



दि न्यू इन्डिया एश्योरन्स कंपनी लिमिटेड, मुंबई (प्र.का.)  
THE NEW INDIA ASSURANCE CO. LTD. MUMBAI (H.O.)



## **Policy on Prevention, Prohibition and Redressal of Sexual Harassment of Women at Workplace-2020**

(Revised vide Board Meeting dated 15.07.2025)



**THE NEW INDIA ASSURANCE COMPANY LIMITED**



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## 1.0 Short Title

This Policy shall be called “Policy on Prevention, Prohibition and Redressal of Sexual Harassment of Women at Workplace-2020” (referred to as “the Policy” hereinafter).

## 2.0 Background

In the landmark judgment of *Vishaka vs. State of Rajasthan (1997)*, the Hon’ble Supreme Court of India formulated legally binding guidelines based on the right to equality and dignity accorded under the Constitution of India as well as by the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The Hon’ble Supreme Court placed an obligation on employers, institutions and those in positions of responsibility, to uphold working women’s fundamental right to equality and dignity at the workplace. Three key obligations were imposed to meet that standard, namely:

|              |               |             |
|--------------|---------------|-------------|
| • Prevention | • Prohibition | • Redressal |
|--------------|---------------|-------------|

In 2013, the Parliament enacted a law and the Government of India notified “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” (referred to as “the Act” hereinafter). Consistent with the *Vishaka* judgment, the Act intends to ensure women’s right to workplace equality, free from sexual harassment through compliance with the above mentioned three elements. The Act defines sexual harassment and creates a mechanism for redressal of all grievances relating to sexual harassment at workplace.

## 3.0 Commitment

The New India Assurance Company Limited (referred to as “the Company” hereinafter) is committed to create a safe and conducive work environment which ensures that every woman feels safe at workplace and is treated with dignity and respect. The Company fosters equal opportunity to all employees and is committed to create a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. With this objective in view, this Policy has been framed in line with the provisions of the Act and existing Rules framed thereunder namely the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 (referred to as “the Rules” hereinafter).

## 4.0 Purpose, Scope & Effective Date

**4.1** The purpose of this Policy is to provide protection to every woman against sexual harassment at workplace and create mechanism for prevention and redressal of grievances of sexual harassment and matters related to them and incidental thereto.

**4.2** This Policy extends to all classes of employees of the Company and is deemed to be incorporated in the service conditions of all employees and comes into effect immediately.





## 5.0 Definitions

- (a) “Act” means The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
- (b) “Aggrieved Woman” means a woman, of any age, whether employed or not, who alleges to have been subject to any act of sexual harassment at workplace by the respondent.
- (c) “Annual Report” means an annual report as stipulated in Para13.2 of this Policy.
- (d) “Complainant” shall be an Aggrieved Woman who makes a complaint alleging Sexual Harassment under this Policy or any person who makes a Complaint on behalf of Aggrieved Woman, where she is unable to make a Complaint on account of her physical or mental incapacity or for death or any other reason, under this Policy.
- (e) “Complaint” means a complaint made under section 9 of the Act or Para6.7.1 of this policy.
- (f) “Conciliation” shall mean conciliation as per Section 10 of the Act or Para6.7.2 of this Policy.
- (g) “Disciplinary Authority” shall have the same meaning as specified in the Schedule A of The New India Assurance Company Limited (Conduct, Discipline & Appeal) Rules 2014, as amended upto date.
- (h) “Employee” means an employee as defined under The New India Assurance Company Limited (Conduct, Discipline & Appeal) Rules 2014, as amended upto date.
- (i) “Inquiry” shall mean an inquiry conducted by Internal Committee as per Para6.7.3 of this Policy.
- (j) “Internal Committee” means an Internal Complaints Committee (referred to as the “IC” hereinafter).
- (k) “Member” means a member of the IC nominated as per Para 6.1 (b) and 6.1(c) of this Policy.
- (l) “Misconduct” means misconduct as per Rule 4(23) of The New India Assurance Company Limited (Conduct, Discipline & Appeal) Rules 2014, as amended upto date.
- (m) “Presiding Officer” means the presiding officer of the IC as per Para 6.1 (a) of this Policy.
- (n) “Parties” means collectively the Complainant and the Respondent.
- (o) “Party” means either the Complainant or the Respondent.





(p) "Respondent" means an Employee of the Company against whom a Complaint alleging Sexual Harassment has been made by the Complainant under this Policy.

(q) "Sexual Harassment" means sexual harassment as defined in the Act and includes-

(i). any one or more of the following unwelcome acts or behaviour (whether directly or by implication) viz:

- (a) Physical contact and advances;
- (b) Demand or request for sexual favours;
- (c) Making sexually colored remarks, gesture, sign etc.;
- (d) Showing pornography;
- (e) Any other unwelcome physical, visual, verbal or non-verbal conduct, remarks or innuendos of sexual nature including but not limited to cat- call, wolf/finger whistle, vulgar/indecent jokes, letters, phone calls, e-mails, text messages, gestures etc.

Sexual harassment may involve a series of incidents or may be a one-off occurrence/incident.

(ii). The following circumstances, among other circumstances, if they occur or are present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment: -

- Implied or explicit promise of preferential treatment in her employment; or
- Implied or explicit threat of detrimental treatment in her employment; or
- Implied or explicit threat about her present or future employment status; or
- Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- Humiliating treatment affecting any person's health or safety.

Explanation: The illustrations given above are illustrative and are not exhaustive.

(r) "Workplace" includes The New India Assurance Company Ltd., Head Office, all offices in India, Regional Offices, Large Corporate Brokers' Offices, Claim Hubs, Regional Training Centres, Divisional Offices, Branch Offices, Micro Offices and any place visited by the Employee arising out of or during the course of employment connected with the work of the Company.

#### Explanation-

(1) "Service Conditions", "Service Rules" wherever referred in this Policy shall mean and include, but are not limited to, The New India Assurance Company Limited (Conduct, Discipline & Appeal) Rules 2014 as amended upto date, General Insurance (Rationalisation of Pay Scales and Other Conditions of Service of Officers) Scheme, 1975, General Insurance (Termination, Superannuation & Retirement of Officers & Development Staff) Scheme, 1976, General Insurance (Rationalisation & Revision of Pay Scales and Other Conditions of Service of Supervisory, Clerical & Sub-ordinate Staff) Scheme, 1974, General Insurance (Employees' Pension Scheme, 1995 and their amendments and any other scheme framed and amended from time to time by the Central Government for different classes of employees in exercise of





its authority under Section 16 (1) (g) & 17A of the General Insurance Business (Nationalisation) Act, 1972.

(2) "Company", "Employer" wherever referred in this policy shall mean The New India Assurance Company Limited

## 6.0 Procedure & Guidelines

**6.1 Constitution of Internal Committee-** Head Office and every Regional Office shall by an order in writing constitute a committee to be known as the Internal Committee (IC), as under, to receive & redress Complaints.

Provided that, if a separate IC is needed in any Corporate Business Office or a Specialized Office (any such office established to cater to the special needs of the Company or for service to special clients for specific insurance purpose) due to the strength of the said office, the Office in-charge shall by an order in writing constitute the Internal Committee (IC).

The IC shall consist of the following Members, viz: -

a. Presiding Officer who shall be a woman employed in the Company at a senior level from amongst the Employees;

In case a woman officer of senior level is not available in a particular office, an officer from another office may be so appointed.

b. Not less than two (02) Members from amongst Employees preferably committed to the cause of women or who have had experience in social work or other department or organization;

c. One (01) Member from amongst non-governmental organization or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment;

Provided that at least one half of the total Members so nominated shall be women.

Provided that any person having any business dealing or relationship with the Company shall not be made a member in terms of Para 6.1(c).

**6.2 Term-** The Presiding Officer and every Member of the IC shall have maximum term of three (03) years from the date of nomination

**6.3 Quorum-** A quorum of three (03) Members is required to be present for the proceedings to take place. The quorum shall include the Presiding Officer, and at least two Members; one of them shall be a woman.

**6.4 Honorarium to External Member-** The Member appointed from amongst non-governmental organization or associations shall be paid such fee or allowance for holding the





proceedings of the IC and reimbursement of travel cost incurred, as decided by the General Manager (Personnel) by a circular in this regard.

**6.5 Removal from IC-** Presiding Officer or Member of IC shall be removed in case he or she:

**6.5.1** Contravenes the provision of Section 16 of the Act or Para12 of this Policy;

**6.5.2** Has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him/her; or

**6.5.3** Has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him/her; or

**6.5.4** Has so abused his/her position as to render his/her continuance in office prejudicial to the public interest;

Wherever a Presiding Officer or Member has been removed from the IC a fresh nomination shall be made in accordance with provisions of Para 6.1 of this Policy to fill up the vacancy or any casual vacancy.

**6.6 Jurisdiction-** The IC at Regional Offices, Corporate Business Office or a Specialized Office shall have jurisdiction over all offices falling under the control of that particular Office as it may specify by an order in writing for dealing with matters pertaining to this Policy. The IC at Head Office shall have jurisdiction over such offices as it may specify by an order in writing to that effect.

## **6.7 Complaint**

### **6.7.1- Raising / making a Complaint of sexual harassment**

(1) The Complainant is required to make a Complaint of Sexual Harassment in writing to the IC or through e-mail at [poshcomplaints@newindia.co.in](mailto:poshcomplaints@newindia.co.in) within a period of three (03) months from the date of incident and in case of series of incidents, within a period of three (03) months from the date of last incident.

(2) However the IC, for reasons to be recorded in writing, may extend the time limit up to further three (03) months, if it is satisfied that bonafide circumstances prevented the Complainant from filing Complaint within the time limit mentioned in point (1) hereinabove.

(3) Where such Complaint cannot be made in writing, the Presiding Officer or any Member shall render all reasonable assistance to the Complainant for making a Complaint in writing.

(4) The Complaint shall clearly mention name and available details of both the Parties.



(5) The Complainant may make use of complaint management system titled "Sexual Harassment Electronic Box" (She-Box) introduced by the Ministry of Women and Child Development.

(6) The Complainant shall submit a copy of the Complaint accompanied by available supporting documents and relevant details concerning the alleged act(s) of Sexual Harassment including names and address of witnesses, if any which the Complainant believes to be true and accurate.

### 6.7.2- Conciliation

(1) The IC may, before initiating an Inquiry and at the request of the Aggrieved Woman take steps to settle the matter between the Parties through Conciliation. Such Conciliation will be in accordance with the provisions of Section 10 of the Act.

(2) No monetary settlement shall be made as a basis of Conciliation.

(3) Where a settlement has been arrived at as above, the IC shall record the settlement so arrived and forward the same to the Disciplinary Authority to take action as specified in the recommendation.

(4) IC shall provide copies of settlement as recorded to both Parties.

(5) Where a settlement is arrived no further Inquiry shall be conducted by the IC.

### 6.7.3- Inquiry

(1) In case where a settlement is not feasible or could not be arrived at through Conciliation as per Para 6.7.2 of this Policy, the IC will conduct an Inquiry into the Complaint. Additionally, an Inquiry may also be initiated if the Aggrieved Woman informs the IC that any term of settlement has not been complied with by the Respondent.

(2) The IC within seven (07) working days of receiving the Complaint shall forward one (01) copy thereof to the Respondent for obtaining a response.

(3) The Respondent within ten (10) working days of receiving the Complaint shall file his reply to the Complaint along with list of supporting documents, names and addresses of witnesses.

(4) The IC shall consider the reply from the Respondent and proceed to make Preliminary Inquiry/Investigation into the Complaint in accordance with the guidance of DoPT OM dated 16.07.2015 (Annexure A)

(5) Either of the Parties shall not be allowed to bring any legal practitioner to represent them at any stage of the proceedings before the IC.





(6) In the event of failure to attend personal hearing before IC by either of the Parties, on three consecutive dates intimated in advance, without sufficient cause, the IC shall have the right to terminate the Inquiry proceedings or give an ex-parte decision. However, the IC shall serve a notice in writing to the Party, fifteen (15) days in advance, before such termination or the ex-parte order.

(7) The IC shall provide every reasonable opportunity to both Parties, for putting forward and defending their respective case.

(8) As far as practicable, the Inquiry should be completed within a period of one (01) month and in no case should it exceed more than ninety (90) days.

(9) After the completion of the Inquiry, the IC shall communicate a report of its findings and recommendation(s) for action to the Disciplinary Authority without any prejudice or bias within a period of ten (10) days from the date of completion of the Inquiry. Such report and recommendation(s) shall also be forthwith made available to the concerned Parties.

#### 6.7.4-Suspension

An employee may be placed under suspension before issue of charge sheet in accordance with the guidelines of the DoPT OM dated 16.07.2015 (Annexure-A).

### 7.0 Action on IC Report

7.1 If the IC arrives at a conclusion that allegations against the Respondent have not been proved, it shall recommend that no action is required to be taken in the matter. However, the Complainant shall have a right of Appeal/representation against the negative finding of the IC (as provided in Para no. 8)

7.2 If the IC arrives at a conclusion that allegations against the Respondent have been proved, it shall recommend to the Disciplinary Authority to-

7.2.1 Take action (by issuing a show-cause notice to the Respondent as to why a Disciplinary action should not be initiated against him on the basis of the report of IC which holds that misconduct by way of sexual harassment is held to be proved) against the Respondent for Sexual Harassment as Misconduct in accordance with The New India Assurance Company Limited (Conduct, Discipline & Appeal) Rules, 2014, as amended up to date;

7.2.2 To deduct, notwithstanding anything in The New India Assurance Company Limited (Conduct, Discipline & Appeal) Rules, 2014, as amended up to date, from the salary or wages of the Respondent such sums as it may consider appropriate to be paid to the Aggrieved Woman or to her legal heirs, as it may determine, in accordance with the provisions of Section 15 of the Act.

7.3 If the IC arrives at a conclusion that-





- Allegation(s) against the Respondent is/are malicious; or
- The Complainant has made the Complaint knowing it to be false; or
- The Complainant has produced any forged or misleading document; or
- Any witness has given false evidence or produced any forged or misleading document;

IC may recommend to the Disciplinary Authority to take action against the Complainant or witness, in accordance with the provisions of The New India Assurance Company Limited (Conduct, Discipline and Appeal) Rules, 2014, as amended up to date.

Provided that mere inability to substantiate a Complaint or provide adequate proof need not attract action against the Complainant under this Para.

Provided further that malicious intent on part of the Complainant shall be established after an inquiry in accordance with the procedure prescribed before any action is recommended.

**7.4** The Disciplinary Authority shall pass an order on the recommendations of the IC within a period of sixty (60) days.

## **8.0 Appeal against the IC's Report**

Where an Internal Committee has recommended that no disciplinary action is to be initiated against the respondent against whom the allegation have been made in a case involving allegations of sexual harassment, the complainant may make a representation against the recommendations of the IC, within a period of ninety(90) days of the receipt of the IC's report, before:

- a) the Disciplinary Authority before passing of the order by Disciplinary Authority under para 7.4, or;
- b) the Appellate Authority {as per Schedule of The New India Assurance Company Limited (Conduct, Discipline and Appeal ) Rules, 2014 and the amendments thereto} after passing of the order by the Disciplinary Authority under para 7.4.

The Disciplinary Authority or the Appellate Authority shall consider abovementioned representation before coming to a final conclusion.

## **9.0 Protection to Aggrieved Woman**

For a period of five years after a decision in a proven case of Sexual Harassment, a watch should be kept to ensure that Aggrieved Woman is not subjected to vendetta, she should not be posted under the Respondent, or any other person where there may be a reasonable ground to believe that she may be subjected to harassment on this account. In case of any victimization, the Complainant may submit a representation to Head of the Organization. These representations should be dealt with sensitivity, in consultation with the IC, and a decision should be taken within fifteen (15) days of the submission of the same. (DoPT OM dated 22.12.2016 [Annexure B])





## 10.0 Powers of IC

The IC shall have the same powers as are vested in Civil Court under the Code of Civil Procedure, 1908 when trying a suit in respect of the following matters, namely: -

- 10.1 Summoning and enforcing the attendance of any person and examining him on oath;
- 10.2 Requiring the discovery and production of documents; and
- 10.3 Any other matter which may be prescribed.

## 11.0 Interim Relief

During pendency of the Inquiry, on a written request made by the Complainant, the IC may recommend to the Disciplinary Authority to: -

- 11.1 Transfer the Aggrieved Woman, or the Respondent to any other Workplace; or
- 11.2 Grant leave to the Aggrieved Woman, of maximum 90 Days, in addition to the leave she would be otherwise entitled as per the General Insurance (Rationalisation and Revision of Pay Scales and Other Conditions of Service of Supervisory, Clerical and Subordinate Staff) Amendment Scheme, 2023; or
- 11.3 Grant such other relief to the Aggrieved Woman as may be found appropriate; or
- 11.4 Restraint the Respondent from reporting on the work performance of the Aggrieved Woman, or writing her Annual Performance Appraisal Report and assign the same to another officer.

## 12.0 Prohibition on Disclosure of Information

12.1 Notwithstanding anything contained in the Right to Information Act 2005, this Policy and the Act prohibits, any person, entrusted with the duty to handle or deal with the Complaint, Inquiry or any recommendation or action to be taken, including IC Members, from publishing, communicating or making known to the public, press and media in any manner, contents of the Complaint, the identity and addresses of the Aggrieved Woman, Respondent and witnesses, any information relating to Conciliation and Inquiry proceedings, or recommendations of the IC during the proceedings under the provisions of the Act.

12.2 Any violation thereto shall be subject to applicable disciplinary action or penalty as outlined in The New India Assurance Company Limited (Conduct, Discipline and Appeal) Rules, 2014, as amended upto date.

12.3 Provided that information may be disseminated regarding the justice secured to any victim of Sexual Harassment under this Policy without disclosing the name, address, identity



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or any other particulars calculated to lead to the identification of the Aggrieved Woman and witnesses.

### 13.0 Quarterly Meetings & Submission of Annual Report

**13.1** Quarterly meetings of IC must be conducted even if no cases were reported/there are no live cases during the period.

**13.2** The IC is required to prepare and submit an Annual Report having the following details:

**13.2.1** Number of Complaints of Sexual Harassment received in the year.

**13.2.2** Number of Complaints disposed of during the year.

**13.2.3** Number of cases pending for more than ninety (90) days if any, with detailed reasons thereof.

**13.2.4** Number of workshops or awareness programs regarding Sexual Harassment carried out.

**13.2.5** Nature of action taken by the Company.

### 14.0 Duties of the Company

The Company shall –

**14.1** Provide a safe working environment at the Workplace which shall include safety from the persons coming into contact at the Workplace.

**14.2** The order constituting the IC is to be displayed at any conspicuous place in the Workplace. The penal consequences of Sexual Harassment are also to be displayed as per notice mentioned below:-

#### NOTICE

Sexual Harassment at Workplace is a criminal offence attracting penalty as per Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. Further such act may also invite initiation of disciplinary proceedings under The New India Assurance Co. Ltd. (Conduct Discipline & Appeal) Rules, 2014.

**By Order**

**14.3** Organize workshops and awareness programs at regular intervals for sensitizing the Employees with the provisions of the Act and orientation programs for the Members of the IC.





**14.4** Provide necessary facilities to the IC for dealing with the Complaint and conducting an Inquiry.

**14.5** Assist in securing the attendance of Respondent and witnesses before the IC.

**14.6** Make available such information to the IC as it may require having regard to the Complaint.

**14.7** Cause to initiate action under the Bhartiya Nyaya Sanhita (45 of 2023) or any other law for the time being in force, against the perpetrator, or if the Complainant so desires, where the perpetrator is not an Employee, in the workplace at which the incident of Sexual Harassment took place.

**14.8** Provide assistance to the Aggrieved Woman if she chooses to file a Complaint in relation to the offence under the Bhartiya Nyaya Sanhita (45 of 2023) or any other law for the time being in force.

**14.9** Treat Sexual Harassment as Misconduct under The New India Assurance Co. Ltd. (Conduct Discipline & Appeal) Rules, 2014 and initiate action for such Misconduct.

**14.10** Monitor timely submission of Annual Report by the IC including number of cases filed, if any, and their disposal under the Act.

**14.11** Carry out periodic review of the Policy.

**14.12** Make provisions for the verification of the compliance of the provisions of the Act and Rules during the inspection of the subordinate offices.

## **15.0 Application**

**15.1** This Policy takes into consideration DoPT circulars on the subject. In case of doubt, this Policy shall prevail over any other circular or guidelines.

**15.2** In case of any doubt, divergence or discrepancy in the provisions of this Policy, the provisions of the Act and Rules shall prevail.

**Date- 21.07.2025.**

  
12/22-7-25 General Manager (Personnel)  
  
