
**POSH (PREVENTION OF SEXUAL HARASSMENT)
POLICY - PREVENTION, PROHIBITION AND
REDRESSAL**

STAKEBOAT CAPITAL



PREVENTION OF SEXUAL HARASSMENT (POSH) AT WORKPLACE

1. INTRODUCTION

- 1.1 The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Rules made there under (collectively referred as “Act”) casts an obligation on all employers to have processes in place to prevent Sexual Harassment of women at Workplace as well as to provide for redressal of complaints of Sexual Harassment.
- 1.2 Any person making unwelcome physical contact and explicit sexual overtures, demanding or requesting sexual favours, making sexually coloured remarks or showing pornography against the will of a woman shall be guilty of the offence of Sexual Harassment and Section 75 of the Bharatiya Nyaya Sanhita, 2023 (BNS) prescribes punishment for this offence, ranging from simple to rigorous imprisonment, for term one year to three years, or with fine, or with both.
- 1.3 The right of women to protection from Sexual Harassment and the right to work with dignity are recognized as universal human rights by international conventions such as ‘Convention on the Elimination of all Forms of Discrimination against Women’ (CEDAW), which has been ratified by Government of India.
- 1.4 Stakeboat Capital LLP, including its Founders and Partners (“Stakeboat”), is committed to fostering equal employment opportunities and maintaining a safe, healthy workplace free from prejudice, gender bias, and sexual harassment. All employees are expected to treat colleagues and third parties with fairness and respect, recognizing that their behavior reflects on Stakeboat’s internal culture and external reputation.
- 1.5 In order to prohibit, prevent and deter the commission of any act of Sexual Harassment at the Workplace and to provide the procedure for the redressal of complaints pertaining to Sexual Harassment, Stakeboat has framed this POSH Policy - Sexual Harassment – Prevention, Prohibition, and Redressal (“Policy”), in accordance with the provisions of the Act, which Stakeboat’s zero- tolerance to any form of prejudice, gender bias and Sexual Harassment at the Workplace.

This Policy applies to all Employees (as defined herein).

2. SCOPE

- 2.1 This document sets out the policy on workplace sexual harassment for Stakeboat Capital LLP ("**Stakeboat**"). The version of this policy is effective from [●] May 2023 and supersedes all prior policies and communications on this matter. In case you need any clarification, please contact the members of the Internal Complaints Committee constituted under this policy (the "**Committee**").
- 2.2 This policy shall extend to all employees of Stakeboat. In the case of an allegation of sexual harassment made against a contract worker, Stakeboat will work with the direct employer of the alleged offender to decide how the matter should be dealt with.
- 2.3 The terms which are not capitalised or defined in this policy, but which are defined in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (and the rules and regulations prescribed thereunder) ("**Act**"), shall have the meaning ascribed to them as set out in the Act. This includes terms such as "workplace", "employee", etc.

3. KEY DEFINITIONS

- 3.1 "Aggrieved Individual" in relation to a workplace, means a person, of any age, whether an Employee or otherwise who alleges to have been experienced sexual harassment by the Respondent at the workplace.
- 3.2 "Complainant" - *Complainant* includes the Aggrieved Individual or any person filing a complaint on their behalf, in accordance with the applicable law.
- (a) In case of death, the complaint may be filed by someone with knowledge of the incident, with written consent from the legal heir.
- (b) In case of mental incapacity, the complaint can be filed jointly with a relative, friend, special educator, psychiatrist, psychologist, guardian, or authorized caregiver.
- (c) In case of physical incapacity or other valid reasons (excluding death and mental incapacity), the complaint may be filed by someone aware of the incident, with the Aggrieved Individual's written consent, or as permitted under the Act.
- 3.3 "Employee(s)" means any person employed by Stakeboat Capital for any work on regular, temporary, ad hoc basis, either directly or through an agent, with or without the knowledge of the principal employer, including people employed on deputation, contract, part-time basis.
- 3.4 "**Internal Committee**" or "IC" means the internal committee constituted by Stakeboat in accordance with the provisions of the Act, to which the complaint of Sexual Harassment can be filed by the Aggrieved Individual/Complainant.
- 3.5 "Manager" means Stakeboat Capital LLP, a limited liability partnership incorporated under the laws of India or any additional or successor manager thereof.

- 3.6 “Respondent” means a person against whom the Aggrieved Individual/Complainant has made a complaint of Sexual Harassment.
- 3.7 **Sexual Harassment** - “Sexual Harassment” means and includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) such as:
- (a) Any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely: (i) physical contact and advance; or (ii) a demand or request for sexual favors; or (iii) making sexually coloured remarks; or (iv) showing pornography; or (v) any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
 - (b) The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment: (i) implied or explicit promise of preferential treatment in employment; or (ii) implied or explicit threat of detrimental treatment in employment; or (iii) implied or explicit threat about present or future employment status; or (iv) interference with work or creating an intimidating or offensive or hostile work environment; or (v) humiliating treatment likely to affect health or safety.
 - (c) In case of any conflict between the law and this policy, the law will have the overriding effect.

4. STAKEBOAT’S RESPONSIBILITY

4.1 Stakeboat’s Commitment

- (a) Stakeboat believes in the right to equality and personal dignity of all individuals and for this reason promotes an equal and healthy workplace for all its employees. Consistent with this belief and its policy of non-discrimination, Stakeboat considers it important to ensure an environment free from sexual harassment which upholds the equality, personal dignity and the self-esteem of all its employees. Stakeboat is committed to providing a healthy and respectful work environment free from all forms of workplace sexual harassment. In keeping with this commitment, Stakeboat will have zero tolerance approach towards all forms of sexually inappropriate behavior at the workplace.
- (b) A complainant of sexual harassment can be of the same gender as the harasser. While the Act is only intended to protect women, Stakeboat is committed to providing a workplace free of sexual harassment for all of its employees, and so this policy is intended to be gender neutral and will apply uniformly in case of sexual harassment of any person, irrespective of the gender of the parties.

- 4.2 Stakeboat’s Responsibilities: In addition to its responsibilities under the Act, Stakeboat shall take all reasonable steps to prevent sexual harassment at the workplace. This includes ensuring wide communication of its sexual harassment policy across all offices, raising the issue periodically in internal meetings, conducting regular training and awareness sessions for employees and relevant stakeholders, establishing an Internal Complaints Committee as per the Act, ensuring timely reporting by the Committee to the leadership, and taking appropriate actions to implement and uphold this policy.

5. ROLES AND RESPONSIBILITIES OF THE COMMITTEE

- 5.1 Other than the roles and responsibility of the Committee which are set out in the Act, the Committee shall also undertake the following: (a) updating this policy as and when required; (b) communicating this policy to all employees and effectively display the same along with all other employment policies; (c) ensure that this policy is included in the orientation process for all new employees of Stakeboat; (d) advice and counsel employees in all matters relating to sexual harassment at workplace; (e) facilitate the inquiry process under the Act; and (f) ensure consistency in applying this policy including Stakeboat's zero tolerance approach aimed towards preventing inappropriate sexual behavior at the workplace.

6. PROCEDURE FOR DEALING WITH COMPLAINTS

- 6.1 If you believe that you have been subjected to sexual harassment, you can either informally approach any of the members of the Committee or process your complaint through the formal mechanism as set out hereunder.

6.2 [Formal Mechanism:](#)

- (a) Stakeboat has created a committee to investigate sexual harassment complaints, and the provision of the Act shall apply mutatis mutandis to Stakeboat and the Committee. The Committee will only record a formal complaint of sexual harassment and commence the process under this policy when the Committee receives a complaint which is filed by the aggrieved employee or by an authorized person.

6.3 [Internal Complaints Committee Composition:](#)

Member Name / Organization	Mobile Number & Email Address	Tenure
Ms. Deepti Malik / Presiding Officer / Employee	9880322306 / deepti@stakeboat.com	7 Nov 2023 to 7 Nov 2026
Mr. Srinivas Baratam / Member / Employee	99202 06436 / srinivas@stakeboat.com	24 Apr 2025 to 24 Apr 2028
Ms. Diana Kishander / Member / Employee	74066 16913 / diana@stakeboat.com	7 Nov 2023 to 7 Nov 2026
Ms. Karthika Menon / External Member / Khaitan & Co.	9176344548 / karthika.menon@khaitanco.com	7 Nov 2023 to 7 Nov 2026

(a) Procedure for dealing with complaints

- (i) The employee who has experienced sexual harassment shall file a written complaint with the Committee in a hardcopy or softcopy by sending the compliant by email to all the Committee members on the email addresses set out above. The compliant in hardcopy should be submitted to any member of the Committee in 6 (six) copies. The compliant must contain all supporting documents / evidence and the names and addresses of the witnesses, if any. In certain special circumstances, where the aggrieved employee is unable to make the complaint, the Committee may allow relatives, friends, and co-workers etc. to make the complaint on behalf of the aggrieved person, in accordance with applicable law. It is clarified that the Committee will only record a formal complaint and commence the process when the complaint is filed by the aggrieved employee or by an authorized person in accordance with applicable law. The complaint should include all relevant details, including the name of the alleged perpetrator, details of the alleged incident, any supporting documents available to substantiate the incident and the names and email addresses of witnesses (if any) should also be submitted along with the initial complaint.
- (ii) If the complainant cannot or is unable to draft the compliant in writing, then the members of the Committee shall render all reasonable assistance to the complainant to enable them to file a complaint in writing.
- (iii) The Committee will also be available to discuss any concerns, a complainant may have and to provide information about Stakeboat's policy on prevention of sexual harassment and the complaint process.
- (iv) A complaint should be made within a period of 3 months from the date of the incident and in the case of a series of incidents, within a period of 3 months from the date of the last incident. If, however, the Committee is satisfied with the circumstances which prevented the complainant from filing a complaint within this period, it may, at its sole discretion, for reasons recorded in writing, extend the period of time for filing the complaint by an additional period not exceeding 3 months.
- (v) In case the Committee believes that the complaint is one of sexual harassment, the details of the complaint shall be shared with the person alleged to have committed harassment within a period of seven (7) working days from the date of the Committee having received the same or within such period as the Committee may deem reasonable. Such disclosure shall ensure that confidentiality and the integrity of the inquiry is preserved and that those cooperating with the inquiry are not discriminated against, victimized or intimidated as a result. The person alleged to have committed the harassment shall file a reply to the Committee within ten (10) working days thereafter or within such period as the Committee may direct, at its discretion. The reply should be accompanied by a list of supporting documents, if any, and names and contact information for witnesses, if any, supporting his / her position.

- (vi) Prior to proceeding with any formal inquiry, the Committee may, at the request of the aggrieved employee, take steps towards settling a complaint through conciliation as per the law. In case of settlement through conciliation, the Committee shall record the settlement, obtain signature of both parties on the same and forward a copy to the designated authority of Stakeboat for record. Copies of the settlement shall also be provided to both parties. Where the matter has not been settled, or if the aggrieved employee has not requested for conciliation, or if the respondent has not complied with any terms or conditions of the settlement, the Committee will commence a formal inquiry into the complaint.
- (vii) Inquiry into a complaint will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The identity of the complainant(s) / witnesses will be protected to the extent practicable without affecting the ability of the person alleged to have committed the harassment to defend himself / herself. Stakeboat ensures that it will in no way tolerate any form of retaliation against an employee for making a complainant or against any person(s) cooperating with inquiry of a complaint.
- (viii) Inquiry will include a private interview with the person filing the complaint and with any witnesses. The Committee will also interview the person alleged to have committed sexual harassment.
- (ix) Both parties shall be given reasonable opportunity to be heard and to produce any other relevant documents, examine / cross examine witnesses of the parties. The Committee may also take any other steps which it believes are required for carrying out a fair inquiry in accordance with applicable law.
- (x) The Committee shall take all other actions necessary to ensure a fair and equal process including ensuring that neither the complainant nor supporting witnesses or other cooperating individuals with the inquiry process are victimized or discriminated in any way. In this regard the Committee shall also have the sole discretion to make appropriate interim recommendations pending the outcome of a complaint vis-à-vis an alleged harasser, including but not limited to change in project, change in facility, suspension, during the inquiry, etc. Interim measures may be allowed for the complainant based on a written request from the complainant. Interim measures which could be taken by the Committee at its sole discretion, includes, but not limited to, change in project, change in facility, paid time off during the inquiry, etc.
- (xi) Both parties are required to attend every hearing, unless due to exceptional circumstances the Committee at its sole discretion has specifically exempted the presence. If any or all the parties fail to attend, without sufficient cause, three consecutive opportunities for hearing provided by the Committee, the Committee may terminate the inquiry or proceed to conduct an ex parte inquiry and pass an order without the presence of and / or hearing that party. The Committee will, however, give fifteen (15) calendar days written notice before terminating the inquiry or passing such an order.

- (xii) After the conclusion of the inquiry, the Committee shall prepare the inquiry report along with the Committee findings and recommendations after taking into consideration representations made by both parties, and this report shall be forwarded to the leadership team of Stakeboat for necessary action.
- (b) Stakeboat shall have the right and absolute discretion to remove or replace any member of the Committee prior to the expiry of their tenure on the Committee, if Stakeboat believes this is necessary or appropriate.

7. ACTION POST COMPLETION OF INQUIRY

7.1 An inquiry may result in one of the following conclusions:

- (a) Proven Allegation: If it is determined by the Committee that the complainant has been sexually harassed by the respondent, then the Committee will make appropriate recommendations to institute disciplinary action. Such actions may range from written apology, warning, reprimand, withholding of promotion, withholding of pay rise or increments, termination, counseling session, carry out community service, as the Committee may deem appropriate under the circumstances.
- (b) Unproven Allegation: If it is determined by the Committee that there is not sufficient evidence or that the allegation has not found to be proven, then no action is required to be taken up in the matter. However, if the Committee believes that it would be appropriate to recommend measures such as workplace education or a change in roles to ensure that there is a safe and healthy environment at the workplace, the Committee has the discretion to make such recommendations. After conducting an inquiry, if the Committee finds that the complaint is malicious, or that the aggrieved employee or the authorized person has made the complaint knowing it to be false, or produced forged or misleading documents, the Committee may recommend disciplinary action, up to and including termination. Similar recommendations may also be made in respect of any person who has given false evidence or produced forged or misleading documents.

8. RECORD KEEPING

- 8.1 IC shall keep complete and accurate documentation of the complaint, its inquiry and the resolution thereof.

9. ADDITIONAL REMEDY WITH THE LAW ENFORCEMENT AUTHORITIES

- 9.1 In the event the conduct complained of, amounts to a specific offense under the Indian Penal Code or under any other law in existence, Stakeboat, subject to the wishes of the complainant, shall provide required assistance in filing a complaint with the appropriate authority.

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- 9.2 The Committee will actively assist and do all that is necessary to ensure the safety of a complainant in the office premises or otherwise in respect to any duties / activities to be performed in connection with the complainant's work which take place outside office premises.
- 9.3 The proceedings under this policy shall not be stalled or postponed merely because the complainant is proceeding against the accused under any other provision of law. The provisions of this policy shall not restrict the powers of Stakeboat or the complainant to proceed against the alleged offender for any other misconduct or other legal remedies.

10. CONFIDENTIALITY

- 10.1 To the extent practicable under the circumstances, information relating to the complaint, identity and address of the complainant, respondent and witnesses, and any other information relating to any conciliation or inquiry proceedings shall be kept confidential by the Committee and shall not be disclosed except where necessary for the purpose of the inquiry / committee proceedings or a legal requirement.
- 10.2 All parties involved in inquiry are also required to maintain confidentiality. Any breach of confidentiality will be viewed as a violation of Stakeboat policy. Depending on the facts and wider circumstances involved, any violation may lead to disciplinary action being taken (up to, and including, termination of employment).

11. AMENDMENTS

- 11.1 Stakeboat reserves the right to amend the Policy from time to time in order to comply with any applicable laws / rules / regulations that come into effect from time to time, in relation to Sexual Harassment and/or proceedings of the IC.