pending for more than 90 days</b>	
<b>Nature of action taken in cases disposed</b>	
<b>Details of workshops/Awareness programs carried out (Date, No of Attendees etc)</b>	
<b>No. of ICC Meetings</b>	
<b>Signature of IC Members</b>	
<b>A list of other documents appended</b>	

## **ANNEXURE 5**

### **Format for making a complaint**

To,

The Sexual Harassment Internal Committee

#### **Details of the Complainant:**

Date :

Place :

Name of the Complainant

Relationship with Organisation

Contact Details Mobile No / Email Id:

#### **Details About the Incident:**

1. Person/people involved in Sexual Harassment at the Workplace: [Please provide the full name(s), designation, location(s) of the Respondent and the relationship with you (e.g. supervisor, colleague, etc.)]
2. Incidents: [Please describe each incident]
3. Your response to the incident/s:
4. The impact the incident/s had on you:
5. Other material and relevant details: [Kindly provide date/s, place/s of the incident/s, name and addresses of the witnesses, details of text messages, emails or other relevant additional details, if required.]

Signature of the Complainant:

**ANNEXURE 6**

**Prevention of Sexual Harassment Of Women At the Workplace  
Internal Committee (IC) Minutes Of The Meeting**

**Date:** DD/MM/YYYY **Time:** \_\_: \_\_ hrs

**Venue:** office/virtual (call, Zoom, Google Meet etc.)

**Attendees:**

Name of IC Members and Designation

**Proceedings:**

Overview of the previous meeting:

- a. Number of complaints of sexual harassment received;
- b. Number of complaints disposed of;
- c. Number of cases pending;
- d. Nature of action taken by the employer;
- e. Number of workshops or awareness programs against sexual harassment carried out;

**General discussion:**

**Suggestions:**

Signature of the Committee Chairperson:

**ANNEXURE 7**

**Format for Complaint Register**

<b>Date of Receipt of Complaint</b>	<b>Interim Reliefs Recommended</b>	<b>Final Reliefs / Action Recommended</b>	<b>Date of End of Proceedings</b>

Annexure 8  
Acknowledgement

I, acknowledge that I have read, understood, and agree to abide by Navnirmity Eduquality's Prevention of Sexual Harassment at Workplace (POSH) Policy.

I understand that sexual harassment is prohibited and that any violation of this policy will result in disciplinary action, up to and including termination of employment.

I understand that I can report any concerns to the Internal Committee and that I will be treated with confidentiality.

I further understand that this policy is in accordance with the Prevention of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013."

I understand that the organisation can update the policy, in keeping with new changes in the law, and I take responsibility to keep myself of any changes.

Name:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_