



ICSI Policy on Prevention, Prohibition and Redressal of Sexual Harassment at Workplace

Table of Contents

POLICY STATEMENT	2
SCOPE	2
APPLICABILITY	2
DEFINITIONS	3
“AGGRIEVED PERSON	3
“COMPLAINANT”	3
“EMPLOYEE”	3
“EMPLOYER”	3
“RESPONDENT”	3
“SEXUAL HARASSMENT”	3
“WORKPLACE”	4
A. INTERNAL COMMITTEE	5
B. COMPLAINT FILING MECHANISM	5
C. NON-RETALIATION	5
D. REDRESSAL PROCESS	6
E. AWARENESS	7
F. MALICIOUS ALLEGATIONS	8
G. CONFIDENTIALITY	8
H. ICSI INTERNAL COMPLAINT COMMITTEE	8

This version of the policy is effective from 19th August 2025 and supersedes all prior policies and communication on this matter.

Policy Statement

1. The Institute of Company Secretaries of India (ICSI) is committed to providing a safe, non-discriminatory, non-hostile and harassment free work environment that is free from any form of intimidation or harassment that is sexual in nature and to maintain a Workplace where all the Employees are considered equal and where the dignity of each Employee is respected and protected.
2. ICSI will operate a zero-tolerance policy for any form of Sexual Harassment in the Workplace.
3. All complaints of Sexual Harassment will be taken seriously and treated with respect and in confidence.
4. This Policy takes complete cognizance of 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. 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.

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. Local country laws will take precedence over this Policy in other geographies, if applicable.

Applicability

This Policy shall be applicable to

1. Employees, whether full-time, part-time, temporary, ad-hoc or daily wage basis, either directly or through an agent and includes contractual personnel, probationers, trainees, apprentices and interns.
2. Customers, vendors and their employees, consultants, and anyone else doing business at the ICSI Workplace or interactions arising from any work being carried out by or on behalf of the organization.
3. Anyone who is present in the Workplace such as students, members, visitors, guests, etc.

This Policy does not cover:

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.

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 a person 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.

Sexual Harassment includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication), but is not limited to:

1. Any unwelcome sexually determined behaviour, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behaviour or conduct was directed namely:
 - a) unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implicit or explicit;
 - b) physical contact and advances including (but not limited to) touching, stalking, sounds that have explicit and /or implicit sexual connotation/overtones, molestation;
 - c) teasing, voyeurism, innuendos and taunts with implicit sexual connotation, physical confinement and /or touching against one’s will or an act likely to intrude upon one’s privacy;
 - d) demand or request for sexual favours;
 - e) sexually coloured remarks or remarks of a sexual nature about a person's clothing or body;
 - f) display of pictures, signs etc. with sexual nature/ connotation/ overtones in the work area and work-related areas;
 - g) showing pornography, making or posting vulgar / indecent / sexual pranks, teasing, jokes, demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS, gestures etc.;

- h) repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes;
 - i) giving gifts or leaving objects that are sexually suggestive;
 - j) persistent watching, following, and contacting of person;
 - k) any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.
2. The following circumstances if it occurs or is present in relation to any sexually determined act or behaviour amount to sexual harassment:
- a) implied or explicit promise of preferential treatment in employment;
 - b) implied or explicit threat of detrimental treatment in employment;
 - c) implied or explicit threat about the present or future employment status;
 - d) interference with the person's work or creating an intimidating or offensive or hostile work environment;
 - e) humiliating treatment likely to affect health or safety.

An alleged act of Sexual Harassment committed during or outside of office hours 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.

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 the ICSI;
- all places visited by the employees of the ICSI or its entities in the course of, or arising out of their employment, including but not limited to-
 - meetings held at third party premises, offsite locations or public venues,
 - transportation provided by the organization for official journeys,
 - organization-sponsored events, whether formal or informal, including team events, offsites, and business conferences,
 - parking lots at administrative locations, and
 - airports and any other location associated with official duties;
- all digital platforms and channels of interaction where the employee represents the Institute.

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.*

A. Internal Committee

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 Institute in implementing appropriate action
5. Maintaining strict confidentiality throughout the process as per established guidelines
6. Submitting annual reports in the prescribed format

B. 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 iccho@icsi.edu
- 2) Write to any Member of the Internal Committee at their designated e-mail ID or by post
- 3) Call on the telephone number of Internal Committee Members
- 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.

C. Non-retaliation

The organization shall not support or tolerate retaliation or victimization in any form against anybody who identifies or raises concerns, lodges complaints and /or participates in related proceedings. Any such person who engages in such retaliation or victimization whether directly or indirectly, or encourages others to do so, shall be subject to appropriate disciplinary action.

D. Redressal process

a. 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:

- i. 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;
- ii. No monetary settlement shall be made as a basis of conciliation;
- iii. 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 organization. No further investigation shall be conducted;
- iv. The Internal Committee shall provide copies of the settlement as recorded by the Committee to the Aggrieved Person and the Respondent.

b. Investigation

- i. Subject to the above clause D. (a.) 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.
- ii. 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:
 - a. At least 3 Members of the Internal Committee (including the Presiding Officer) shall preside over the inquiry.
 - b. 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.
 - c. 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.
 - d. 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.
 - e. The parties shall not engage a lawyer to represent their case in proceedings before the Internal Committee.
 - f. At the request of the Complainant and upon the recommendation of the Internal Committee, the location of inquiry and inclusion of additional witnesses in the investigation may be considered.
- iii. In the event, the victim chooses to take recourse to law, the Institute may at its sole discretion decide to not pursue the matter further.
- iv. Investigation shall be completed within a period of ninety (90) days from the date of receipt of the complaint.

- v. 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.

c. 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.

d. Appeals

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

E. 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.

F. Malicious allegations

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.

G. 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.

H. ICSI Internal Complaint Committee

S. No.	Composition of Committee	Position in the Committee	Jurisdiction
I	Ms. Lakshmi Arun Email: lakshmi.arun@icsi.edu , Tel: (011) 45341030	Presiding Officer	Head Office
	Ms. Banu Dandona	Member	
	Ms. Anamika Chaudhary	Member	
	Mr. Kumar Navnit	Member	
	Ms. Anita Sehgal, Trained and Practicing Clinical Hypnotherapist	Member	
II	Ms. Harvinder Kaur Email: harvinder.kaur@icsi.edu , Tel: (011) 49343007	Presiding Officer	NIRO and its Chapters and CCGRT-Manesar
	Ms. Karuna Sharma	Member	
	Mr. Manish Agarwal	Member	
	Dr. Bhavna Barmi, Senior Psychologist, Fortis Group of Hospitals	Member	
III	Ms. Rukmani Nag Email: rukmani.nag@icsi.edu , Tel: (033) 26720315	Presiding Officer	EIRO and its Chapters and CCGRT-Kolkata
	Mr. Alok Kumar	Member	
	Ms. Uma Banik Joarder	Member	
	Ms. Tanvi Sett, Advocate, Judges Court, Howrah	Member	

IV	Dr. (Ms.) Nikhat Khan Email: nikhat.khan@icsi.edu , Tel: (022) 41021502	Presiding Officer	WIRO and its Chapters and CCGRT-Mumbai
	Ms. Vimala Valji Jogadia	Member	
	Mr. Pravin Gupta	Member	
	CS Reshma Sangle, Practicing Advocate, Mumbai	Member	
V	Ms. Noor Sumayya Email: noor.sumayya@icsi.edu , Tel: (080) 23111861	Presiding Officer	SIRO and its Chapters and CCGRT-Hyderabad
	Ms. Smita Subin	Member	
	Ms. Roby Joseph	Member	
	Dr. (Ms.) B Chandra, Practicing Company Secretary & Former Deputy Registrar of Companies (Tamil Nadu), Chennai	Member	
