



Prevention of Sexual Harassment at Workplace

Uselocator India Private Limited

E-7/80, First Floor, Near Sai Board, Arera Colony, Bhopal,
Madhya Pradesh 462016

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CIN: U72900MP2020PTC053300



आपका विकास, हमारा विश्वास

Policy / Process Owner: People Management Team	Effective Date: 01 April 2023
Approved By: Faisal Meer Khan, Chief People Officer	Next Review Date: 01 April 2027
Document Location: HR Payroll Shared Drive	Published On: HR Payroll Shared Drive

Version History

Version	Date	Details of Change with reference if any, Para / Section and Remarks	Author	Reviewer / Approver
1.0	18 th September 2022	First Release	Mr. Rajan Upadhyay	Mr. Neeraj Pandey (Reviewer), Mr. Faisal Meer Khan (Approver)
2.0	1st April 2025	First Release	Miss kavya Pathak	Mr. Neeraj Pandey (Reviewer), Mr. Faisal Meer Khan (Approver)

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Table of Contents

S No.	Section	Page No.
1	Commitment	4
2	Scope	4
3	Definitions	4
4	Responsibilities for the Prevention of Sexual Harassment	6
5	Policy Awareness Across the Organization	6
6	Complaint Mechanism	7
7	Internal Complaints Committee (ICC)	7
8	Filing a Complaint	8
9	Guidelines for Receiving a Complaint	8
10	Resolution through Conciliation	9
11	Resolution through Formal Inquiry	9
12	False or Malicious Complaints	13
13	Confidentiality	13
14	Appeal	13
15	Compliance	13
16	Annexure 1	14
17	Annexure 2	14
18	Inquiry Process Flow	14

1. Commitment

1.1 This Policy on Prevention of Sexual Harassment at Workplace ("Policy") has been framed in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Rules framed thereunder (hereinafter referred to as the "Act"). Accordingly, while this 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.

1.2 Our Company is committed to providing a work environment that ensures every Colleague (as defined under Clause 3(c) of this Policy below) is treated with dignity and respect and is afforded equitable treatment. The Company is also committed to promoting a work environment that is conducive to the professional growth of its Colleagues and encourages equality of opportunity.

The Company will not tolerate any form of sexual harassment, whether engaged in by Colleagues, clients, suppliers, or any other business associates, and is committed to taking all necessary steps to ensure that Colleagues are not subjected to any form of harassment.

2. Scope

2.1 This Policy is applicable to all Colleagues (full-time, part-time, trainees, and those on contractual assignments) of the Company, including all subsidiaries and affiliated companies, at their workplace or at client sites (hereinafter referred to as "Colleague(s)").

2.2 With reference to Clause 2.1 above, the workplace includes:

- i. All offices or other premises where the Company's business is conducted;
- ii. All Company-related activities performed at any other site away from the Company's premises, including any place where a Colleague or Respondent visits in connection with his/her work, during the course of and/or arising out of employment, contract, or engagement with the Company, including transportation provided for undertaking such a journey; and
- iii. Any social, business, or other functions or events related to work where the conduct or comments may have an adverse impact on the workplace or workplace relations.

3. Definitions

3.1 "Aggrieved Woman" in relation to a workplace means a woman, of any age, whether employed or not, who alleges that she has been subjected to any act of sexual harassment by the Respondent.

3.2 "Company" shall mean UseLocator India Private Limited, a company incorporated under the Companies Act, 2013, having its registered office at **E-7/80, First Floor, Near Sai Board, Arera Colony, Bhopal, Madhya Pradesh 462016**, and shall include, for the purpose of this Policy, all offices of the Company.

3.3 "Colleague" means a person defined under Clause 2.1 and includes a person employed at the workplace for any work on a 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. It also includes a co-worker, contract worker, probationer, trainee, apprentice, or any person known by any other such name.

3.4 "Employer" means a person responsible for the management, supervision, and control of the workplace.

3.5 "Respondent" means a person against whom a complaint of sexual harassment has been made by an Aggrieved Woman.

3.6 "Sexual Harassment" means and includes any one or more of the following unwelcome acts, behaviour, or conduct (whether directly or by implication), which are prohibited by the Company:

a. Unwelcome sexual advances, requests for sexual favours, and all other verbal or physical conduct of a sexual or otherwise offensive nature, especially where:

- i. Submission to such conduct is made, either explicitly or implicitly, a term or condition of employment;
- ii. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment;
- iii. Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive working environment; or
- iv. Such conduct amounts to humiliating treatment that is likely to affect her health or safety.

b. Sexual harassment may occur as a single incident or a series of incidents. Examples of the types of conduct expressly prohibited by this Policy include, but are not limited to, the following:

- i. Touching, such as rubbing or massaging someone's neck or shoulders, stroking someone's hair, brushing against another's body, or any sexually suggestive touching;
- ii. Grabbing, groping, kissing, or fondling;
- iii. Displaying offensive or pornographic images in any form, including, but not limited to, on a computer or other electronic device;
- iv. Violating someone's personal space;
- v. Catcalls or wolf whistles;
- vi. Lewd, off-colour, sexually oriented, or offensive comments, jokes, innuendoes, or statements;
- vii. Foul or obscene language;
- viii. Leering, staring, or stalking;
- ix. Suggestive or sexually explicit posters, calendars, photographs, graffiti, or cartoons;
- x. Unwanted or offensive letters or poems;
- xi. Sexual gestures;
- xii. Offensive email or voicemail messages;
- xiii. 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.

- xiv. Questions about one's sex life or experiences;
- xv. Repeated requests for dates;
- xvi. Sexual favours in return for employment rewards, or threats if such sexual favours are not provided;
- xvii. Sexual assault or rape;
- xviii. Any other conduct or behaviour deemed by the Company to be a violation of this Policy.

The reasonable person standard is used to determine whether the conduct was offensive and what a reasonable person would have done under similar circumstances. Further, it is important to note that whether harassment has occurred does not depend on the intention of the person but on the experience of the Aggrieved Woman.

3.7 "Workplace" means and includes the premises defined under Clause 2.2 above.

4. Responsibilities Regarding Prevention of Sexual Harassment

4.1 All Colleagues of the Company have a personal responsibility to respect the rights of others, never encourage harassment, and ensure that their behaviour is not contrary to this Policy. All Colleagues are encouraged to reinforce the maintenance of a work environment free from sexual harassment. This can be done by:

- i. Refusing to participate in any activity that constitutes harassment;
- ii. Supporting the person in rejecting unwelcome behaviour;
- iii. Acting as a witness if the person being harassed decides to lodge a complaint; and
- iv. Responsibly advising others when their behaviour is unwelcome.

4.2 The Company understands that some behaviours are often unintentional. While this does not make such behaviour acceptable, it does give the person behaving inappropriately an opportunity to modify or stop the offensive behaviour.

- i. The Employer and all managers must ensure that no one is subjected to harassment and that equal treatment is extended to all Colleagues.
- ii. The Employer and managers must also ensure that all Colleagues understand that harassment will not be tolerated, that complaints will be taken seriously, and that the Complainant, Respondent, or witnesses will not be victimized in any way.

5. Awareness in the Organization about the Policy

5.1 In addition to ensuring that the responsibilities outlined in Clause 4 above are understood by all Colleagues, all Colleagues of the Company shall have access to this Policy at any given point in time, and any clarification related to this Policy shall be addressed by the People Management Department.

5.2 Immediately upon the formulation of this Policy, a brief shall be given to all existing Colleagues regarding the features of this Policy, and all new Colleagues of the Company shall be briefed as part of their induction process.

5.3 The Company shall comply with all other requirements as set out under Section 19 of the Act to ensure that all Colleagues are provided with a safe working environment at the workplace.

5.4 The Company shall display a notice showing the names of the Complaints Committee members at every establishment, at a conspicuous place, where the establishment's workforce comprises a combination of male and female Colleagues.

6. Complaint Mechanism

6.1 An appropriate complaint mechanism, in the form of an internal Complaints Committee, has been established by the Company for the time-bound redressal of any complaint made by an Aggrieved Woman at each of its establishments where the workforce comprises a combination of male and female Colleagues.

7. Complaints Committee

7.1 A Complaints Committee has been constituted by the Company at each location for the redressal of sexual harassment complaints made by an Aggrieved Woman and for ensuring the time-bound resolution of such complaints.

7.2 The Complaints Committee comprises:

- i. A Presiding Officer, who shall be a woman employed at a senior level at the workplace from amongst the Colleagues;
- ii. Not less than two Members from amongst the Colleagues, preferably committed to the cause of women or who have had experience in social work or possess legal knowledge;
- iii. One 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.

7.3 Provided that at least one-half of the total Members so nominated shall be women.

- i. The Presiding Officer and every Member of the Complaints Committee shall hold office for such period, not exceeding three years from the date of their nomination, as may be specified by the Employer or the Company.
- ii. The details of the presently constituted and subsisting Complaints Committee are provided in Annexure 1.

7.4 The Complaints Committee is responsible for:

- i. Receiving complaints of sexual harassment at the workplace;
- ii. Initiating and conducting an inquiry into every formal written complaint of sexual harassment as per the established procedure;
- iii. Taking appropriate remedial measures in response to any substantiated allegations of sexual harassment, including submitting the findings and recommendations of inquiries and coordinating with the Employer in implementing appropriate action;
- iv. Submitting annual reports in the prescribed format; and
- v. Discouraging and preventing employment-related sexual harassment.

8. Filing a Complaint

8.1 Any Aggrieved Woman who believes that she has been subjected to sexual harassment at the workplace may submit a written complaint to the Complaints Committee.

8.2 The complaint should ordinarily be made within three (3) months from the date of the incident. In the case of a series of incidents, the complaint should be made within three (3) months from the date of the last incident. The Complaints Committee may extend the time limit by a further period of three (3) months if it is satisfied that circumstances prevented the Complainant from filing the complaint within the prescribed period.

8.3 The complaint shall be submitted in writing and should contain, to the extent possible:

- Name and contact details of the Complainant;
- Name and designation of the Respondent;
- Date(s), time(s), and location(s) of the alleged incident(s);
- A detailed description of the incident(s);
- Names of any witnesses, if applicable; and
- Any supporting documents, emails, messages, photographs, or other relevant evidence.

8.4 Where the Aggrieved Woman is unable to make a written complaint, the Presiding Officer or any Member of the Complaints Committee shall provide all reasonable assistance in reducing the complaint to writing.

8.5 In the event that the Aggrieved Woman is physically or mentally unable to file the complaint, or in the event of her death, the complaint may be made by a person permitted under the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

8.6 Upon receipt of the complaint, the Complaints Committee shall acknowledge the complaint and initiate appropriate action in accordance with this Policy and the applicable provisions of the POSH Act.

9. Guidelines for Receiving a Complaint

9.1 Every complaint received under this Policy shall be treated with sensitivity, fairness, and confidentiality.

9.2 The Complaints Committee shall ensure that:

- The Complainant is treated with dignity and respect throughout the process.
- The complaint is acknowledged promptly.
- The Complainant is informed about the complaint resolution process and available options under this Policy.
- No retaliation, discrimination, intimidation, or victimization is faced by the Complainant or any witness for filing or participating in the inquiry.

9.4 A clear description of the incident, in simple and direct terms, shall be prepared, and the details shall be confirmed with the Complainant.

- i. All notes shall be kept strictly confidential. The Complainant's consent shall be obtained before proceeding with the matter, which involves a formal inquiry; and
- ii. The Complainant shall be advised that, although the inquiry process is confidential,
- iii. The Respondent must be informed within seven working days from the date of receipt of the complaint, and any witnesses or persons directly involved in the complaint process will also become aware of the Complainant's identity.

9.5 Due care shall be taken to prevent any disadvantage to or victimization of either the Complainant or the Respondent.

10. Procedure for Resolution through Conciliation

10.1 The Company is of the view that an attempt to compromise in matters involving the harassment and humiliation of women is a means by which the dignity of women is undermined. Therefore, the Company shall not take any proactive measures to encourage the option of resolution through conciliation.

10.2 Notwithstanding Clause 10.1 above, and in accordance with the provisions of the Act, upon receiving a complaint and before initiating an inquiry, the Complaints Committee may, only at the request of the Aggrieved Woman, take steps to settle the matter between the Aggrieved Woman and the Respondent through a conciliation process.

10.3 It is made clear to all parties that conciliation does not necessarily mean acceptance of the complaint by the Respondent. It is a practical mechanism prescribed under the Act through which issues may be resolved or misunderstandings clarified.

10.4 In case a settlement is arrived at, the Complaints Committee shall record the same in writing and report it to the Employer for taking appropriate action.

10.5 Any form of monetary settlement as the basis of conciliation is strictly prohibited.

10.6 Resolution through conciliation shall be completed within two weeks of the receipt of the complaint.

10.7 The Complaints Committee shall provide copies of the settlement to the Complainant and the Respondent. Once the settlement has been implemented, no further inquiry shall be conducted in the matter.

11. Resolution Through Formal Inquiry

11.1 The Complaints Committee will initiate an inquiry in the following cases:

- i. No conciliation is requested by the Aggrieved Woman; or
- ii. Conciliation has not resulted in any settlement; or
- iii. The Complainant informs the Complaints Committee that any term or condition of the settlement arrived at through conciliation has not been complied with by the Respondent.

11.2 The Complaints Committee shall initiate an inquiry into the complaint within one week of the receipt of the original complaint, the closure of the conciliation process, or the receipt of a repeat complaint.

11.3 Manner of Inquiry into the Complaint:

- i. Upon receipt of the complaint, the Complaints Committee shall send one copy of the complaint to the Respondent within seven working days.
- ii. The Respondent shall be informed about the complaint filed against him/her and that no acts of retaliation or unethical conduct will be tolerated.
- iii. The Respondent shall be assured that a fair and impartial inquiry will be conducted on his/her behalf as well as that of the Complainant.
- iv. The Respondent shall submit a reply, along with all supporting documents, within 10 working days of receiving a copy of the complaint.
- v. No legal practitioner shall represent any party at any stage of the inquiry proceedings.
- vi. The Complaints Committee shall conduct the inquiry into the complaint in accordance with the principles of natural justice.
- vii. While conducting the inquiry, a minimum of three Committee Members, including the Presiding Officer, shall be present.

11.4 Interim Relief:

- During pendency of inquiry or at any time during or subsequent to the course of inquiry, pending the final outcome, on a written request made by Complainant, the Complaints Committee may recommend to Employer to:
 - a. Transfer the Complainant or the Respondent to any other workplace;
 - b. Grant the Aggrieved Woman leave for a maximum period of three months, in addition to the leave she would otherwise be entitled to;
 - c. Prevent the Respondent from assessing the Complainant's work performance; and/or
 - d. Grant such other relief as may be appropriate.
- Once the recommendations of interim relief are implemented, Employer is required to inform and apprise Complaints Committee regarding the same.

11.5 Termination of Inquiry:

- i. Complaints Committee may terminate the inquiry or give ex-parte' decision, if Complainant or Respondent respectively is absent for three consecutive hearings, without reason.
- ii. 15 day written notice to be given to the party, before termination or ex-parte' order.

11.6 Inquiry Procedure:

- i. The inquiry procedure ensures absolute fairness to both parties and is premised on the following:
 - All proceedings of the inquiry by Complaints Committee are documented.
 - Complaints Committee interviews Respondent separately and impartially.
 - Complaints Committee states exactly what the allegation is and who has made the allegation.

- The Respondent shall be given a full opportunity to respond to the allegations and provide any supporting evidence. Detailed notes of the meetings shall be prepared and may be shared with the Respondent and the Complainant upon request.
- Any witnesses produced by the Respondent shall also be interviewed, and their statements shall be taken on record.
- If the Complainant or the Respondent wishes to cross-examine any witness, the Complaints Committee shall facilitate the same and record the statements.
- If the Complainant or the Respondent seeks to ask questions to the other party, such questions may be submitted to the Complaints Committee, which shall put the questions to the other party and record the responses.
- Any such inquiry shall be completed, including the submission of the Inquiry Report, within 90 days from the date of commencement of the inquiry.

11.7 Considerations While Preparing the Inquiry Report:

While preparing the Inquiry Report, including its findings and recommendations, the Complaints Committee shall take the following into consideration:

- a. Whether the language used (written or spoken), visual material, or physical behaviour was of a sexual or derogatory nature.
- b. Whether the allegations or events follow logically and reasonably from the evidence presented before the Complaints Committee.
- c. The credibility of the Complainant, the Respondent, the witnesses, and the evidence.
- d. Other relevant facts and evidence, for example, whether there have been any previous instances of harassment involving the Respondent.
- e. Whether both parties have been given a fair opportunity to be heard.
- f. Whether a copy of the record of proceedings has been made available to both parties, enabling them to make representations against the findings.
- g. Whether a copy of the final findings has been shared with the Complainant and the Respondent, giving them an opportunity to make representations on the findings before the Complaints Committee.

11.8 Post-Inquiry Actions:

- a. Complaints Committee is required to submit to Employer (CEO and HR head) the Inquiry Report containing the findings and recommendations, within 10 days of completion of the inquiry.
- b. The findings and recommendations are to be reached from the facts established and are to be recorded accurately.

c. Where Complaint Unsubstantiated:

- i. Where Complaints Committee arrives at the conclusion that the allegations against Respondent are not proved, it recommends to Employer (CEO and HR Head) that no action is required to be taken in the matter.
- ii. Further, Complaints 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 Company.

d. Where Complaint Substantiated:

- Written apology;
 - Warning;
 - Reprimand or censure;
 - Withholding of promotion;
 - Withholding of pay raises or increments;
 - Suspension;
 - Termination of the Respondent's employment; or
 - Undergoing a counselling session or carrying out community service.
 - The Employer (CEO and Chief People Officer (HR Head)) shall act upon the recommendations within 60 days of receiving the Inquiry Report and confirm the same to the Complaints Committee.
- ii. Post implementation of the actions follow up with Complainant would be done to ascertain whether the behavior has in fact stopped, the solution is working satisfactorily and if no victimization of either party is occurring. This follow up would be undertaken by the Complainant's Line Manager supported by HR.

Note: A visual representation of the Inquiry Process is provided in Annexure 2.

12. False or Malicious Allegations

12.1 Where the Complaints Committee arrives at the conclusion that the allegation against the Respondent is malicious, or that the Aggrieved Woman or any other person making the complaint has made the complaint knowing it to be false, or has produced any forged or misleading document, it may recommend to the Employer that appropriate action be taken against the said woman or the person making the complaint. The action recommended should be similar to the action proposed for the Respondent in the case of substantiated complaints.

12.2 While determining malicious intent, the Complaints Committee shall consider that the mere inability to substantiate a complaint or provide adequate proof does not imply the existence of malicious intent and shall not attract action against the Complainant under this provision.

12.3 Malicious intent must be clearly established through a separate inquiry.

13. Confidentiality

13.1 The identity of the Complainant, Respondent, and witnesses, as well as the statements and other evidence obtained during the inquiry process, the recommendations of the Complaints Committee, and the action taken by the Employer, shall be treated as confidential and shall not be published or disclosed to the public or the media.

13.2 Any person contravening the confidentiality provisions shall be subject to disciplinary action as prescribed under the Act.

14. Appeal

14.1 Any party who is not satisfied or is further aggrieved by the implementation or non-implementation of the recommendations made may file an appeal before the Appellate Authority, in accordance with the provisions of the Act, within 90 days from the date on which the recommendations are communicated.

15. Compliance

15.1 The Company shall, in its Board Report, include a statement confirming that it has complied with the provisions relating to the constitution of the Complaints Committee under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

Annexure-1

Complaints Committee for redressal of sexual harassment complaints

Bhopal	Presiding officer – Nandini Chourasiya (Senior Manager - People Management)	Member – Ravi Sharma	External Member – Rajeev Lodhi, Lawyer
	Member – Danish Sher Khan (Chief Technology Officer)		

Annexure - 2

Inquiry Process

