



**Indian Society for Applied Behavioural Science**

## **POSH POLICY (PREVENTION OF SEXUAL HARASSMENT)**

### Revision History

<b>Version No.</b>	<b>Date of Release</b>	<b>Revised By</b>	<b>Approved By</b>	<b>Details</b>
3	05.09.2025	ISABS PoSH IC	EB	The Revised Version was approved by EB on 28.08.2025
2	07.11.2020	IC	EB	In line with Ethics Policy and more detailing from the Act and Rules
1	16.01.2020	-	-	New policy



# **PREVENTION OF SEXUAL HARASSMENT POLICY**

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## 1. Preamble, Scope and Coverage

### 1.1. Preamble

Founded in 1972, the **Indian Society for Applied Behavioural Science** (hereafter, '**ISABS**') is a national, non-profit voluntary society of behavioural scientists engaged in applying their knowledge and skill to the well-being of persons, organisations, communities and the society at large.

The vision of ISABS, being '*Dedicated to the dignity and autonomy of human beings as individuals in groups, organisations and society at large*' sets the context for this **Prevention of Sexual Harassment Policy** (hereafter, '**ISABS PoSH Policy**').

Since its inception in 1972, ISABS has pioneered human sensitivity in general and sensitivity to diversity, equity/equality and inclusion in particular. Towards this end, ISABS has consistently taken proactive steps, including devising an Ethics Framework to ensure that the institution and its members live these values.

The ISABS PoSH Policy reflects the above values and is committed to creating a safe working environment that enables members and participants to interact and learn without fear of prejudice, intimidation, victimisation, discrimination or sexual harassment. ISABS believes that all members and participants have the right to be treated with dignity. Respect for individuals is a key value that ISABS insists upon while ensuring a positive and safe working environment.

The ISABS PoSH Policy is in compliance with **the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013** (hereafter, '**PoSH Act**') which prohibits sexual harassment of women at workplaces and provides for the prevention and redressal of complaints of sexual harassment.

Sexual harassment can occur in several forms and adversely affect individuals across genders. When subjected to sexual harassment, individuals can feel physically and mentally threatened, impacting their engagement at the workplace and learning spaces in many ways. Differential power hierarchies are often correlated and sometimes cause/aid/play a significant role in sexual harassment. It is important to note that informal power matrices exist in almost every relationship, and these should not be exploited to engage in behaviours that disrespect the dignity of another.

The bottom-line of the ISABS PoSH Policy is that ISABS as an institution will not tolerate behaviours which threaten the dignity and safety of Members in all its dimensions. In keeping with the spirit of the law, ISABS does not tolerate any form of sexual harassment against any individual, regardless of their age, sex, gender, gender identity or sexual orientation, and is committed to take all necessary steps so that no one is subjected to any form of sexual harassment in any of its workplaces.



ISABS will also not tolerate any retaliatory action, victimisation or discrimination against any individual who reports sexual harassment and/or any person who assists by giving evidence in connection with alleged incidents of sexual harassment, and any such instance of retaliation, victimisation and/or discrimination (or attempt) will lead to appropriate action by ISABS.

ISABS, being uniquely organised with only a few employees on its payroll and predominantly represented through its Professional Member community, relies on its professional members to be both the guardians and stewards of the spirit of ISABS' commitment, shared values and vision for human and gender sensitivity as above and comply with the PoSH Act both in letter and spirit.

## **1.2. Scope and Coverage**

While facilitating compliance with the PoSH Act in letter and spirit, the ISABS PoSH Policy seeks to broaden its scope and coverage.

Whereas the PoSH Act provides for prevention, redressal and prohibition of sexual harassment of women at the workplace, the ISABS PoSH Policy seeks to cover individuals irrespective of their gender, gender identity and/or sexual orientation and all the contact points of ISABS and any person in any context including formal, contractual, social, official and chance contact while on duty, travel, commute, etc.

The scope and coverage of the ISABS PoSH Policy is dealt with more specifically below.

## **2. Commencement**

The ISABS PoSH Policy is in effect from 16 January 2020, with revised versions coming into effect as per the dates specified on p.1 (see table on Revision History).

## **3. Definitions**

### **3.1. Professional Member**

'Professional Member' shall have the meaning ascribed to the term in the Memorandum of Association of ISABS.

### **3.2. Member**

'Member' means a Professional Member or associate member of ISABS, employee of ISABS on payroll, interns, trainees, those engaged on contract by ISABS directly, and all persons deputed by service providers, participants of ISABS' certificate programmes and learning events, social events, consultancy or other projects and activities, persons from client organisations or any other person who comes in contact with ISABS in the course of its activities or vice versa.



### **3.3. Executive Board / EB**

'Executive Board' or 'EB' shall have the meaning ascribed to it in the Memorandum of Association of ISABS.

### **3.4. President**

'President' means the President of ISABS and shall have the meaning ascribed to it in the Memorandum of Association of ISABS.

### **3.5. ISABS IC**

'ISABS IC' means the Internal Committee constituted by ISABS in accordance with the PoSH Act.

### **3.6. Chairwoman**

'Chairwoman' means the Presiding Officer of the ISABS IC, nominated in accordance with Section 4(2) of the PoSH Act.

### **3.7. Implementation Group**

'Implementation Group' means a committee formed to implement all recommendations of the ISABS IC in relation to a complaint, including interim measures and the final report. The Implementation Group shall comprise three (3) members, as follows:

- the President of ISABS, and
- two (2) members of the Executive Board of ISABS, to be nominated by the President.

### **3.8. Aggrieved Person**

'Aggrieved Person' means any individual, whether a Member or not, of any gender, gender identity, sexual orientation or age, employed or not by ISABS, who alleges to have been subjected to an act of Sexual Harassment in the Workplace. It includes 'aggrieved woman' as defined under the PoSH Act.

### **3.9. Complainant**

'Complainant' means the individual who has filed a written complaint of Sexual Harassment.

### **3.10. Respondent**

'Respondent' means any individual, including a Member, against whom the Complainant has made a complaint of Sexual Harassment at the Workplace, irrespective of the individual's gender, gender identity, sexual orientation, or age.

## 3.11. Sexual Harassment

'Sexual harassment' includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

- physical contact and advances; or
- demand or request for sexual favours; or
- making sexually coloured remarks; or
- showing pornography; or
- any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

Sexually offensive behaviour can take many forms of unwelcome behaviour with sexual overtones or undertones.

Any behaviour that constitutes a '*quid pro quo*' or 'this for that' action where a Member feels uncomfortable or vulnerable because they are the target of abuse/misuse of authority owing to an unwelcome sexual advance or demand for sexual favours will also be considered sexual harassment and appropriate action initiated.

Any behaviour that makes the work environment **hostile or uncomfortable** to work in because of such actions, will be considered harassment under the ISABS PoSH Policy and appropriate action will be initiated.

Behaviours mentioned above will constitute sexual harassment irrespective of the forms of interaction or the means used to interact, whether in person, telephonic, or virtual medium.

It is the **impact on an individual** that will be taken into consideration, **not the intent of the speaker or actor**. Perception, not intention, determines what constitutes sexual harassment, and perceptions may vary with gender, age, situation, time and nature of relationship. A certain kind of conduct acceptable to one gender may be offensive to the other.

'I didn't mean any offense,' 'I'm like that with everyone,' or 'I was only joking' are not good enough excuses. If certain behaviour is reasonably perceived as sexually offensive, it is inappropriate and may be considered harassment. Furthermore, sensitivities may change. Individuals have the right to ask other individuals to stop behaviour that was previously welcome.

Some examples of behaviour that constitute Sexual Harassment at the Workplace are included in **Annexure 1**. This is an illustrative list and not an exhaustive list.

## 3.12. Workplace

'Workplace' includes all places/premises where ISABS' activities are conducted, including the premises of its professional members, where ISABS' activity takes place, as well as virtual platforms/spaces.



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'Workplace' also includes physical workspaces, work-related meetings (whether in person or virtual), work trips, conferences, travels and/or commute, phone calls, video calls, messages, chats, or any place where one visits in relation to ISABS' work for the duration of the programme/activity/event.

An *illustrative, but not exhaustive*, list with examples of the Workplace is as follows:

- All events where instruction, training, mentoring, research, consulting, assignments, administration or any other activities connected with the functioning of ISABS are conducted.
- Workshop/conference/seminar venues or venues of certificate programmes and other ISABS offerings, meetings amongst members, including mentoring meetings (both online and in person).
- Travel and commute to get to event, programme, workshop, seminar, conference and meeting venues.
- Public places on campuses or in the buildings or any other public spaces that are used for meetings, programmes, workshops, seminars, etc.
- Labs, faculty meetings, learning sessions, community sessions, parties and all other formal and informal interaction times, whether in person or online.
- All locations beyond official locations, where Members meet for events organised by ISABS, whether formal or social.
- Programmes, conferences, seminars, workshops or meetings of Members at third-party locations.

## 4. ISABS IC

### 4.1. Constitution of ISABS IC

- a. The ISABS IC shall be nominated by the President and ratified by the EB.
- b. The ISABS IC shall have no less than four (4) members, or such minimum number as mandated by the PoSH Act. However, additional members may be appointed to the ISABS IC, as may be necessary owing to the ISABS IC's statutory responsibilities and proposed activities.
- c. The ISABS IC shall comprise the following members:
  - A Chairwoman, being a woman and a Professional Member of good standing, with a tenure of at least 5 years, having shown commitment to the cause of ethical functioning and gender sensitivity in ISABS,
  - An External Member, from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment, who shall be an independent member, and
  - Two members from amongst Professional Members, preferably committed to the cause of women or who have had experience in social work or have legal knowledge.
- d. At any point of time, at least half the members of the ISABS IC shall be women.



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- e. A quorum of 60% of ISABS IC members is required to be present both at in-person meetings and virtual meetings for the proceedings of the ISABS IC meetings to take place, provided however that in case of inquiry proceedings, the quorum shall be as set out in Section 5 below.
- f. A list of current members of ISABS IC, together with their contact details is as set out in **Annexure 2**, which shall be prominently published on ISABS' website (and notice boards, if any) and shared with all Members of ISABS.

### **4.2. Tenure of Membership**

- a. The term of each member of the ISABS IC, including the Chairwoman, shall be for a period not exceeding three (3) years from the date of nomination or appointment.
- b. However, the President may temporarily extend the term of any member of the ISABS IC in order to dispose of any pending complaint.
- c. Further, the President shall have the authority to re-nominate the Chairwoman and other member(s) of the ISABS IC, for one additional term, such additional term also not exceeding three (3) years, if such member continues to be qualified as per the PoSH Act and the ISABS PoSH Policy. Re-appointment of the Chairwoman and other members of the ISABS IC shall be ratified by the EB.

### **4.3. Sub-committees**

- a. The Chairwoman may constitute sub-committees in order to expedite decision-making and the effective discharge of the responsibilities of the ISABS IC.
- b. The Chairwoman may constitute an Inquiry Sub-committee, consisting of not less than three (3) members, which must include Chairwoman and the External Member, for the purpose of dealing with a complaint of Sexual Harassment.
- c. The tasks of facilitating conciliation (if chosen), conducting an inquiry, fact finding and preparing findings, and making recommendations for action to be taken in relation to the complaint, may be allocated to the Inquiry Sub-committee by the Chairwoman.

### **4.4. Resignation and Removal of Members**

- a. The Chairwoman and other ISABS IC members may resign from the ISABS IC by submitting their resignation in writing to the President.
- b. The Chairwoman and other members of ISABS IC can be removed only by the decision of the EB.
- c. All instances of removal of the Chairwoman and other members of ISABS IC shall follow the principles of natural justice.

## 4.5. Preventive Measures

- a. ISABS shall take reasonable steps to ensure the prevention of Sexual Harassment at the Workplace in line with the provisions of the PoSH Act. In particular, such steps may include:
  - Carrying out ISABS PoSH Policy education and gender-based / feminist-related sensitisation training on sexual harassment.
  - Circulating the ISABS PoSH Policy to all existing and new Professional Members, employees and Members, as well as participants during ISABS' events/workshops/trainings.
  - Raising and discussing issues of prevention, prohibition and redressal of sexual harassment at ISABS at national and regional meetings and events.
  - Publicising that Sexual Harassment could also be an offence under criminal law and ISABS will have zero tolerance for the same.
- b. The roles played by Professional Members (e.g., as facilitator, mentor, regional and national institutional roles) are recognised as powerful roles, providing them with an unusual opportunity to exercise power for the purpose of assisting others to grow and learn about themselves. Professional Members are expected to be constantly vigilant that this power is used at all times only to promote the growth and enhance the dignity of participants.
- c. Each Professional Member of ISABS plays a critical part and is responsible for preventing any behaviour that is disrespectful to the dignity or a threat to the safety of another person arising out of sexual harassment during the course of a laboratory, modules or events, both learning and social, or consulting/training assignments, etc.
- d. In particular:
  - Professional Members shall not engage in erotic or sexual contact with participants in an ISABS programme/offering. This includes verbal or non-verbal interactions of a sexual or romantic nature not necessarily involving direct physical contact.
  - In this context the definition of the term 'programme' must be understood in an expanded sense, depending upon whether the Professional Member is a Human Process Lab Facilitator, in a Mentor–PDP (Professional Development Programme) candidate or Mentor– ODCP or Mentor–CPFCP relationship, facilitator in an extended PDP, facilitator in a certificate programme or special programme, or working on a consulting assignment for an ISABS client. It also includes contact with participants/clients before or after the programme, when the Professional Member is likely to have the role-related power described as above.
  - Professional Members are expected to confront any perceived or noted violation of the ISABS PoSH Policy by a colleague in an ISABS programme. When there is evidence that a colleague has violated a stated ethics principle or any of the provisions of the ISABS PoSH Policy, the Professional Members have an obligation to make a written report of such violation to the ISABS IC.
- e. New Professional Members will sign a document stating that they are aware of the ISABS PoSH Policy and that they have undergone requisite sensitisation and awareness as mandated by ISABS IC from time to time.

- f. All Professional Members shall ensure that they complete applicable learning courses on this topic, including attending awareness sessions, workshops and training programmes, as and when required by ISABS IC.
- g. No Professional Member or consultant hired by ISABS shall be permitted to facilitate, consult or train, or engage with any activities of ISABS, unless they have gone through the mandatory training/learning or qualifying criteria, if any, that ISABS IC may stipulate from time to time.

## **4.6. Annual Report**

- a. The ISABS IC will prepare an annual report containing the following details.
  - Number of complaints of sexual harassment received in a particular calendar year
  - Number of complaints of sexual harassment disposed of during a particular calendar year
  - Number of workshops and awareness programmes conducted for prevention of sexual harassment at workplace, and
  - Nature of action(s) taken in the case of complaints received.
- b. The annual report shall be presented to the Implementation Group, EB, and the District Officers (as notified by the appropriate government under the PoSH Act), and filed as directed by appropriate authorities.

## **5. Dealing with Complaints**

- 5.1. The ISABS IC shall be the sole authority to deal with complaints of Sexual Harassment at the Workplace by or against a Member, and the procedures set out below shall govern the handling of all complaints of Sexual Harassment at the Workplace, regardless of the gender or gender identity of the Aggrieved Person, Complainant or Respondent.
- 5.2. For the purposes of this Section 5 only, the term 'ISABS IC' will mean and include an Inquiry Sub-committee (where appropriate), formed as set out in Section 4.3 above.

### **5.3. Filing a Complaint**

- a. Any Aggrieved Person may make, in writing, a complaint of Sexual Harassment at the Workplace to the ISABS IC within a period of three (3) months from the date of alleged incident and in case of a series of incidents, within a period of three (3) months from the date of last incident.
- b. Provided that where such complaint cannot be made in writing, the Chairwoman or any Member of the ISABS IC, as the case may be, shall render all reasonable assistance to the Aggrieved Person for making the complaint in writing.



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- c. Provided further that the ISABS IC may, for reasons to be recorded in writing, extend the time limit beyond three (3) months, if it is satisfied that there were circumstances that prevented the Aggrieved Person from filing a complaint within the said period.
- d. Where an Aggrieved Person is unable to make a complaint on account of his/her/their physical or mental incapacity or death or otherwise, their legal heir or such other person as may be prescribed in the PoSH Act (or rules made thereunder) may file a complaint under this Section to the ISABS IC.

### **5.4. Processing of Complaint**

- a. Upon receiving a complaint, the Chairwoman (or a member of the ISABS IC), shall forward the complaint to other members, as necessary. The complaint shall be kept in the strictest of confidences, as appropriate in the circumstances, and a confidentiality and non-disclosure agreement/undertaking, in the prescribed form, shall be signed by all stakeholders. The Chairwoman shall then call a meeting of the ISABS IC, which shall proceed to deal with the complaint.
- b. Any member of the ISABS IC who believes that their objectivity may be compromised for any reason may apply to the Chairwoman to recuse themselves from an inquiry. The Chairwoman will consider whether or not to accept such requests and if accepted, shall appoint a replacement member for the particular inquiry, if required, in accordance with the PoSH Act and/or the ISABS PoSH Policy and notify all concerned parties, including the President.
- c. A copy of the complaint shall be given to the Respondent by the ISABS IC within seven (7) working days of receipt of the complaint.
- d. The Respondent shall be required to submit their response to the complaint no later than ten (10) working days from the receipt of the complaint.

### **5.5. Conciliation**

- a. Before initiating an inquiry, the ISABS IC shall, at the request of the Aggrieved Person, take steps to settle the matter between them and the Respondent through conciliation.
- b. Where a settlement is arrived at between the parties, the ISABS IC shall record the settlement and forward the same to the President to take action, if any. In the case of conciliation, no monetary settlement shall be made as a basis.
- c. The ISABS IC shall also provide the copies of the recorded settlement to the Aggrieved Person and the Respondent.
- d. Where a settlement is arrived at, no further inquiry shall be conducted by the ISABS IC.



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- e. However, if the Aggrieved Person informs the ISABS IC that any term or condition of the recorded settlement has not been complied with by the Respondent, the IC shall proceed to make an inquiry into the complaint (as set out below) or forward the complaint to the police, should the Aggrieved Person wish to do so.
- f. In case the Aggrieved Person does not opt for conciliation, a settlement is not arrived at, and/or there is a failure of conciliation, the ISABS IC shall proceed to conduct an inquiry into the complaint, as set out below.

### **5.6. Inquiry Procedure**

- a. A minimum of three (3) members of the ISABS IC, including the Chairwoman and External Member, is required for the constitution of a proper quorum during inquiry proceedings.
- b. The ISABS IC shall always follow principles of natural justice in all its proceedings and act fairly, and subject thereto, shall maintain confidentiality of the identity of the Aggrieved Person/Complainant, Respondent, and witnesses, as also the contents of the complaint and other statements and documents.
- c. The Complainant and Respondent shall indicate in writing to the ISABS IC whether they wish the ISABS IC to examine any witnesses on their behalf or they would like to submit any evidence.
- d. Upon receipt of a written response from the Respondent and rebuttal from the complainant (if any), and after submission of evidence (if any), the ISABS IC shall conduct proceedings at such venue/s or virtual platforms as are convenient to all, where both the Complainant and the Respondent shall be heard in person or via video conference. The ISABS IC shall notify both the Respondent and Complainant (as well as the witnesses, if any) of the time and venue of each hearing. Any records of the proceedings of such or other hearings or meetings of the ISABS IC shall be kept strictly confidential.
- e. The ISABS IC shall give an opportunity to both parties (Complainant and Respondent) to be heard and cross-examine each other and witnesses, if any. However, the Respondent shall not be permitted to compel the Complainant or any witness to submit to cross-examination in their presence. In the event the Respondent wishes to question the Complainant or any witness, and the Complainant or witness communicates any apprehension about facing the Respondent, any questions which the Respondent wishes to ask of the Complainant or witness shall be submitted to the ISABS IC in writing, and the ISABS IC shall ask the questions to the Complainant or witness (after making such revisions to the questions as it deems necessary or appropriate), obtain responses from them in writing and provide the same to the Respondent.
- f. The ISABS IC may call upon or summon any Member or other individual who may have witnessed the alleged incident(s) of Sexual Harassment at the Workplace or have relevant information as a witness in the inquiry proceedings.



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- g. Neither the Complainant nor Respondent shall be allowed to bring any legal practitioner to represent them in their case in any stage of the inquiry proceedings before the ISABS IC.
- h. During the inquiry, in case the Respondent or the Complainant fails to present themselves, without sufficient cause, for three consecutive hearings convened by the Chairwoman, the ISABS IC shall have the right to terminate the inquiry proceedings or pass an *ex parte* order regarding the complaint. The ISABS IC however shall not terminate or pass an *ex parte* order unless an advance written notice of at least fifteen (15) days is given to the party / parties concerned.
- i. A copy of the findings arrived at by ISABS IC shall be made available to both the parties, enabling them to make representation(s) against the findings before the ISABS IC.

### **5.7. Powers of ISABS IC**

For the purpose of making an inquiry, the ISABS IC shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908) or other applicable law when trying a suit, i.e., summoning and enforcing the attendance of any person and examining them on oath, and requiring the discovery and production of documents.

### **5.8. Duration**

The ISABS IC shall inquire into the complaint as promptly as possible, and complete the inquiry no later than ninety (90) days.

### **5.9. Interim Measures**

- a. It may be necessary that interim measures are taken while a complaint is being redressed (through conciliation or inquiry). Such measures will be precautionary/preventive in nature, and not punitive or disciplinary.
- b. During the pendency of an inquiry, on a written request made by the Aggrieved Person, the ISABS IC may recommend to the Implementation Group to grant certain relief measures, such as a temporary removal from current roles and responsibilities of the Respondent or the Aggrieved Person, or give permission to the Aggrieved Person to work with a different Member to complete any assignments or any other interim measure as the ISABS IC deems fit in the circumstances.
- c. In case any employee of ISABS is the Aggrieved Person, the ISABS IC may recommend to the Implementation Group that additional leave over and above their entitlement, up to a maximum of three (3) months is granted to the Aggrieved Person; that the Aggrieved Person or Respondent is transferred to another location of ISABS; that a change be made in the reporting structure, to ensure that the Respondent is restrained from supervising or reporting on the Aggrieved Person's work performance; and/or that any other reasonable and appropriate relief be provided to the Aggrieved Person.



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- d. The Implementation Group shall implement the above recommendations of interim relief measures at the earliest and send a report of the implementation to the ISABS IC.

### **5.10. Inquiry Report**

- a. Upon completing the inquiry, the ISABS IC shall prepare its report in writing. The report shall include a summary of the complaint, response and proceedings, evidence submitted by the parties, statements by parties, testimonies of parties' and witnesses, issues identified, and findings of the ISABS IC.
- b. In addition, the report shall set out the ISABS IC's conclusions on whether Sexual Harassment at the Workplace, or any other violation of the ISABS PoSH Policy, was committed or occurred, or whether the complaint made by the Complainant is either false or not substantiated, as also the reasons/rationale for the ISABS IC arriving at its conclusions.
- c. Further, the report shall set out the ISABS IC's recommendations on the disciplinary action(s), if any, to be taken against the Respondent or Complainant (as the case may be).
- d. All members of the ISABS IC or Inquiry Sub-committee, as applicable, shall sign the report.
- e. A soft copy of the report, signed by all members of the ISABS IC or Inquiry Sub- committee, as applicable (including digital/electronic signatures), shall be valid and considered original.
- f. The Chairwoman shall submit the report to the Implementation Group within ten (10) days of the completion of the inquiry. The report shall not be shared with any other Member or stakeholder by the ISABS IC.
- g. The Implementation Group can review and seek clarifications from the ISABS IC regarding the recommendations in the report being appropriate and proportionate to the violation of the ISABS PoSH Policy.
- h. The Respondent and the Complainant shall be provided a copy of the report by the Implementation Group.

### **5.11. Recommendations and Implementation**

- a. Where the ISABS IC arrives at the conclusion that the allegation/s against the Respondent has/have not been proved, it shall recommend to the Implementation Group that no action is required to be taken in the matter against the Respondent.
- b. Where the ISABS IC arrives at the conclusion that the allegation/s against the Respondent has/have been proved, it shall recommend to the Implementation Group specific action to be initiated, including:
  - asking the Respondent to submit a written apology;

- issuing a warning;
  - issuing a reprimand or censure;
  - withholding promotion, pay rise or increments (if Respondent is an employee of ISABS)
  - removing the Respondent from an assigned role
  - terminating the Respondent's employment, service, and/or membership from ISABS
  - removing the Respondent from participation in a programme;
  - directing either or both parties to undergo counselling;
  - directing the Respondent to pay compensation to the Aggrieved Person (see Section 5.12 below); and/or
  - taking any other action that the ISABS IC may consider appropriate or deem fit in the circumstances.
- c. In making its recommendations, ISABS IC will take into cognisance the role of the Respondent, severity of the incident(s), as well as any prior warnings given / prior (similar) incidents involving the Respondent.
- d. The Implementation Group shall act upon the recommendation of the ISABS IC expeditiously, no later than sixty (60) days of receiving the report with recommendations, and inform ISABS IC of action taken.

## **5.12. Compensation**

For the purpose of determining the sums to be paid to the Aggrieved Person, the ISABS IC shall have regard to the:

- a. mental trauma, pain, suffering, and emotional distress caused to the Aggrieved Person;
- b. loss in career opportunity due to sexual harassment; medical expenses incurred by the
- c. victim for physical or psychiatric treatment, and/or counselling/therapy;
- d. income and financial status of the Respondent; and
- e. feasibility of such payment in lump sum or in instalments.

## **6. False or Malicious Complaints**

- 6.1.** Where the ISABS IC arrives at a conclusion that the allegation(s) against the Respondent is/are malicious or the Complainant has made the complaint knowing it to be false or the Complainant has produced any forged or misleading document, ISABS IC shall recommend to the Implementation Group to take appropriate action against such a Complainant.
- 6.2.** However, a mere inability to substantiate a complaint or provide adequate proof need not attract action against the Complainant and the malicious intent should be established after an inquiry in accordance with the procedure prescribed, before any action is recommended.



- 6.3.** Further, where the ISABS IC arrives at a conclusion that a witness has given false evidence or produced any forged or misleading document during the inquiry, it may recommend to the Implementation Group to take appropriate action against such a witness.

## **7. Confidentiality**

### **7.1. Maintaining Confidentiality**

The contents of the complaint, the identity and addresses of the Aggrieved Person, Respondent and/or witnesses, any information relating to conciliation or inquiry proceedings, report and recommendations of the ISABS IC and the action taken by the Implementation Group shall not be published, communicated or made known to the ISABS community, public, press and/or media in any manner. Provided that information may be disseminated regarding the justice secured to any victim of sexual harassment without disclosing the name, address, identity or any other particulars that may lead to the identification of the Aggrieved Person, Complainant, Respondent and/or witnesses.

### **7.2. Breach of Confidentiality**

Where any individual, including a person entrusted with the duty to handle or deal with complaints of sexual harassment, inquiry proceedings, recommendations of ISABS IC or action to be taken under the provisions of the ISABS PoSH Policy and/or applicable law contravenes the provisions of Section 7.1, they shall be liable for payment of penalty under the PoSH Act (and rules) and/or liable to face appropriate disciplinary action, with the violation being treated as 'misconduct'.

## **8. Appeal**

- 8.1.** Any person who is aggrieved by the recommendations in the inquiry report issued by the ISABS IC or non-implementation of such recommendations may file an appeal: (a) internally to the Implementation Group or (b) externally to an appropriate court or tribunal, within a period of ninety (90) days from the date of receipt of the report.
- 8.2.** In reviewing an internal appeal, the Implementation Group can determine whether the inquiry proceedings were conducted in accordance with the ISABS PoSH Policy and in compliance with the principles of natural justice. In case of a finding of non-compliance, the Implementation Group will instruct the IC to address and resolve the noted non-compliance immediately or mandate the institution of a fresh inquiry, as appropriate.
- 8.3.** Further, in reviewing an internal appeal, the Implementation Group can review and seek clarifications from the ISABS IC regarding the recommendations in the report being appropriate and proportionate to the violation of the ISABS PoSH Policy.



## **9. Obligations of EB**

- 9.1.** The EB shall play a facilitative role in ISABS IC being able to comply with both the letter and spirit of the PoSH Act, including the implementation of the various preventive and prohibition of sexual harassment–related measures as noted in this policy.
- 9.2.** The EB shall provide all necessary support, including allocation of adequate budgetary provision required by the ISABS IC for ensuring full, effective and prompt implementation of the ISABS PoSH policy, and necessary facilities for dealing with complaints and conducting conciliation/inquiry proceedings, such as physical and/or digital infrastructure with the requisite privacy and secretarial assistance.
- 9.3.** The Implementation Group shall provide assistance to the Aggrieved Person if they choose to file a complaint in relation to the relevant offence under applicable criminal law in force in India.

## **10. Amendments to ISABS PoSH Policy**

- 10.1.** The ISABS IC shall have the power to review the ISABS PoSH Policy periodically and make any amendments required, in consultation with the Implementation Group. Necessary consultations to discuss and propose amendments shall be facilitated with the spirit of finding consensus between the Implementation Group and the ISABS IC.
- 10.2.** All updates and/or revisions to the ISABS PoSH Policy made as per the above paragraph shall be approved and endorsed by the EB prior to taking effect.

## **Annexure 1: Examples of Sexual Harassment at the Workplace**

In the workplace, sexual harassment can take various forms. It may include and involve, but is not limited to:

- Sexually suggestive remarks or innuendos being made.
- Serious or repeated offensive remarks, such as related to a person's body or appearance.
- Offensive comments or jokes.
- Inappropriate questions, suggestions or remarks about a person's sex life.
- Offensive, graphic, erotic, or sexually explicit pictures, posters, emails, or other written or printed material being shown, displayed or shared.
- Intimidation, threats, blackmail around sexual favours.
- Unwelcome behaviour with erotic or sexual overtones or undertones.
- Unwelcome social invitations, with sexual overtones commonly understood as flirting.
- Unwelcome sexual advances or erotic gestures which may or may not be accompanied by promises or threats, explicit or implicit.
- Physical contact with sexual overtones or undertones, such as stroking or pinching.
- Caressing, kissing, or fondling someone against their will (which could be considered as assault).
- Invasion of personal space (getting too close for no reason, brushing against or cornering someone).
- Persistently asking someone out, despite being turned down.
- Stalking an individual (including online).
- Abuse of authority or power to threaten a person's job or undermine her performance against sexual favours.
- Falsely accusing and undermining a person for sexual favours.
- Controlling a person's reputation by rumour mongering about his/her/their private life.
- Inappropriate and offensive gestures over the virtual medium, such as asking people to adjust to the camera to view their body parts, inappropriate use of language over call and chat.

## **Annexure 2: Details of ISABS IC Members**

<b>Sl.No.</b>	<b>Name</b>	<b>Membership</b>	<b>Phone</b>	<b>Email</b>	<b>Date of Expiry</b>
1.	Sincy Joseph	Presiding Officer	8826828298	<a href="mailto:sinsej@gmail.com">sinsej@gmail.com</a>	31-Dec-2028
2.	Meenakshi Vijayasimha	Internal Member	9845919987	<a href="mailto:meenakshi.vjsimha@gmail.com">meenakshi.vjsimha@gmail.com</a>	31-Dec-2028
3.	Gauri Nigudkar	Internal Member	9987026080	<a href="mailto:gaurikn@gmail.com">gaurikn@gmail.com</a>	31-Dec-2028
4.	Khirod Pattnaik	Internal Member	9437030601	<a href="mailto:Khiroddp9@gmail.com">Khiroddp9@gmail.com</a>	31-Dec-2028
5.	Shruti Vidyasagar	External Member	9945069481	<a href="mailto:Shruti.vidyasagar@gmail.com">Shruti.vidyasagar@gmail.com</a>	31-Dec-2028