

Policy On Prevention Of Sexual Harassment Of Employees At Workplace

1. Preamble

The Company is an Equal Opportunity Employer and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Company also believes that employees of the Company have the right to be treated with dignity. Sexual harassment at the work place or other than work place if involving employees is a grave offense and is, therefore, punishable.

2. Applicability

- a. The policy shall be applicable to all the employees 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.
- b. "Employee" means any person on the rolls of the Company including those on deputation, contract, Temporary, part time or working as consultants.

3. Definition and Scope of Sexual Harassment

Sexual harassment would mean and include any of the following:

- a. Unwelcome sexual advances, requests or demand for sexual favors, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any Company activity;
- b. Unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexual jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individuals sensibilities and affect her/his performance;
- c. Eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon One's privacy;
- d. Act or conduct by a person in authority which creates the hostile environment at workplace or intimidating to a person belonging to the other sex;
- e. Any unwelcome gesture by an employee having sexual overtones.

4. Internal Complaint Committee (ICC)

A Committee of 4 members with a minimum of 1 female member is constituted by the Management to consider and redress complaints of Sexual Harassment. A quorum of 3 members with a minimum of 1 female member is required to be present for the proceedings to take place.

5. Redressal Process

- a. Any employee who feels sexually harassed directly or indirectly may submit a complaint of the alleged incident to any member of the ICC in writing with his /her signature within 30 days of occurrence of incident.
- b. The ICC will maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for a discreet investigation.
- c. The ICC will hold a meeting with the Complainant within five days of the receipt of the complaint, but not later than a week in any case.
- d. At the first meeting, the ICC members shall hear the Complainant and record her /his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate his /her complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a female officer for a female employee involved or a male officer for male employee involved shall meet and record the statement.
- e. Thereafter, the person against whom complaint is made may be called for a deposition before the ICC and an opportunity will be given to him /her to give an explanation, where after, an "Inquiry" shall be conducted and concluded.
- f. In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offense of Sexual Harassment, the same would be dropped after recording the reasons thereof.
- g. In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

6. Inquiry Process

- a. The ICC shall immediately proceed with the Inquiry and communicate the same to the Complainant and person against whom complaint is made.
- b. The ICC shall prepare and hand over the Statement of Allegation to the person against whom Complaint is

made and give him /her an opportunity to submit a written explanation if she /he so desires within 7 days of receipt of the same.

c. The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.

d. If the Complainant or the person against whom complaint is made desires any witness(es) to be called, they shall communicate in writing to the ICC the names of witness(es) whom they propose to call.

e. If the Complainant desires to tender any documents by way of evidence before the ICC, she /he shall supply original copies of such documents. Similarly, if the person against whom complaint is made desires to tender any documents in evidence before the ICC he /she shall supply original copies of such documents. Both shall affix his /her signature on the respective documents to certify these to be original copies.

f. The ICC shall call upon all witnesses mentioned by both the parties.

g. The ICC shall provide every reasonable opportunity to the Complainant and to the person against whom complaint is made, for putting forward and defending their respective case.

h. The ICC shall complete the "Inquiry" within reasonable period but not beyond three months and communicate its findings and its recommendations for action to the Managing Director. The report of the ICC shall be treated as an Inquiry report on the basis of which an employee who has been found guilty of such allegations can be awarded appropriate punishment.

i. The Managing Director will direct appropriate action in accordance with the recommendation proposed by the ICC.

j. The ICC shall be governed by such rules as may be framed by the Supreme Court orders or any other legislation enacted later on.

7. Protection Against Retaliation

Regardless of the outcome of the complaint made in good faith, the employee lodging the complaint and any person providing information or any witness, will be protected from any form of retaliation. While dealing with complaints of sexual harassment, the ICC shall ensure that the Complainant or the witness are not victimized or discriminated against by the accused. Any unwarranted pressures, retaliatory or any other type of unethical behavior from the accused against the complainant while the investigation is in progress should be reported by the complainant to the ICC as soon as possible. Disciplinary action will be taken by the ICC against any such complaints which are found genuine.

8. Documentation

The ICC shall keep complete and accurate documentation of the complaint, its investigation and the resolution thereof. The incident would be documented in both the complainant's and the accused's files with the full report of the ICC.

9. Complaints Made with a Malicious Intent

This policy has been evolved as a tool to ensure that in the interest of justice and fair play, our employees have a forum to approach in the event of instances of sexual harassment. However, if on investigation it is revealed that the complaint was made with a malicious intent and with the motive of maligning the concerned individual /tarnishing his /her image in the Company and to settle personal /professional scores, strict action will be taken against the complainant. The employees who are victims of sexual harassment may, in addition to the above, seek legal remedies as may be provided under the various laws for the time being in force.

10. Disciplinary Action

Where any misconduct is found by the ICC, appropriate disciplinary action shall be taken against the accused. Disciplinary action may include transfer, withholding promotion, suspension or even dismissal. This action shall be in addition to any legal recourse sought by the complainant.

11. Confidentiality

All information received shall be kept confidential. Any person (including witnesses) who breaches confidentiality shall be subject to disciplinary action.