N.R. IYER MEMORIAL EDUCATION SOCIETY

164, SARAT BOSE ROAD,

KOLKATA 700029

PREVENTION OF SEXUAL HARASSMENT (POSH) POLICY

(Prevention of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013)

A SARASWAT & ASSOCIATES * COMPANY SECRETARIES * C.P. No.-13568

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A. Policy Statement

1. N.R. IYER MEMORIAL EDUCATION SOCIETY (NRIMES) is committed to providing a safe, inclusive, respectful and dignified environment for employees, students, interns, volunteers, contractual personnel, visitors, parents, vendors and all stakeholders.
2. N.R. IYER MEMORIAL EDUCATION SOCIETY will operate a zero-tolerance policy for any form of Sexual Harassment in the Workplace.
3. All complaints of Sexual Harassment will be taken up seriously and treated with respect and in confidence.
4. This Policy takes complete cognizance of the "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" (hereinafter referred to as the "POSH Act") and the rules framed thereunder; applicable provisions of the Bharatiya Nyaya Sanhita/other criminal laws as applicable, and UGC Regulations. Although UGC Regulations are primarily for Higher Educational Institutions, the School adopts their principles on prevention, awareness, inquiry, confidentiality and institutional accountability as good practice.

   This Act is to provide protection against Sexual Harassment of women at the Workplace for the prevention and redressal of complaints of Sexual Harassment and for the matters connected therewith or incidental thereto.

B. SCOPE

1. This Policy shall cover the process to investigate and redress complaints of Sexual Harassment at the Workplace.
2. While the POSH Act's applicability is limited to Women Employees, this Policy is gender neutral extending the benefits of the provisions to all Employees, irrespective of their gender. Therefore, any Employee, regardless of gender, can file a complaint of Sexual Harassment under this Policy in the context of the Workplace.

   In case of conflict between the terms under this Policy and the POSH Act, the terms under POSH Act shall prevail over the terms under this Policy. All associates shall comply with this policy.

C. Applicability

1. This Policy applies to teaching and non-teaching staff, permanent, contractual, consultants, volunteers, trainees, students, parents, visitors, transport staff, vendors and service providers.
2. It extends to classrooms, offices, laboratories, playgrounds, transport, hostels (if any), online classes, digital platforms, educational tours, competitions and any activity connected with the school at all locations and activities including those run in partnership so also to all School-sponsored events. It also applies to like and opposite gender relationships; to relationships between supervisors and subordinates; teaching/non-teaching staff and students; and peer relationships.
3. It includes Employees, Parents, Guests on Campus, Vendors and anyone else on School's premises, as well as to those involved in activities in which School's name is associated.

   This Policy does not cover:

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1. Interactions or engagements in personal capacity, even if they started in the Workplace.
2. Any complaints that do not fall under the definition of Sexual Harassment.

D. Definitions

"Aggrieved Person" is a person, whether employed or not, who alleges to have been subjected to any act of Sexual Harassment by the Respondent.

"Complainant" is either the Aggrieved Person or a person authorized by the Aggrieved Person who is raising the complaint.

"Employee" means a person employed at the workplace, for any work on 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 and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

"Employer" means the Governing Body of the School being in force at the relevant point of time and responsible for the management, supervision and control of the Workplace.

"Respondent" is a person against whom the Complainant has made the complaint.

"Sexual Harassment" may occur not only when a person uses sexual behavior to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between an Employee and someone that the Employee deals with in the course of their work who is not employed by the organization.

It includes:

- Physical contact and advances;
- A demand or request for sexual favors;
- Sexually colored remarks;
- Showing pornography;
- Any other unwelcome physical, verbal or non- verbal conduct of sexual nature.

Further, "Sexual Harassment" includes

1. Any unwanted or unwarranted gesture or verbal sexual advances;
2. Sexually explicit and derogatory statements or remarks, sexually colored remarks;
3. Avoidable and unwarranted physical contacts, willfully touching or patting, suggestive sexual remarks;
4. Sexually slanted and obscene jokes, vulgar comments about physical appearance, indecent invitations, stalking sounds, lurid stares;
5. Use/ showing of pornographic material, display of pictures;
6. Demand for sexual favors, demanding sexual favor by making telephone calls or sending SMS/Mails;
7. Threats of physical assault or molestation on refusal by the employee by their superiors, colleagues or anyone who for the time being is in a position to sexually exploit or harass the employee at any work place which may contain:

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a. Implied or overt promise of preferential treatment in that employee's employment.
b. An implied or overt threat of detrimental treatment in that employee's employment or an implied or overt threat about the present or future employment status of that employee and includes the creation of a hostile working environment.
c. The conduct interferes with an employee's work or creates an intimidating, hostile or offensive work environment.
d. Such conduct that is humiliating and may constitute a health and safety problem which offends the individual's sensibilities and affect her/his performance; conduct of such an act at work place or outside in relation to an Employee, or vice versa during the course of employment.

An alleged act of Sexual Harassment committed in the course of employment falls under the purview of this policy. Further, it is important to note that whether harassment has occurred or not does not depend on the intention of the Respondent but on the experience of the Aggrieved Person. Whether an act constitutes sexual harassment is determined entirely by the impact and experience of the Aggrieved Person, irrespective of the intent of the Respondent.

Sexual Harassment also include instances which have been laid down by applicable law either by way of enactment or by other means such as judgements or can be perceived as Sexual Harassment within the framework of law, or to further the objective of the law.

"Workplace" includes—

- all premises, locations, establishments, enterprises, institutions, offices, branches and units owned or controlled by National High School,164, Sarat Bose Road, Kolkata-700029 and 42/1, Hazra Road, Kolkata-700019
- all places visited by the employees of The National High School, Kolkata or its entities in the course of, or arising out of their employment, including but not limited to-
  a. meetings held at third party premises, offsite locations or public venues,
  b. transportation provided by the organization for official journeys,
  c. organization-sponsored events, whether formal or informal, including team events, offsites, and business conferences,
  d. parking lots at administrative locations, and
  e. airports and any other location associated with official duties;
- all digital platforms and channels of interaction where the employee represents the School.
- **Explanation:** Workplace refers to any location, premise, or space, whether physical, virtual, or otherwise, where an Employee carries out work-related activities or duties for and on behalf of an organization. This encompasses not only the primary Workplace but also any off-site or remote location where work is performed, official events, work-related travel, or any other setting where work-related interactions occur.

E. RIGHTS AND RESPONSIBILITIES

Every stakeholder has the right to dignity and the responsibility to maintain respectful conduct, report misconduct and cooperate with inquiries.

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F. INTERNAL COMMITTEE (IC)

An Internal Committee means a committee constituted to address any issue relating to the prevention, prohibition and redressal of Sexual Harassment at Workplace. Internal Committees have been appointed for all administrative units / offices of the organization. The details of the committee shall be notified to all covered persons at the location (Workplace). The committee at each location shall comprise of minimum four members with at least half of the members being women.

The Internal Committee at each location comprises of:

1. Presiding Officer: A woman employed at a senior level in the organization or Workplace
2. At least 2 members from amongst Employees, committed to the cause of women or have legal knowledge or experience in social work
3. One external 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.

The Committee shall be responsible for:

1. Receiving complaints of Sexual Harassment at the Workplace
2. Initiating and conducting inquiry as per the established procedure
3. Submitting findings and recommendations of inquiries
4. Coordinating with the School Authorities in implementing appropriate action
5. Maintaining strict confidentiality throughout the process as per established guidelines
6. Submitting annual reports in the prescribed format

A quorum of 3 members is required to be present for the proceedings to take place. The quorum should include at least 1 female member. Depending on the circumstances, one member from the complainant's department can be co-opted for the proceedings.

G. COMPLAINT FILING MECHANISM

In case of any issues of Sexual Harassment, whether existing or perceived, either explicit or implied, the Complainant is required to report the matter within a period of 3 months from the date of the incident and in case of more than one incident, within a period of 3 months from the date of the last incident, to any of the following in the prescribed manner without any order of preference –

1. Write to the Internal Committee at the designated E-mail ID helpline.posh@nhsedu.com
2. Write to Nodal Officer of the POSH Committee at her designated e-mail ID or by post;
3. Call on the telephone number of POSH Helpline:
   1800-345-7924-NATIONAL HIGH SCHOOL- WBB CAMPUS
   1800-345-7920-NATIONAL HIGH SCHOOL- CBSE CAMPUS
4. Write to the HR representative or approach for guidance/ support on raising of the issue



Irrespective of the channel of communication, all reported matters shall be duly forwarded to the Internal Committee, within 7 days, for further action in the matter.

The Complainant shall make the complaint, along with necessary facts, documentary evidences and details of witnesses, as available for a thorough and unbiased inquiry into the matter.

H. COMPLAINT PROCEDURE

Complaints should ordinarily be made within three months from the incident or last incident. Assistance shall be provided for filing complaints. Conciliation (excluding monetary settlement) may be undertaken only at the written request of the complainant.

a. The IC will maintain a register to endorse the complaints and keep the name and contents of the complaints in confidence.

b. IC will hold a meeting with the complainant within 10 days of receiving the complaint.

c. A copy of the complaint will be given to the respondent so that he/she is given an opportunity to prove himself/herself. innocent and thereafter an inquiry will be conducted.

d. Reconciliation by mutual consent between the complainant and the respondent.

e. Examination of the witnesses, if any.

f. Statement of the respondent.

g. Cross examination, if required.

h. Defense witnesses to be examined (if any).

i. Site inspection (if any).

j. Confrontation

k. Disciplinary proceedings.

l. IC will send a compiled report to the Management for further actions.

The IC shall conduct a fair inquiry by following the principles of natural justice.

- If the aggrieved individual is unable to make a complaint on account of his /her physical incapacity, a complaint may be filled by:
    a. His/her relative or friend; or
    b. His/her co-worker; or
    c. An officer of the National Commission for Women or State Women's Commissioner or
    d. Any person who has knowledge of the incident, with the written consent of the aggrieved individual.
- If the aggrieved individual is unable to make complaint on account of his/her mental incapacity, a complaint may be filed by:
    a. His/her relative/friend; or

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b. A special educator; or
c. A qualified psychiatrist or psychologist; or
d. The guardian or authority under whose care he/she is receiving treatment or care; or
e. Any person who has knowledge of the incident jointly with the aggrieved individual relative or friend or a special educator or qualified psychiatrist or
f. Psychologist or guardian or authority under whose care he/she is receiving treatment or care.

- If the aggrieved individual for any reason is unable to make a complaint, the same may be filed by any person who has knowledge of the incident, with his/her written consent.
- If the aggrieved individual is deceased, a complaint may be filed by any person who has knowledge of the incident, with the written consent of his/her legal heir.

The committee will hold a meeting with the complainant within 5 days of receipt of the complaint, but not later than a week in any case.

I. Roles & Responsibilities

1. *Responsibilities of an Individual:*

It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:

a. Refusing to participate in any activity which constitutes harassment,

b. Supporting the person to reject unwelcome behavior,

c. Acting as a witness if the person being harassed decides to lodge a complaint. All are encouraged to advise others of behavior that is unwelcome. Often, some behaviors are not intentional. While this does not make it acceptable, it does give the person behaving inappropriately, the opportunity to modify or stop his/her offensive behavior.

2. *Responsibilities of Teachers/Staff:*

All Managers at the School must ensure that nobody is subject to harassment and there is equal treatment. They must also ensure that all employees understand that harassment will not be tolerated; that complaints will be taken seriously; and that the complainant, respondent/s, or witnesses are not victimized in any way.

J. ENQUIRY PROCESS

The enquiry process shall be done as follows:

- The committee shall immediately proceed with the enquiry and communicate the same to the complainant and the respondent, i.e. a person against whom complaint is made.
- The committee shall prepare and hand over the statement of allegation to the respondent and give him/her an opportunity to submit a written explanation if she/he desired within 7 days of receipt of the same.
- The complainant shall be provided with a copy of the written explanation submitted by the respondent.

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- If the complainant or the respondent desires any witness to be called, they shall communicate in writing to the committee the names of witness/es that they propose to call.
- If the Complainant desires to tender any documents by way of evidence before the committee, she/he shall supply original copies of such documents. Similarly, if the respondent, desires to tender any documents in evidence before the committee, he/she shall supply original copies of such documents. Both shall affix his/her signature on the respective documents to certify these to be original.
- The committee shall call upon all witness mentioned by both the parties.
- The committee shall provide every reasonable opportunity to the complainant and the respondent for putting forward and defending their respective case.
- The committee shall complete the "Enquiry" within reasonable period but not beyond 3 months and communicate its findings and its recommendations to the Management for action within a period of 10 days from the date of completion of the enquiry and such report should be made available to the concerned parties.
- The report of the committee shall be treated as an enquiry report on the basis of which an erring employee can be awarded appropriate punishment straightway.

The Management will direct appropriate action in accordance with the recommendation proposed by the committee.

"Appropriate action" in terms of the Act is as follows:

- The committee shall on completion of the enquiry provide a report of its findings within 10 days from the date of completion of the enquiry and such report shall be made available to the concerned parties.
- The committee shall be governed by such rules as may be framed by the Supreme Court orders or any other legislation enacted later on.

The IC may upon a request pass interim orders in terms of the Act.

K. REDRESSAL PROCESS

(1) Conciliation

While an Aggrieved Person has a right to raise a Sexual Harassment issue and get the matter investigated till its resolution, if for any reason, the Aggrieved Person decides to withdraw the complaint/requests for settlement, the same shall be considered in accordance with the provisions of the law and dealt with as follows:

- The Internal Committee may before initiating the investigation and at the request of the Aggrieved Person take steps to settle the matter between such Aggrieved Person and the Respondent through conciliation;
- No monetary settlement shall be made as a basis of conciliation;
- Where a settlement has been arrived at, the Internal Committee shall record the settlement so arrived and forward the same along with recommended action to the School Authorities. No further investigation shall be conducted;
- The Internal Committee shall provide copies of the settlement as recorded by the Committee to the Aggrieved Person and the Respondent.

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(2) Investigation

a. Subject to the above clause K (1) and in the event of any term or condition of the settlement not being complied with by the Respondent, issues raised under this policy shall be referred for investigation at the instance of the Internal Committee as per the protocol.

b. The Internal Committee shall follow the principles of natural justice by adhering to the following steps in particular with regard to inquiry into the complaint:

- At least 3 Members of the Internal Committee (including the Presiding Officer) shall preside over the inquiry.
- On receipt of the complaint, the Internal Committee shall send a copy of the complaint to the accused within 7 working days, indicating the deadline by which a response, along with evidences and details of witnesses should be submitted.
- The Respondent shall also be given an opportunity to be heard and make written submissions on the allegations made and circumstances leading to the complaint.
- In case of failure on the part of the Respondent to respond to the complaint or make themselves available for the hearing, the Internal Committee at its discretion may terminate the inquiry in favor of the Aggrieved Person, after giving 15 days' notice to the parties concerned.
- The parties shall not engage a lawyer to represent their case in proceedings before the Internal Committee.
- At the request of the Complainant and Respondent and upon the recommendation of the Internal Committee, the location of inquiry and inclusion of additional witnesses in the investigation may be considered.

c. In the event, the victim chooses to take recourse to law, the school may at its sole discretion decide to not pursue the matter further.

d. Investigation shall be completed within a period of ninety (90) days from the date of receipt of the complaint.

e. During the pendency of an investigation, on a written request made by the Aggrieved Person, the Internal Committee, may recommend to the Employer to–

a. Transfer the Respondent / Aggrieved Person to any other Workplace;

b. Grant paid leave to the Aggrieved Person of a maximum of three months, in addition to the leave Aggrieved Person would be otherwise entitled to;

c. Grant such other reasonable relief to the Aggrieved Person as may be directed by the Internal Committee

(3) Investigation Report

The Internal Committee will submit the Investigation Report to management within a period of ten days from the date of completion of the investigation in consideration of the following –

- Nature of evidence in support of the allegation;
- Leading circumstances culminating in Sexual Harassment;
- Discrepancies, if any, in the allegations and the submission made by the victim and his/ her witnesses;
- Grounds for review or counter allegations/ evidences from the accused.

The Employer shall act upon the recommendations of the Internal Committee within sixty days of receipt of the final investigation report which may include :

i. Counseling;

ii. Censure or reprimand;

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iii. Apology to be tendered by respondent;
iv. Written warning;
v. Withholding promotion and/or increments;
vi. Suspension;
vii. Termination;
viii. Or any other action that the Management may deem fit.

(4) Appeals

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the Appellate Authority viz High Court of Calcutta in accordance with the Act, within ninety days of the recommendations being communicated under relevant Law.

L. INTERIM RELIEF

Pending inquiry, the IC may recommend leave, transfer, reporting changes, restriction on contact or any other interim protection permitted by law.

M. FALSE COMPLAINTS

Where the Internal Committee arrives at the conclusion that the allegation against the Respondent is malicious or the Complainant has made the complaint knowing it to be false or has produced any forged or misleading document, it may recommend the organization to act against the Complainant.

While deciding malicious intent, the Committee should consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

In case a witness has given false evidence or produced any forged or misleading document during the inquiry, the Committee may recommend to the organization to act against the witness.

N. PROHIBITION OF VICTIMISATION

No person shall be victimized for anything said or done in relation to any complaint.

O. CONFIDENTIALITY

- This policy and the law prohibit any person including Internal Committee Members from publishing, communicating or making known to the public, press and media in any manner, the contents of the complaint, the identity and addresses of the Aggrieved Person, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, or recommendations of the Internal Committee during the proceedings under the provisions of the Act. Any violation thereto shall also be subject to applicable disciplinary action.
- If a party is legally compelled to disclose any confidential information that party shall promptly notify the presiding authority or opposing party in writing. This notification should occur prior to disclosure, allowing the relevant parties the opportunity to seek a protective order or other appropriate legal remedy.
- The obligations of confidentiality, non-disclosure, and non-circumvention outlined in this agreement shall survive the conclusion, termination, or settlement of the proceedings.

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P. AWARENESS

Awareness sessions shall be organized to:

- Widely disseminate and conduct periodic training on this policy or charter or resolution or declaration for prohibition, prevention and redressal of Sexual Harassment at the Workplace intended to promote gender sensitive safe spaces and remove underlying factors that contribute towards a hostile work environment against employees.
- Carry out orientation programs and seminars for the Members of the Internal Committee.
- Conduct capacity building and skill building programs for the Members of the Internal Committee.
- Declare the names and contact details of all the Members of the Internal Committee.
- Use modules developed by the State Governments to conduct workshops and awareness programs for sensitizing the employees to the provisions of the POSH Act.

Q. ANNUAL REPORT

This protocol establishes the statutory framework for the Internal Committee (IC) to prepare and submit its Annual Report. In accordance with legal mandates governing workplace and institutional safety against sexual harassment, the IC must compile and submit this formal document at the conclusion of each calendar year to the employer and designated district authorities.

The report must present an explicit numerical audit of all cases handled during the reporting period, formatted clearly to ensure absolute transparency:

- **Complaints Received:** The total number of formal complaints filed with the IC during the current calendar year.
- **Complaints disposed of:** The total number of cases where investigations were concluded, final orders were passed, or formal conciliations were executed.
- **Complaints Pending:** The exact number of cases remaining unresolved at the close of the reporting year, categorized by the duration of their pendency.

The IC must provide an exhaustive record of all proactive measures taken to foster a safe, respectful environment and prevent misconduct:

- **Training and Workshops:** Detailed listings of all sensitization programmes conducted for employees, management, and student bodies.
- **Metric Tracking:** Documentation of the total number of awareness sessions held, the specific topics covered (e.g., bystander intervention, digital boundaries), and total attendee counts.
- **Material Distribution:** A summary of digital and physical campaigns executed, including the updates made to policy displays across campus or workplace premises.

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R. REVIEW

This Prevention of Sexual Harassment (POSH) Policy is a living document and shall be reviewed at least once every year to ensure its continued effectiveness and compliance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, other applicable laws, and regulatory guidelines.

The Policy may also be reviewed and updated earlier, whenever required, due to changes in applicable laws, directions issued by competent authorities, or changes in the school's operational requirements. Any revisions shall be approved by the POSH Committee and communicated to all School Authorities and stakeholders.

S. Members of The Committee

Sl. No	Name	Designation
1.	Smt. Padma Ray Bardhan	CHAIRPERSON OF THE COMMITTEE
2.	Sri. M. Viswanathan	President, NRIMES
3.	Sri. K.R. SRIRAM	Hony. Secretary, NRIMES
4.	Smt. Jayanthi Rajan	Governing Body Member, NRIMES
5.	Sri. K.S. Raman	Governing Body Member, NRIMES
6.	Sri. S. Sampat Kumar	Member, NRIMES
7.	Sri. I Ramachandran	Member, NRIMES
8.	Smt. Shriya Chakraborty	Principal, Secondary /Sr. Secondary, HRC
9.	Smt. Anupama Ajitsaria	Principal, Junior and middle School, HRC
10.	Smt. Sarbani Ghosh	Principal, Secondary and Hr. Secondary/SBC
11.	Smt. Tanusree Guha	Principal, Primary and Middle School/SBC

T. Declaration

All employees shall acknowledge that they have read, understood, and agree to comply with this POSH Policy.

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