

**POLICY ON THE SEXUAL HARASSMENT OF WOMEN
AT WORK PLACE (PREVENTION, PROHIBITION
AND REDRESSAL) ACT, 2013**



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1. OBJECTIVE

To create a work environment where safety and dignity of women Employees is ensured and they are protected from Sexual Harassment as envisaged by Supreme Court of India Guidelines on Sexual Harassment, August 1997, "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013"

As per "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, an "Internal Complaints Committee" needs to be constituted along with laid. down guidelines for redressal of complaint related to sexual harassment of Women at workplace.

The objectives of the policy are: -

- i. Sexual harassment at a workplace is considered violation of women's right to equality, life and liberty. It creates an insecure and hostile work environment, which discourages women's participation in work, thereby adversely affecting their social and economic empowerment and the goal of inclusive growth.
- ii. To comply with the directives of Hon'ble Supreme Court of India requiring all employers to develop and implement a policy for prevention of sexual harassment at the workplace
- iii. To evolve a permanent mechanism for the prevention and redressal of sexual harassment cases and other acts of gender based violence at the workplace.
- iv. To follow and implement the Act enjoining all employers to constitute an "Internal Complaints Committee" and lay down guidelines for redressal of complaint related to sexual harassment of Women at the workplace.

2. SCOPE

This policy shall be applicable to all employees of the Company engaged currently and will be employed in future including those on Contract, Temporary, Trainee, Part- Time or Consultants (referred to as employee for policy) at all the Units and Corporate Office.

3. CONDITIONS

The "sexual harassment" includes any one or more of the following acts or behaviour (whether directly or by implication) namely:

- a) physical contact and advances; or
- b) a demand or request for sexual favours; or
- c) making sexually coloured remarks; or
- d) showing pornography; or
- e) any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

4. CONSTITUTION OF INTERNAL COMPLAINTS COMMITTEE (ICC)

A Complaints Committee consisting of 5 members has been constituted known as the "Internal Complaints Committee (ICC)" for redressal of any such issues. The Internal Committee will preferably comprise of a senior level woman employee nominated as a Presiding Officer, one HR representative, one female representative, one legal representative and one member from NGO background. At least half or more than half committee members shall be women.

5. PROCEDURE

- a) Any aggrieved woman may make, in writing, by e-mail a complaint of sexual harassment at workplace to the ICC within a period of three months from the date of incident and in case of series of incidents, within a period of three months from the date of last incident.
- b) The ICC before initiating an enquiry and at the request of the aggrieved woman take steps to settle the matter between her and the respondent through conciliation (provided that no monetary settlement shall be made as a basis of conciliation).

Where a settlement has been arrived, the ICC, shall record the settlement so arrived and forward the same to the employer to take action as specified in the recommendation.

The ICC, shall provide the copies of the settlement as recorded to the aggrieved woman and the respondents.

Where a settlement is arrived, no further inquiry shall be conducted by the ICC.

- i. The ICC, shall,
 - a) Where the respondent is employee, proceed to make inquiry into the complaint in accordance with the provisions of the service rules applicable to the respondents.
 - b) Where both the parties are employees, the parties shall during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the committee.
 - c) Notwithstanding anything contained in Section 509 of the Indian Penal Code (45 of 1860), the court may, when the respondent is convicted of the offence, order payment of such sums as it may consider appropriate, to the aggrieved woman by the respondent, having regard to the provision of Section 15, determination of compensation.
 - d) For the purpose of making an inquiry, the ICC shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908) when trying a suit in respect of the following matters:

- i. Summoning and enforcing the attendance of any person and examining him on oath;
- ii. Requiring the discovery and production of documents, and
- iii. Any other matter which may be prescribed.

The inquiry shall be completed within a period ninety days.

- ii. During the pendency of an inquiry, on a written request made by the aggrieved woman, the ICC may recommend certain action to the employer as per this Act and the employer shall implement the recommendations and send the report of such implementation to the Internal Committee.
- iii. On the completion of an inquiry under this Act, the ICC shall provide a report of its findings to the employer, within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.

Where the ICC arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the employer that no action is required to be taken in this matter;

Where the ICC arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend certain action to the employer as per this Act.

- iv. Where the ICC arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer to take action against the woman or the person who has made the complaint in accordance with the provisions of the service rules applicable.
- v. Where the ICC arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the employer of the witness to take action in accordance with the provisions of the service rules applicable.
- vi. Any person aggrieved from the recommendations made by the ICC or non-implementation of such recommendations may prefer an appeal to the court in accordance with the provisions of the service rules applicable within a period of ninety days of the recommendations.

6. DUTIES OF EMPLOYER

Every employer shall –

- I. Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;
- II. Provide necessary facilities to the Internal Committee, as the case may be, for dealing with the complaint and conducting an inquiry;

- III. Assist in securing the attendance of respondents and witnesses before the Internal Committee;
- IV. Make available such information to the Internal Committee, as it may require having regard to the complaint;
- V. Provide assistance to the women of she so chooses to file a complaint in relation to the offence under IPC (45 of 1860) or any other law for the time being in force;
- VI. Cause to initiate action, under the Penal Code (45 of 1860) or any other law for the time being in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment at workplace;
- VII. Treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;
- VIII. Monitor the timely submission of reports by the Internal Committee.

7. ANNUAL REPORT

The Company shall in each year disclose in an Annual Report the details of the Complaint filed, disposed of and pending during the year ended.

8. NOTE

- i. The copy of this policy will be available in HR Department of plant and Corporate Office of the Company.
- ii. In case any member of the Committee is found accused, the Committee shall be formulated immediately.
- iii. The Management and the Internal Committee for the implementation of this policy will recognize that confidentiality is important and will respect the privacy of Complainant or Respondent, to the extent reasonably possible.
- iv. Management reserves the right to modify or withdraw the policy at its own discretion but always in line with the directives of Hon'ble Supreme Court of India and other applicable laws of India.

9. POLICY REVIEW

This policy will be reviewed and amended as and when required by the Board of Directors and/or its Committees.

10. WEBSITE

The policy shall be disclosed on the website of the Company.
