

Title: Prevention of Sexual Harassment at Workplace Policy (POSH Policy)
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POSH Policy- Affival India Private Limited (Opta Group)

Introduction/Purpose

At Affival India Private Limited ("**Company**") we strive to create a healthy and welcoming work environment for all employees, regardless of gender, caste, creed, or social class. We hold every individual in high regard and are committed to upholding their dignity and respect. Integrity, honesty, transparency, and respect for individuals are some of our core values. Consequently, we have a zero-tolerance policy for sexual harassment, and any such acts will result in serious disciplinary actions.

The "Prevention of Sexual Harassment at Workplace" policy is designed to inform our employees about what constitutes sexual harassment, the measures we are implementing to prevent it, and the fair procedures we have in place to address any incidents. Sexual harassment violates the fundamental rights of women to equality, as outlined in Articles 14 and 15 of the Constitution of India. This policy is in accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("POSH Act").

The Company is committed to handling the entire process with the utmost care, ensuring that it is conducted with the dignity, sensitivity, and respect it deserves, including the protection of the victim.

Definitions

Employee: For the purpose of this policy, an "Employee" encompasses any individual working for the Company, including interns, trainees, probationers, contract workers, temporary, part-time, and full-time employees, retainers, associates, and any other personnel who meet the definition of "employee" as outlined in the provisions of the POSH Act. In cases where there is uncertainty about whether an individual qualifies as an "Employee" under this policy, the Internal Committee will make the final determination, which will be binding on all concerned parties.

Sexual Harassment: "Sexual Harassment" includes any unwelcome behavior of a sexual nature. This encompasses, but is not limited to:

- Physical contact and advances
- Demands or requests for sexual favors
- Sexually colored remarks, whether verbal, textual, graphic, electronic, or through any other means
- Showing pornography
- Any other unwelcome physical, verbal, or non-verbal conduct of a sexual nature

Furthermore, the following circumstances, among others, if they occur in relation to or are connected with any act or behavior of sexual harassment, will also be considered as sexual harassment: (a) Implied or explicit promises of preferential treatment in employment (b) Implied or explicit threats of detrimental treatment in employment (c) Implied or explicit threats regarding current or future employment status (d) Interference with work or creation of an intimidating or hostile work environment (e) Humiliating treatment likely to adversely affect the aggrieved person's health or safety

Additional examples of what may constitute sexual harassment are provided in **Annexure A** of this policy. These examples are intended to offer guidance on the types of acts and behaviours that could be considered sexual harassment, but they do not represent an exhaustive list.

It is essential to understand that sexual harassment is inherently subjective and will always be evaluated from the perspective of the aggrieved individual. This means that there may be instances where, even if the respondent firmly believes that their actions or behaviour did not amount to sexual harassment, those actions or behaviours may still be deemed as such if it is established that they were unwelcome and of a sexual nature. The severity of the action or behaviour will be assessed based on the impact it had on the aggrieved individual.

- a) **Aggrieved:** Any person who claims to have been subjected to an act of sexual harassment.
- b) **Internal Committee:** A committee established to investigate complaints of sexual harassment.
- c) **Presiding Officer:** A senior female representative from the organization appointed to chair the Internal Committee, possessing veto powers.

Workplace includes

- (a) All offices, premises, or meeting places, including virtual, electronic, or digital platforms, where the Company's activities are carried out.
- (b) Any work-related activities conducted at locations or sites outside of the Company's premises.

- (c) Any location visited by an Employee as part of or during their work for the Company.
- (d) Any transportation provided by the Company for Employees to travel to or from any location in the course of their work.
- (e) Any social, business, or other events where conduct or comments could negatively affect the workplace or workplace relationships.
- (f) Work from Home: Any remote working environment will also be considered a workplace (a virtual workplace). Therefore, any form of virtual harassment over calls or digital platforms will fall under this policy.

In cases of uncertainty regarding whether a specific location qualifies as a "workplace" under this policy, the Internal Committee will make the final determination, which will be binding on all concerned parties.

Internal Committee

- a) In accordance with the POSH Act, to manage the process of enquiry and redressal of sexual harassment complaints, the Company has formed an Internal Committee.
- b) The Company shall have an Internal Committee of minimum 4 (four) members, comprising internal members and one external member.
- c) Not less than half of the members of the Internal Committee shall be women.
- d) Names of the members of the Internal Committee along with their contact details are provided in **Annexure B**.
- e) The Presiding Officer and every member of the Internal Committee shall hold office for such period, not exceeding three (3) years, from the date of their nomination as may be specified by the employer.
- f) Changes in the constitution of the Internal Committee, whenever necessary, shall be made as expeditiously as possible and in any case within fifteen (15) days of the date of vacancy of office by one of the members.

Functions and Powers of the Internal Committee

- a) **Inquiry Powers and Jurisdiction:** The Internal Committee shall have the authority and jurisdiction to conduct inquiries into all matters related to sexual harassment and shall possess the following powers:
- To summon witnesses and documents.
 - To recommend penalties as per the Company's Service Rules.
 - To submit its report to the Management for further necessary action.
 - Decision of the Internal Committee shall be a binding on the organisation.
- b) **Sensitization Programs:** The Internal Committee shall organize programs to sensitize employees on gender/ sexual harassment issues through various awareness initiatives.
- c) **Annual Report Submission:** Each calendar year, the Internal Committee shall prepare an annual report in the prescribed format and submit it to the employer and the District Officer.
- d) **Quarterly Meetings:** The Internal Committee shall convene once every quarter to review and ensure the Company's preparedness in fulfilling all requirements of the POSH Act. Even if no cases of harassment are reported, the Committee shall meet quarterly to assess the Company's readiness in this regard.
- e) **Meeting Minutes:** The minutes of each meeting shall be recorded and maintained in the Minutes of the Meeting document. These minutes shall be shared with all committee members via email.

Informal Redressal

Our organization promotes an environment where concerns related to sexual harassment can be addressed promptly and effectively. Informal redressal is one approach that encourages individuals to directly address their grievances with the person involved. This method can lead to quick and amicable resolutions, fostering a culture of open communication and mutual respect.

However, it is important to emphasize that while informal redressal is encouraged, it is not mandatory. The organization understands that not everyone may feel comfortable or safe addressing their grievances directly with the concerned person.

Process of Reporting Incidents of Sexual Harassment

Whom to Contact in Case of an Incident of Sexual Harassment?

a) **Filing a Complaint:** An aggrieved individual may submit a written complaint or email the complaint to the Internal Committee within ninety (90) days of the alleged incident. In exceptional circumstances, the Committee may extend this period by an additional ninety (90) days. Please note that verbal or anonymous complaints cannot be taken forward under the POSH Act.

b) **Assistance in Filing a Complaint:** If the aggrieved individual is unable to file the complaint themselves due to any of the following reasons, another person, as specified below, may file the complaint on their behalf:

- **Physical or mental incapacity:** A relative, friend, co-worker, or an officer of the National Commission for Women or the State Women's Commission, or any person who has knowledge of the incident, with the written consent of the aggrieved individual.
- **Death:** Any person who has knowledge of the incident, with the written consent of the legal heir of the aggrieved individual.

By following these procedures, the Company ensures that all employees have a clear and accessible means of reporting incidents of sexual harassment, thereby upholding a safe and respectful work environment.

c) **The complaint should include:**

- **Contact Details:** The complainant's or aggrieved individual's name, address, contact number, department, etc.
- **Incident Details:** A description of the incident, including the names of the alleged harasser(s), if known.
- **Supporting Documents:** Any supporting documents or evidence.
- **Witness Information:** Names and addresses of any witnesses.
- **Additional Information:** Any other details or information required by the Internal Committee.

d) **Submission of Complaint:** The aggrieved individual must file their complete complaint electronically with the Internal Committee and provide the required number of hard copies as specified by the Internal Committee.

e) **Forwarding the Complaint:** The Internal Committee will send a complete set of the complaint to the accused/respondent within seven days of receiving it electronically and/or as hard copies, as deemed appropriate based on the facts and circumstances of the case.

f) **Respondent's Reply:** The accused/respondent must submit their reply to the complaint, along with all supporting documents and the names and addresses of witnesses, within ten days of receiving the complaint, which is then shared with the complainant

Procedure for Conducting an Enquiry into a Complaint

Initiating the Enquiry

a) **Necessity of Enquiry:** When an enquiry is deemed necessary, the Internal Committee will adopt the following procedures:

b) **Powers of the Internal Committee:** Under the POSH Act, the Internal Committee holds the same powers as a Civil Court under the Code of Civil Procedure, 1908, including:

- Summoning and enforcing the attendance of any person and examining them under oath.
- Requiring the discovery and production of documents.
- Addressing any other prescribed matters.

c) **Documentation:** The Committee will maintain a written record of all discussions.

d) **Principles of Justice:** During the enquiry or investigation, the Internal Committee will adhere to the principles of justice, equity, and good conscience. Transparency in all proceedings, detailed fact-finding, and maintaining the highest level of confidentiality are paramount.

e) **Safety Measures:** The Internal Committee is empowered to ensure the safety of the complainant and any witnesses. If necessary, the Committee may recommend actions against those who intimidate the complainant or witnesses.

f) **Fair Hearing:** Both parties to the complaint will be given a fair opportunity to present their case. The statements of each party will be recorded, and copies will be provided to both parties for their representations before the Internal Committee.

g) **Timely Completion:** All investigations or inquiries must be completed within a maximum of 90 days from the receipt of the complaint.

h) **Procedure Determination:** The Internal Committee may establish its own procedures for conducting conciliation or formal inquiries, in accordance with the principles of natural justice and the provisions of the POSH Act. These procedures will be binding on all concerned parties.

- i) **Ex-Parte Decisions:** The Internal Committee reserves the right to terminate the inquiry proceedings or issue an ex-parte decision if either the complainant or respondent fails to appear for three consecutive hearings without sufficient cause. A written notice will be provided fifteen (15) days in advance to the concerned party before such action is taken.
- j) **No Legal Representation:** Legal practitioners are not allowed to represent either party before the Internal Committee.
- k) **Interim Measures:** During the enquiry, the Internal Committee may recommend interim measures to the management upon a written request from the aggrieved individual, such as:
- Transferring either the aggrieved individual or the respondent to a different team, department, workplace, or reporting line.
 - Granting up to three months of leave to the aggrieved individual, in addition to their entitled leave.
 - Restricting the respondent from reporting on the aggrieved individual's work performance or assigning such responsibilities to another employee.
 - Restricting the respondent from supervising the aggrieved individual's activities.

Conclusion of Enquiry

- l) **Submission of Report:** Upon completing the inquiry, the Internal Committee will submit a detailed report of its findings to the management within ten (10) working days. This report will also be made available to both parties involved in the complaint.
- m) **Findings of No Harassment:** If the Internal Committee concludes that the allegations of harassment are not proven, it will recommend to the employer that no action is required.
- n) **Findings of Harassment:** If the allegations are proven, the Internal Committee may recommend actions such as:
- Issuing a written apology, warning, reprimand, or censure.
 - Withholding promotion, pay rise, or increments.
 - Terminating service.
 - Requiring the individual to undergo counselling sessions or perform community service.
 - Deducting sums from the salary/wages/remuneration of the respondent, as determined by the Internal Committee. If direct deduction is not possible, the Company may instruct the respondent to pay the sum to the aggrieved individual. Failure to do so may result in the Internal Committee forwarding the order to the District Officer for recovery as an arrear of land revenue.
- o) **Implementation of Recommendations:** The management must act upon the Internal Committee's recommendations within sixty (60) days of receiving the report.

In Case of Conciliation

- a) **Initiating Conciliation:** Before starting an inquiry into the complaint, the Internal Committee may, upon the request of the aggrieved individual, take appropriate measures to resolve and settle the matter through conciliation.
- b) **Avoiding Inquiry:** The Internal Committee may choose not to conduct an inquiry if the examination of witnesses or documents is unnecessary to reach a conclusion or if the matter can be settled through the conciliation process. Note that this conciliation process will not involve any monetary settlement.
- c) **Representation:** During the conciliation process, the Internal Committee will provide both the victim and the alleged harasser with an opportunity to present their positions and offer explanations.
- d) **Recording Settlement:** If a settlement is reached through conciliation, it will be documented and forwarded to the management for implementation.
- e) **Distribution of Settlement Copies:** The Internal Committee will provide copies of the settlement agreement to both the victim and the alleged harasser after the conciliation process.
- f) **No Further Inquiry:** Once a settlement is reached through conciliation, no further inquiry into the complaint will be conducted. However, if the aggrieved individual later alleges that any term or condition of the settlement has been breached or not complied with, the Internal Committee will proceed to conduct a formal inquiry into the complaint.

Appeal Process

Under the POSH policy, both the complainant and the accused have the right to appeal against the decision of the Internal Committee (IC). If either party is dissatisfied with the IC's findings or the actions taken, they may file an appeal with the appellate authority designated by the State Government.

The appeal must be filed within the timeframe specified by the relevant laws and regulations. This process ensures that all parties have access to a higher authority for further review and reconsideration of their case.

Malicious Allegations

When filing a complaint under this policy, it is assumed that the aggrieved individual is acting in good faith and that the information provided is complete and accurate.

However, if the Internal Committee determines that the allegation made against the accused/respondent was malicious, or if the aggrieved individual or any other person knowingly made a false complaint, or if any forged or misleading documents were produced, or if any witness provided false evidence or misleading documents, the Internal Committee may, after conducting a thorough inquiry, recommend to the management that appropriate actions be taken against such individuals.

It is important to note that simply being unable to substantiate a complaint or provide sufficient evidence will not necessarily result in action against the complainant.

Confidentiality of the Complaint & Proceedings

All details related to the complaint, including the identities and other information of the parties involved, the witnesses, the proceedings, the recommendations given, and the actions taken, must be kept strictly confidential. This information should not be disclosed, published, or communicated to anyone, including the public, press, or media, except where it is necessary for the Company to forward it to the police or the relevant authority under applicable laws.

Any person found violating these confidentiality provisions will face strict action. Breaching confidentiality may attract a penalty of Rs. 5000/- or / and disciplinary action.

Miscellaneous

The Company's management will provide all necessary support to ensure the full, effective, and prompt implementation of this policy.

In instances where sexual harassment is caused by the actions or omissions of a third party or outsider, the Company will take all necessary and reasonable steps to assist the affected individual, including providing support and implementing preventive measures.

Protection Against Retaliation

Regardless of the complaint's outcome, employees who lodge complaints in good faith, as well as any witnesses, will be protected from retaliation or victimization. The Internal Committee will ensure that neither the complainant nor the witnesses are victimized or discriminated against by the accused or any other individuals. If the complainant experiences any unwarranted pressure, retaliatory actions, or other unethical behavior from the accused during the investigation, they should report this to the Internal Committee immediately.

Appropriate disciplinary or other actions will be taken against any verified complaints of retaliation following a thorough inquiry.

In cases of uncertainty, ambiguity, or doubt regarding the interpretation or implementation of any terms of this policy, the Management will make the final determination. Such determinations by the Management will be binding on all employees and other concerned parties.

Annexure A
(Examples of What May Constitute Sexual Harassment)

1. **Unwelcome Advances:** Unsolicited sexual advances, requests, or demands for sexual favors, whether explicit or implicit, in exchange for job opportunities, promotions, pay increases, or evaluations related to any organizational activity.
2. **Unwelcome Conduct:** Sexual advances involving verbal, non-verbal, or physical behavior, including but not limited to: grabbing, brushing, touching, kissing, pinching, leaning over, fondling, cornering, invading personal space, making sexually colored remarks, jokes, letters, phone calls, emails, messages, gestures, showing pornography, staring, physical contact or molestation, stalking, inappropriate sounds, gestures, and displaying pictures or signs. Any form of communication that offends an individual's sensibilities and affects work performance.
3. **Eve Teasing and Unwelcome Comments:** Making unwelcome comments, hints, innuendos, and taunts with sexual connotations, such as sexually explicit compliments, jokes, sexist remarks, unwanted phone calls, obscene letters, physical confinement against one's will, and invasion of privacy.
4. **Unwelcome Communications:** Sending unwelcome sexual communications via email, messaging, letters, mobile technology, or any other written or electronic form, displaying behavior of a sexual nature.
5. **Unwanted Gifts:** Giving or leaving personal gifts of a sexual or romantic nature that are unwanted.
6. **Inappropriate Recordings:** Taking inappropriate recordings or photographs, including screenshots during video conferences or virtual meetings, or screenshots of display/profile pictures.
7. **Sexually Explicit Material:** Showing sexually explicit visual material, such as pictures, cartoons, pin-ups, calendars, screen savers on computers, offensive written material, or pornographic emails.

8. **Offensive Remarks:** Making serious or repeated offensive remarks, including teasing related to a person's body or appearance.
9. **Inappropriate Questions:** Asking inappropriate questions or making comments, suggestions, or remarks about a person's sex life.
10. **Intimidation and Retaliation:** Making threats of intimidation or retaliation against anyone who speaks up about unwelcome sexual behavior.
11. **Unwelcome Invitations:** Sending unwelcome social invitations with sexual overtones, commonly understood as flirting.
12. **Persistent Advances:** Persistently asking someone out despite being refused on the first occasion.
13. **Rumour-Mongering:** Controlling a person's reputation by spreading rumors about their private life.
14. **Hostile Work Environment:** Engaging in acts or conduct by a person in authority that create a hostile or intimidating work environment.
15. **Other Unwelcome Acts:** Any other unwelcome act or gesture with sexual overtones.

Annexure B

Date: 15th December 2025

ORDER WHEREAS an Act, {The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (No. 14 of 2013)} to provide protection against sexual harassment of women at workplace and for prevention and redressal of complaints of sexual harassment and matters connected therewith thereto has been enacted by Parliament of India.

WHEREAS as per the Chapter II of the said Act, every employer of a workplace shall, by an order in writing has to constitute a committee to be known as the ‘Internal Committee’.

AND WHEREAS the Internal Committee shall inter-alia consist of a Presiding Officer and not less than two members from amongst employees and one member for non-government organization or any organization committed to this area, provided that at least one-half of the total members so nominated shall be women.

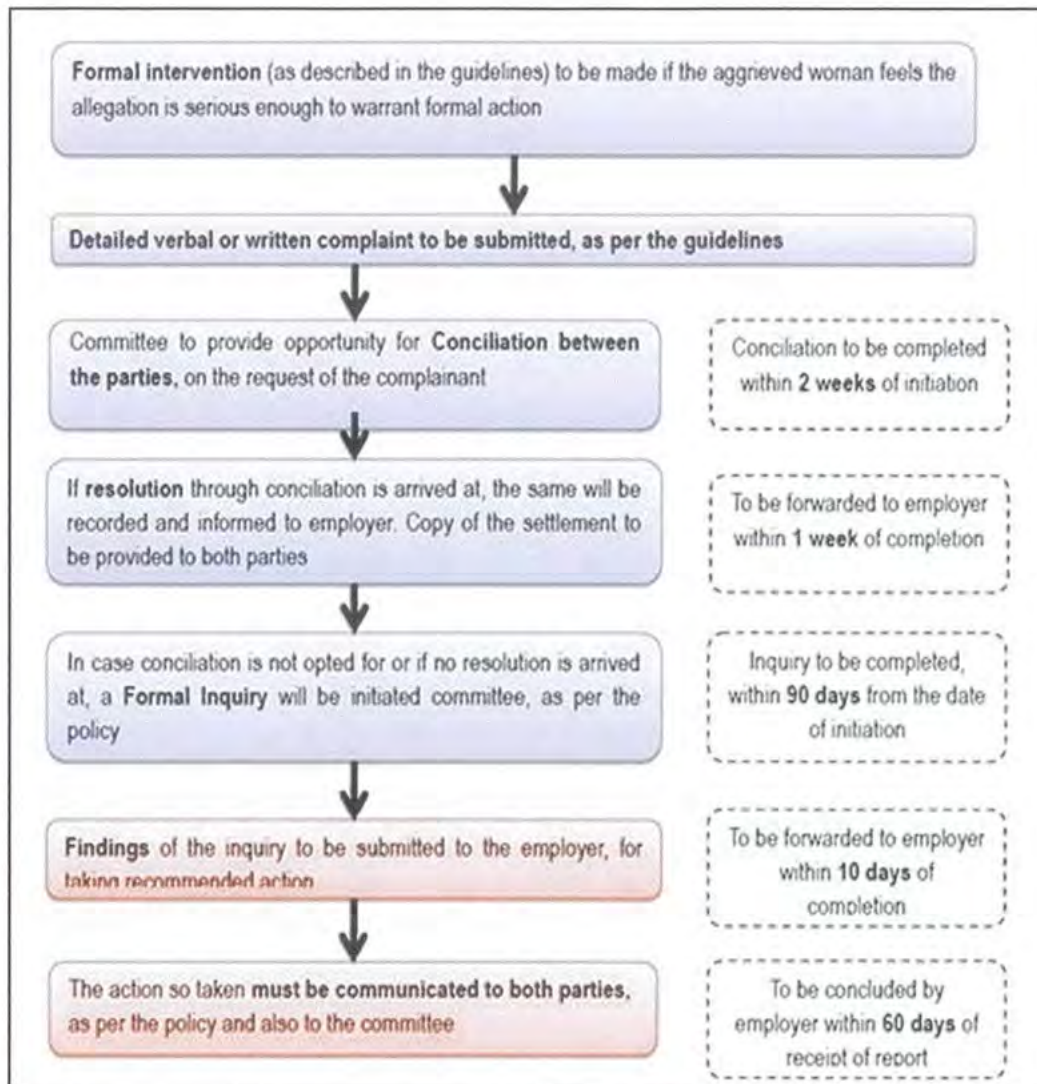
NOW, THEREFORE, I Rakesh Poddar as an Acting General Manager. in compliance of the provisions given in section – 4 of the Act, order formation of an Internal Committee having the following members: -

S. No.	Name	Mobile	Email	Designation
1	Damini Sharma	+1 778-839-5027	dsharma@optainc.com	Presiding Officer
2	Park Hyeji	+82 1091620353	hyeji.park@affival.com	Member
3	Piyush Sahu	+91 9039046167	piyush.sahu@affival.com	Member
4	Manoj Kumar	+91 9039046169	manoj.kumar@affival.com	Member
5	Dr. Himani Goswami	+91 9810245844	himani@csdtindia.com	External Member

AND THAT the Presiding Officer and every member of the Committee shall hold office for a period not exceeding three years from the date of this order.



Annexure C



Annexure D
Sexual Harassment Complaint Form

To ensure that all sexual harassment complaints are managed appropriately, effectively and redressed in accordance with the law and organization’s policy, all complaints will be recorded using this form. Contents of this form will be treated as highly confidential and shall only be used by the Internal Committee for the purpose of investigations.

Name of Complainant		Department	
Name (s) of individual engaging in alleged harassment		Department	
<p>Please describe the specific incident of alleged harassment. Describe each incident separately, including dates, times and locations. If you cannot remember exact dates/times please provide approximations. Use additional pages if necessary.</p>			

Are there others who may have experienced similar alleged harassment by the individual named above? If so, please provide their names and contact details.

Did you tell anyone about your experience after the alleged incident? If so, please provide their names and contact details.

Did you speak to the individual named in this form about the alleged harassment? If yes, what was his/her response?

Complainant Signature* _____ Date _____

Name _____ Job Title _____

*I hereby declare that information that I have provided is true to the best of my knowledge and that I have not willfully or deliberately made false allegations/statements. I understand that organization prohibits any individual from retaliating against me for filling a complaint.

Signature of the person receiving complaint _____
Name _____ Date _____
Are there others who may have witnessed this alleged harassment? If so, please provide their names and contact details.



.....
Piyush Sahu

HR & A. Manager

Date: December 15, 2025



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Rakesh Podda

Acting General Manager