Policy

Prevention of Sexual Harassment at Workplace

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Newgen Software Technologies Limited
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Release Date	**Revision No**	**Changes Summary**	**Approved By**
01.05.2008	1.0	1. Establishment of Sexual Harassment Policy	T.S. Varadarajan (Director)
01.12.2013	2.0	1. Policy revamped in terms of name, structure, language & other controls. 2. Objective and Scope statement revisited. 3. The previous version of the policy was only a process or procedure. This release is a policy including incident reporting and redressal process as per the Sexual Harassment Act 2013 and subsequent updates released.	Diwakar Nigam (M.D)
01.02.2024	2.1	1. Updated Logo. 2. Renaming the policy from 'Prevention of Sexual Harassment of Women at the Workplace' to 'Prevention of Sexual Harassment at Workplace' and making the policy 'gender neutral' in text and tone, as practiced in action and spirit. 3. Removal of reference to Act of Prevention of Sexual Harassment of Women at Workplace, 2013 to make the policy applicable across subsidiaries. 4. Inclusion of global applicability under the Scope (Para 3. a) and Composition of IC (Para 6. c. iii) 5. Inclusion of amendment on online sexual harassment dated 01.04.2020. 6. Removal of informal means to raise complaints. 7. Inclusion of Method of Reconciliation, Conflict of Interest, Law of Natural Justice and Penalty. 8. Inclusion of Awareness & Training practices (Para 6. e)	Vivek Mani Tripathi (HR Head)
01.05.2026.	3.0	Adoption of new Policy	Board of Directors

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1. Introduction:

At Newgen, we prioritize fostering a safe and inclusive work environment for all employees, where they feel respected, protected and empowered. Our commitment to creating a workplace free from any form of sexual harassment is enhanced by our zero-tolerance policy towards any such acts that create an unsafe workplace.

Recognizing the importance of ensuring the well-being of every individual in our organization, we have drafted this comprehensive Prevention of Sexual Harassment Policy ("**POSH Policy**" or "**this Policy**") that is not only compliant with legal requirements but also emphasizes a gender-neutral approach, lending a 'zero tolerance' approach towards any element of sexual harassment at the workplace.

We firmly believe that by upholding the principles outlined in this Policy, we can collectively contribute to a professional environment that promotes dignity, equality, and mutual respect. We encourage all employees to familiarize themselves with the provisions outlined in this Policy and actively participate in creating a workplace that stands against any form of sexual harassment. All employees are urged to uphold the values of Newgen and ensure a workplace that is safe, supportive, and conducive to the professional growth of each member of our diverse team.

This Policy is revised and adopted by the Board of Directors in its meeting held on 20th April 2026 with the recommendation of the Audit Committee. The effective date of this Policy shall be 1st May 2026.

2. Objective:

Newgen Software Technologies Limited ("**the Company**", the "**Employer**" or "**Newgen**") is dedicated to treating all employees and prospective employees with equal consideration. The Company operates as an equal employment opportunity enterprise and is committed to creating a conducive work environment that enables employees to perform their duties without fear of bias, gender discrimination, or sexual harassment. The organization endeavours to cultivate an atmosphere in which all employees are treated with respect and integrity, irrespective of their sex, gender or Sexual orientation or gender preferences. Sexual harassment, whether transpiring within the workplace or elsewhere and involving employees, is a severe transgression and shall be subject to appropriate punishment.

This Policy is designed with the aim to:

a. Provide employees with safeguards against sexual harassment in the workplace and including extended workplace establishes mechanisms for addressing and resolving complaints related to sexual harassment.
b. To address grievances related to sexual harassment.
c. To foster a productive work environment and establish a professional culture within the Company where every employee is treated with respect and dignity, irrespective of their sex or gender preference.

d. Not tolerate any form of verbal or physical sexual misconduct that may cause harassment, disruption, or interference with an individual's work performance, or create an intimidating, offensive, or hostile environment within the Company.
e. Formulate guidelines and regulations governing such behaviour in compliance with the prevailing laws of the country.
f. Promptly and objectively respond to any complaints about sexual harassment, taking decisive action to eradicate any traces of sexual harassment and imposing appropriate corrective measures, including disciplinary actions and legal recourse when warranted covering all parties (complainant, respondent, and witnesses)
g. Establish an unbiased and impartial, easily accessible platform for addressing and resolving complaints related to sexual harassment, while ensuring the confidentiality of the incident, records, and the identities of individuals involved, whether they be the complainant, respondent, witness, or any other employee associated with the reported incident, whether formally or informally.

3. Scope:

Note: While the Sexual Harassment of Woman at Workplace (Prevention, Prohibition, Redressal) Act, 2013 ("POSH Act") statutorily protects only women employees of an organisation, the Company voluntarily extends these safeguards to all employees, regardless of their sex, gender identity, sexual orientation, as part of its commitment to inclusivity and equal protection.

a. This Policy applies to all employees of Newgen Software Technologies Limited, irrespective of their gender or sex (**male, female and third Gender as transperson or intersex),** of the Company and is considered an integral part of their employment terms, effective immediately. The Policy also extends to visitors, customers, and vendors who come into contact with the Company, the Company's premises and/or its employees.
b. This Policy applies to all employees whether appointed directly or indirectly (including full-time, part-time, temporary, ad hoc, daily-wage or voluntary basis, with or without remuneration and whether such engagement is through an agent, contractor, or third party) by Newgen Software Technologies Limited or its subsidiaries immediately upon appointment. The scope also covers trainees, probationers, interns and any other persons similarly engaged, regardless of the designation used.
c. The Policy is solely aimed to address complaints relating to sexual harassment at the workplace. Any person within this scope who experiences/witnesses' sexual harassment at the Workplace (as defined herein) shall be entitled to the protections and remedies under this Policy. Other employee grievances may be addressed through various other means established by Newgen to safeguard the interest of the employees and to provide a psychologically safe workplace.
d. It also covers an act of sexual harassment that may occur in person or a virtual work environment, including through mobile phone communication
e. The Policy also additionally includes reference to the POSH Act to make the scope more inclusive.

f. All individuals covered by this Policy are expected to avoid any behaviour or conduct that could reasonably be interpreted as sexual harassment; no employees, not even the highest-ranking people in the organisation, are exempt from the requirements of this Policy. The Company forbids any employee from treating any other employee or former employee or applicant adversely for reporting harassment, for assisting another employee or applicant in making a report, or for cooperating in a harassment investigation.

4. Abbreviations:

S. No	Abbreviation	Description
1.	POSH	Prevention of Sexual Harassment
2.	SH	Sexual Harassment
3.	NGO	Non-Government Organization
4.	IC	Internal Committee
5.	Company	Newgen Software Technologies Limited
6.	Board	Board of Directors of Newgen Software Technologies Limited or any committee authorised by the Board
7.	HRD	Human Resources Department of Newgen Software Technologies Limited
8.	CS	Person designated as the Company Secretary of Newgen Software Technologies Limited

5. Definitions:

a. **Sexual Harassment:** Sexual harassment is a form of unwelcome conduct that is sexual in nature and that creates a hostile, intimidating, or offensive environment for the recipient. It is recognized as a violation of an individual's rights and the key elements of sexual harassment include but may not be limited to, the following:

i. **Unwelcome Conduct*:*** The behaviour must be unwelcome, meaning that the recipient did not consent to the actions of the respondent. What might be acceptable to one person could be unwelcome and offensive to another

- **Sexual Nature*.*** The conduct involves actions, comments, gestures, or advances of a sexual nature. This can include verbal, non-verbal, or physical behaviour that is sexual in intent or effect.
- **Creating a Hostile Environment*:*** Behaviour which creates an environment that is intimidating, hostile, or offensive for the person experiencing it in sexual manner (directly or indirectly). This can interfere with the individual's ability to perform their job or adversely impact their day-to-day life.

ii. **Misconduct under Sexual Harassment (SH)** would mean, and include, but is not limited to, the following:

- Any unwelcome sexual advances, requests, or demands for sexual favours, either explicitly or implicitly.
- Any unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually coloured remarks, teasing, pranks, jokes, letters, phone calls, emails, texts, messages, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of sexually demeaning or offensive pictures, cartoons, signs, communication which offends the individual's sensibilities and affects their performance.
- Repeatedly asking to socialize during off-duty hours or continued expression of sexual interest against a person's wishes.
- Giving gifts or leaving objects that are sexually suggestive.
- Persistent watching, following, and contacting a person.
- Any form of physical assault is committed when a person uses the body or any part of it or any object as an extension of the body of another person without the consent of that person or against that person's will.
- A conduct by a person which creates an environment at the workplace that is hostile or intimidating to a person or as a preferential or threatening act on submission or denial to such an act.
- Any unwelcome gesture by an employee to others (including peers) having sexual overtones. All such acts that offend the individual's sexual sensibilities.
- Following circumstances, among others, act and/or behaviour, may also amount to sexual harassment:
  - Implied or explicit promise of preferential treatment in employment;
  - Implied or explicit threat of detrimental treatment in the employment;
  - Implied or explicit threat about present or future employment status;
  - Interference with work or creating an intimidating offensive or hostile work environment;
  - Humiliating treatment likely to affect the health and safety of another person.

b. **Medium of Harassment:** Medium of harassment may either be in person, virtual or digital. For employees working from home or any other remote working environment or while using video conferencing tools such as MS Teams, GoToMeeting, WhatsApp, social media or any other tools, such harassment may be emanated out of an act including but not limited to:
   i. Sexual advances or inappropriate comments, texts, sexually offensive jokes/remarks, gender stereotypes or discriminatory views, and other hostile behaviours.
   ii. Memes, jokes, and comments or inappropriate and offensive or discriminatory subjects such as jokes shared on a video call to "lighten the mood" and to "build camaraderie".

iii. Inappropriate dress: Staff must never attend any business calls while in vests or inappropriate T-shirts with inappropriate or suggestive phrases on them.
iv. Overfriendly, personal, or casual talks with employees, especially on extended discussions that are not relevant to the business regardless of consent, where such behaviour creates discomfort or has an adverse impact
v. Unwelcome comments, jokes, or remarks about an individual's body, physical appearance, or attire, which may be perceived as sexually colored or sexually offensive.
vi. Inappropriate explicit background or presence of sexually objectionable items/pictures in the background or posters on the wall with provocative content that can cause discomfort to others while teleconferencing.
vii. Sending messages or calling at inappropriate hours, especially if they are not urgent or not related to the business, where such conduct may be perceived as intrusive, unwelcome, or contributing to a hostile or uncomfortable environment.
viii. Any other form of sexual harassment done or attempted during remote working i.e., working from home.

c. **Employee:** Employee means any 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 of otherwise, whether the terms of employment are express or implied and includes a co-worker, a contract worker, probation, trainee, apprentice or called by any other such name, irrespective of their gender, sex or sexual orientation.

d. **Transgender Person**: Transgender is an umbrella term that describes individuals whose gender identity differs from the sex they were assigned at birth and includes trans-men or trans-woman (whether or not such person has undergone sex reassignment surgery or hormone therapy or such other therapy), person with intersex variations, genderqueer and person having such socio-cultural identities. Gender identity may not necessarily align with the sex characteristics one is born with. Transgender people may choose to undergo social, medical, or legal processes to align their gender expression and identity with their affirmed gender. It is important to respect and affirm each person's gender identity, recognizing that gender is a spectrum and not limited to the binary understanding of male or female.

e. **Complaint:** A complaint is a formal or informal expression of dissatisfaction, concern, or grievance brought forward by an individual or group of individuals regarding a specific issue, situation, or matter. Complaints are typically made when someone believes that their rights have been violated, they have been subjected to unfair treatment, or they have experienced an issue or problem that requires attention or resolution.

f. **Complainant/Aggrieved Person:** Any individual (whether or not employed by the Company-who is associated with or connected through work) who files a formal complaint regarding a specific issue or grievance, which is sexual harassment in this case. This includes a person of any age, sex, gender, who alleges to have been subjected to any act of sexual harassment by the respondent.

g. **Respondent**: The individual or party against whom the Complaint is filed, and who is required to respond to the allegations or charges made by the Complainant.

h. **Workplace and Extended Workplace**: Workplace includes extended workplace. In addition to the place of work, the workplace shall also include any and all units, branches, offices, establishments of the Company, client offices, and any place where the Aggrieved Person or the Respondent visits in connection with their work, during the course of and/or arising out of employment/ contract/ engagement with the organization, including transportation provided for undertaking such a journey. Extended workplace may additionally include office parties, offsites, out-bound training / training sessions, client meetings, digital platforms used while working from home, and any place visited in course of due employment.

i. **Anonymous Complaint:** An anonymous complaint refers to a report of sexual misconduct or sexual harassment submitted to the IC without disclosing the identity of the complainant. While the complainant's identity is intentionally withheld, the IC shall ensure that any investigation carried out adheres to the principles of natural justice, including providing the alleged respondent an opportunity to respond to the allegations. The IC may examine and take appropriate action on such anonymous complaints, balancing the need to investigate the matter thoroughly with the requirement to maintain confidentiality and protect the complainant's identity to the extent possible. The Company shall support the IC in conducting such investigations in a fair, unbiased, and legally compliant manner.

j. **Confidentiality**: Confidentiality refers to the obligation to keep all information, discussions, and data related to a complaint strictly private and accessible only to those with a legitimate need to know. In the context of sexual harassment, this includes protecting the identities of the complainant, respondent, witnesses, and all details of the complaint and proceedings, which may be disclosed solely for the purposes of investigation, resolution, or recommendations by the Internal Committee, in accordance with applicable law. No information regarding the Complaint or the proceedings shall be shared with the public, press, or media, or discussed outside the capacity of the Internal Committee, except as required for statutory, audit, or official filing purposes subject to prior written approval by the Company. Any breach of confidentiality shall be treated as a violation under the POSH Act, may attract penalties as prescribed therein, and will be addressed in accordance with the

Company's Code of Conduct, based on the findings of the breach and the extent of any resulting impact.

k. **Retaliation:** Retaliation refers to negative actions taken against someone for asserting their rights or reporting wrongdoing. In the context of the POSH Act, retaliation involves adverse treatment of a complainant or witness after filing a sexual harassment complaint, which is prohibited by the law. Any person who engages in such retaliation directly or indirectly, or encourages others to do so, will be subjected to appropriate disciplinary action. The Principle of Audi Alteram Partem (Right to be Heard): This principle dictates that no person should be condemned or adversely affected by a decision without having been given a fair opportunity to present their case. It involves the right of an individual to know the case against them, to be informed of the evidence or allegations, and to have an adequate chance to respond, provide evidence, or present arguments. The decision-maker must give the parties involved a reasonable opportunity to be heard before reaching a decision.

l. **Conflict of Interest:** Conflict of interest refers to a situation in which a person or entity involved in a decision-making process may be influenced, either consciously or unconsciously, by personal, financial, or other interests that could compromise their objectivity, impartiality, or integrity. To address and mitigate the potential impact of conflicts of interest, whether real or perceived, related to the case under consideration, the IC member must recuse themselves from the investigative or review process of that particular complaint received. A new member shall be appointed by CEO or Managing Director or Whole Time Director, specifically for that matter, with the recommendation of the Presiding Officer. Before recommendation, the Presiding Officer shall consult the same with the IC along with, the Head of the Human Resources Department. By abstaining from involvement in cases where a conflict of interest exists, IC members uphold the principles of natural justice and maintain the integrity of the decision-making process. This commitment underscores the organization's dedication to fostering a rigorous and unbiased approach to handling cases and reinforces employee's trust in the integrity of the investigative and decision-making procedures.

6. Roles and Responsibilities of Employee

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

i. Being aware of and abiding by laws applicable to you, your job and the Company policies and procedures.
ii. Not participating in any prohibited or inappropriate behaviours or activities while representing the Company. Displaying proper workplace behaviour and ethical standards in line with Newgen Values.

iii. In case of an unwelcome conduct, immediately inform the alleged person that the behaviour is unwelcome and unacceptable, with a firm tone and professional body language.
iv. Not feeling compelled to accept behaviour that makes you uncomfortable, even if others are willing to tolerate it.
v. Being supportive of people who wish to talk about them being sexually harassed & direct them to the appropriate authorities.
vi. Immediately informing one of the members of the IC about any written complaint from any aggrieved individual and to support/ co-operate during any investigation as part of the inquiry process if required.
vii. Handle any known or entrusted information related to any case or complaint in a discreet and confidential manner and do not spread it to anyone.
viii. Encouraging each other to educate others on the behaviour that is unwelcome. Often, some behaviours are not intentional, however if it is not acceptable by the individual experiencing it, it does give the person the opportunity to modify or stop their offensive behaviour.

b. Responsibilities of Employer (Management)

i. The Company must ensure that no employee is subjected to sexual harassment and that all employees are treated equally, while providing a simple and accessible process for filing complaints under this Policy.
ii. 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.
iii. Provide a safe working environment. within the workplace and ensure due protection for employees in the extended premises.
iv. Form "IC for prevention, prohibition and redressal of sexual harassment at workplace''.
v. Display at any conspicuous place in the workplace, the list and contact information of IC members, along with the Penal Consequences of Sexual Harassment.
vi. Organise and direct the POSH Cell to organise periodic workshops and awareness programmes for all employees, as required under Section 19 of the POSH Act at their joining and periodically thereafter, to sensitize them on prevention and redressal of sexual harassment.
vii. Carry out orientation programmes and skill building programs for the Members of the IC and ensure they undergo annual training as mandated under Section 19 of the POSH Act. Ensure that all IC members undergo mandatory training at the time of their appointment and at least once every year thereafter, as required under Section 19 of the POSH Act.
viii. Ensure fairness in addressing the complaints, enquiry and hearings, and taking necessary corrective actions when any charges/misconduct are proven.
ix. Assist in securing the attendance of Respondent and witnesses before the IC.
x. Provide assistance to the complainant if they choose to file a complaint in relation to the offence under the Indian Penal Code.
xi. Monitor the timely submission of reports by the IC.

7. **Policy Guidelines & Implementation**:

   a. **Mode of Complaints:**

      i. **Written Complaint**: All Complaints must be made in writing to the IC. A written Complaint must be sent to the IC constituted for the Company's office/workplace or the extended workplace where the alleged incident occurred. Kindly refer the annexure 1 of this Policy for email addresses of IC of all the locations where the Company has its offices and workplaces and where the complaint must be made in writing.

      ii. In case the Complaint is sent to members of the Human Resources Department or any member of the Company, including the external ombudsman, it is the responsibility of the person to whom the complaint has been made to forward the case, in writing, to the IC of the location where the alleged incident occurred. The Complaint shall be followed by a formal redressal mechanism as described in this Policy, the Complaint should ideally be made within three months from the date of the incident, or the last incident in case of repeated acts. However, the IC, in line with Section 9 of the POSH Act, may extend this period by up to three months if it is satisfied that circumstances prevented the Aggrieved Person from filing earlier, with reasons recorded in writing. Provided further that, in exceptional circumstances, considering the gravity of the allegations and upon being satisfied that sufficient and legally justifiable cause exists, the IC may, at its discretion and for reasons to be recorded in writing, consider an additional delay of 3 months beyond the aforesaid period, including but not limited to circumstances such as reasonable apprehension of retaliation, victimisation, or adverse consequences, fear psychological trauma, emotional distress, or mental health challenges, medical incapacity or any other circumstances which, in the opinion of the IC, made it inequitable or impracticable for the Aggrieved Person to file the complaint within the prescribed time.

      iii. **Verbal Complaint**: Where a complaint cannot be made in writing, the Company shall ensure that the Presiding Officer or any Member of the Internal Committee ("IC") assists the aggrieved person in reducing the complaint into writing, reads it out to them in a language they understand, and obtains their consent and signature prior to formal registration. If the aggrieved person is unable to file the complaint due to physical or mental incapacity, a complaint may be made on their behalf, with their written consent, by a legal heir, relative, friend, co-worker, or any person having knowledge of the incident. The documented complaint shall then be submitted to the IC of the workplace where the alleged incident occurred for further action in accordance with the POSH Act and the Company's policy. Any supervisor or manager who becomes aware of conduct inconsistent with this Policy or receives a report of such conduct is required to immediately report it to the IC to ensure timely and appropriate action.

All Complaints made in writing would be investigated by the IC. The Complainant shall, while filing the Complaint, provide the IC with six copies of the Complaint (not covering complaints sent via email) along with supporting documents and the names and addresses of the witnesses (If any). For a written Complaint (except when submitted via email), the Complainant or IC must provide copies of the Complaint if handwritten. These copies, along with any supporting documents and the names and contact details of witnesses (If any), will be shared with all IC members and the Respondent.

b. POSH cell and its Role at Newgen:

POSH Cell is a committee that ensures the Company is compliant with all legal and regulatory norms, relevant laws or guidelines related with organising's training and awareness programs for the members of the IC and employees, ensures fair resolution, and promotes a safe working environment. Members of the POSH Cell are nominated by the head of the HRD. The Committee may comprise representatives from the HRD team, CS, Legal team and other departments, as considered appropriate. Major responsibilities of the POSH Cell include:

i. **Policy Development and Implementation**: The POSH Cell is responsible for developing, updating, and implementing the company's policies and procedures related to preventing sexual harassment. Modifications, if any, be made on a need basis.
ii. **Training and Awareness**: The POSH Cell conducts training and awareness programs for all employees to educate them about the organization's policies and their rights and responsibilities regarding sexual harassment prevention.

c. Internal Committee (IC) and its Role at Newgen:

To prevent instances of sexual harassment and to receive and effectively deal with Complaints pertaining to the same, an IC is constituted & integrated in a Company's operations.

i. **Composition of the IC - India:**

- The ICs formed for all locations where the Company has its offices in India must comprise of at least 4 members (a Presiding Officer, 2 officers, and an external member), out of which at least 50% of the IC members must be women.

Presiding Officer	Senior most women employee with impeccable records and no history of disciplinary action against her.
Officer	At least 2 members from among employees having legal knowledge or experience in social work or committed to the cause of women.
External Member	A person from a third party, either an NGO or another body and is committed to the cause of women or a person familiar

	with the issue of sexual harassment, being a lawyer, social worker, or having expertise in the subject matter.

- A quorum of at least 3 members are required to be present for the proceedings to take place.

- The IC shall be constituted for the locations where the Company has offices which employ ten or more employees.

- IC members shall be appointed by the CEO or Managing Director or Whole Time Director, with the recommendation of the Head of the HRD and the Board shall concur these appointments in its next subsequent meeting. All IC members shall be appointed for a maximum period of three years, after which new members shall be appointed. The previous IC members may be reappointed, but no IC member can serve for more than two consecutive terms.

- The CS shall oversee that appropriate, active and legally compliant ICs have been set up for all the locations where the Company has offices/workplaces. CS shall obtain POSH Act compliance status along with compliance certificate from Head HRD and will place the same before the Board of Directors on quarterly basis.

- In the event there is a Complaint made against a member of the IC which shall ordinarily investigate that complaint, then only the concerned member against whom the Complaint has been made shall recuse themselves from the IC and a new member shall be appointed by the IC to replace the concerned IC member, as per the process defined in this Policy.

- In the case of a complaint made by a male or a Transgender Person, the composition of the IC should include members who are sensitive to the impact of such harassment on the said complainant and alter the composition to ensure an unbiased investigation, based on the law of natural justice. The appointment of such members shall be approved by the Board. However, the process of investigation shall remain the same.

- The details of the complaints are confidential and if any member of the IC, discloses any details of the same to any persons in whatsoever manner or makes it public in any way, will be liable for immediate disqualification from the IC and shall face disciplinary action as per the Company's Code of Conduct Policy. If any member of the IC has been convicted of any offence under any law, has been found guilty in any disciplinary proceeding, has a disciplinary proceeding pending against them as per any

law or has abused their position in any manner, then that member shall be removed from the IC.

- To inquire, the IC shall have similar powers to a civil court as Quasi-Judicial body — it can summon and enforce the attendance of any person, examine the person on oath, order the production of documents, etc.

- The IC shall endeavour to complete its investigation within a period of 90 (ninety) days from the date of receiving the Complaint.

- The IC must make a detailed report on all the written complaints received, findings about the investigation. and shall submit the same to the CEO/Managing Director/Whole time Director of the Company who shall act upon the recommendations made by the IC within a period of 60 (sixty) days of receiving the IC's report for action.

- Upon completion of the investigation by the IC, all evidence and information collected including investigation reports and update on status of action taken shall be submitted in the digital database to be maintained for this purpose and to be supervise by Company Secretary and Presiding Officer, which will ensure that the records are securely maintained for an appropriate period of ten years, or for any longer period required under the Posh Act or applicable Government directions issued from time to time.

- The Company Secretary shall present to the Board, on a quarterly basis, a summary of all complaints received, and the actions taken in respect of such complaints.

- In case of a shortfall of established location IC, IC members from alternate locations may participate in person or virtually as deemed necessary.

ii. **Composition of IC for Newgen Subsidiaries:**

Composition of the IC in case the complaint is raised from a Newgen subsidiary will be appointed as per the local laws of the country where the complaint was raised.

iii. **Role and Responsibilities of the IC**:

a. **Complaint Handling:** The IC is responsible for receiving and processing complaints related to sexual harassment. This includes conducting investigations into the complaints.
b. **Investigation:** They conduct fair and impartial investigations into the complaints they receive. This includes interviewing the complainant, Respondent, and witnesses, collecting evidence, and documenting findings.

c. **Confidentiality:** Ensuring the confidentiality of all information related to the complaint is a fundamental duty of the IC.

d. **Recommendations:** Based on the findings of their investigations, the IC makes recommendations to the Board regarding the appropriate disciplinary actions to be taken against the Respondent, if necessary.

e. **Support to Complainants:** The IC provides support to complainants throughout the process, ensuring they are not subjected to any retaliation for reporting harassment.

f. **Conciliation:** In some cases, if both parties are willing, the IC may attempt to facilitate a resolution through conciliation. Monetary settlements are not allowed through conciliation.

g. **Documentation:** They maintain records of all complaints and investigations they conduct.

h. **Timely Reporting:** The IC submits its findings and recommendations to the Managing Director / CEO / Whole time Director, promptly, allowing the Board to take further action, within a period of 60(sixty) days of receiving the IC's recommendations.

d. Complaint Redressal Process:

i. Newgen encourages a formal approach to address all sexual harassment-related complaints, as in any case misconduct of a sexual nature at the workplace is considered a serious offence. Such a complaint should be made to in writing the IC of the location where the alleged incident occurred, through an email sent to that IC's corresponding email addresses stated in clause 7(a)(i) of this Policy.

ii. If a complaint is lodged with any other authority, the recipient is obligated to promptly relay the complaint to the concerned IC which is of the location where the alleged incident occurred, while keeping the complainant informed throughout the process.

iii. The IC acknowledges receipt of the complaint within 72 working hours.

iv. The formal process followed by the IC is as follows:
    a. The IC shall acknowledge the complaint within 72 hours of receiving the Complaint. Thereafter, the IC shall initiate a preliminary discussion with the Complainant, and the IC may share a list of questions that may seek more clarity from the Complainant.

    b. In case no settlement is requested or arrived at under the conciliation process or the Aggrieved Person informs the IC that there has been a breach of the terms of the settlement, and if the Respondent is an employee of the Company, the inquiry will be as provided below.

- The IC shall make inquiry into the Complaint in accordance with the principles of natural justice. If the Respondent is an employee of an agent or contractor of the Company, or a third party, the IC constituted would inquire into the Complaint.
- Upon receipt of the Complaint, the IC shall share a copy with the Respondent within 7 working days.
- The Respondent will be required to file their response to the Complaint along with list of documents, and names and addresses of witnesses, within 10 working days from the date of receipt of the Complaint. A copy of the written explanation or a summary thereof shall be shared with the Aggrieved Person.
- The Committee shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the Complaint, if either of the parties fail, without sufficient cause, to present themselves for three consecutive hearings convened by the presiding officer.
- Both the complainant and/or the Respondent may choose to present witnesses, if any. The IC must take cognizance of such requests for a thorough and fair investigation.
- Statements in the case of in-person meetings and video recordings in the case of virtual meetings are essential to be maintained by the IC.
- The IC must seek to resolve the issue by way of conciliation if the complainant so wishes. However, no monetary settlement can be the basis of the conciliation. If there is a settlement that has been arrived at between the complainant and the respondent, then the IC shall record the settlement and send a copy of the settlement report to the Board for taking appropriate action. The IC shall endeavour to close a resolution through conciliation within 2 weeks of receiving the complaint. In such cases, the IC may not proceed with the inquiry. However, such cases also have to be reported in the annual report submitted to the appropriate authority. All conciliations must be registered in the annual reports, and a copy of the same shall be shared with the Complainant and Respondent as well.
- During the pendency of the enquiry, the IC may decide to transfer the Complainant or the Respondent to any other work location or grant a leave to the Complainant for up to 3 months in addition to the regular statutory/contractual leave entitlement, as an interim measure, or recommend work from home, as an interim measure. In addition, IC may recommend that the Respondent does not assess the Complainant's work performance and grant such other relief as may be appropriate.
- Any such inquiry should endeavour to be completed, including the submission of the Inquiry Report, within 90 (ninety) days from the date on which the inquiry is commenced. Post inquiry the committee submits its report containing the findings and recommendations to CEO/ Managing Director/ Whole-time Director, within 10 days of completion of the inquiry.

v. This Policy shall not be used to bring **false** or **malicious complaints** against anyone or produce forged or misleading documents / evidence. In case the Complaint is found to be false or any party has produced forged or misleading documents/ evidence, the Complainant or the party shall, as the case may be, if deemed fit, be liable for appropriate disciplinary action, in case it is established through an inquiry that (a) the Complaint was filed with malicious intent or (b) knowingly incorrect information/ forged documents were submitted by the Complainant / any other party. Mere inability to substantiate a Complaint or provide adequate proof need not attract any action against the Complainant. The malicious intent on the part of the Complainant must be established in a separate inquiry, before any action is recommended.

vi. IC may terminate the inquiry or give ex-parte decision, if the complainant or respondent respectively is absent for 3 consecutive hearings, without reason. 15 day written notice to be given to the party, before termination or *ex-parte* order.

vii. **Possible consequences if the allegations have been proved**: In such a case where allegations of sexual harassment have been proved, Newgen is committed to taking appropriate disciplinary action against the accused person as per this Policy and/or as per the laws and depending on the severity of the misconduct. However, in a case where a Complaint is found to be malicious in content or intent, disciplinary action may be initiated for raising a false complaint. Where the allegations of Sexual Harassment have been proved, Newgen recognizes the importance of ensuring fairness in its approach to such situations. One or more of the following actions, but not limited to those mentioned below, may be initiated in line with this Policy:

    - Counselling or carrying out community service
    - Seeking a written apology
    - Transferring the Respondent
    - Deduction of the Respondent's salary
    - Withholding increments/ promotions with or without cumulative effects
    - Reversion to the previous designation, reduction to a lower grade or post
    - Written warning, censure
    - Termination of employment, including but not limited to the revocation of associated employment benefits, if any granted."

viii. Newgen reserves the right to impose fines or penalties on the Respondent as deemed appropriate by the IC. It's crucial to maintain a balanced approach that ensures fairness to both parties involved-those who have been wronged by harassment and those who may face false accusations. Newgen is committed to upholding the principles of justice and fairness throughout the complaint redressal process.

ix. A copy of the disciplinary action initiated must be uploaded in the POSH Tracker which will be handled by the Presiding Officer and Company Secretary , and the original report and copies shall also be kept in the digital process of the Company

to be supervise by the Presiding Officer and the Company Secretary for audit and compliance purposes in the repository..

x. A photocopy of any apology letter is sent to the Complainant, if applicable, along with the investigation report and action taken by Newgen.

xi. The Company may offer counselling sessions to the parties on a need-basis as an interim measure or wherever deemed appropriate.

xii. Retaliation in any form will be viewed seriously. Any case of retaliation wherein the Complainant feels victimized in response to the Complaint will be investigated as a harassment case and will be subject to disciplinary action, included termination. Any employee working in the Workplace who believes they have been subjected to such retaliation/victimization should inform the Board or file a complaint in accordance with the applicable policies of the Company. The IC holds the rights of a civil court and may summon an individual or documents related to the case. In case the individual is external to the organization, the IC may seek the support of local police authority to conduct an inquiry.

xiii. Any person aggrieved from the recommendations of the IC or the non-implementation of such recommendation may prefer an appeal to the appellate authority as notified under applicable laws within 90 days from the date of receipt of the recommendations of the IC.

e. Training & Awareness:

i. All new joiners must undergo a POSH awareness program during their Newgen Board Spectrum Orientation (NBSO).
ii. All employees shall undergo a refresher at least once a year which shall be overseen by the POSH Cell.
iii. Members of the IC shall undergo annual training, and periodic awareness sessions shall be conducted for all employees which shall be overseen by the POSH Cell.

For any queries or clarification related to this Policy, please contact Posh Cell at poshcell@newgensoft.com. Any or all provisions of this Policy would be subject to revision/amendment in accordance with the guidelines on the subject as may be issued by the Government Regulatory Authorities, from time to time. The annexures to this Policy may be modified periodically based on internal requirements and evolving industry best practices, provided that such modifications do not contravene any applicable laws or regulatory obligation.

For Newgen Software Technologies Limited

Diwakar Nigam
Chairman & Managing Director

Annexure 1 – Email Addresses of Internal Committee (IC) for All Locations

Below are the email addresses of IC of all the locations where the Company has its offices & location, where the complaint must be made by aggrieved person.

POSH COMPLAINT ID FOR DELHI(NCR), GURGAON & NOIDA	IC_DelhiNCR@newgensoft.com
POSH COMPLAINT ID FOR CHENNAI	IC_Chennai@newgensoft.com
POSH COMPLAINT ID FOR BANGALORE	IC_Bangalore@newgensoft.com
POSH COMPLAINT ID FOR MUMBAI	IC_Mumbai@newgensoft.com