

SOBHAGYA MERCANTILE LIMITED

Policy on Sexual Harassment at workplace

(For Prevention, Prohibition & Redressal)

1. OBJECTIVE

The Company aims to be a gender-neutral workplace providing equal employment opportunity to its employees. The objective of this policy is to place adequate measures on employee safety and security at workplace thereby providing a safe and healthy environment for employees.

2. APPLICABILITY

The policy is applicable to all employees of the Company and within the business precincts of the Company's offices.

3. DEFINITIONS

1. "**Sexual harassment**" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely: —

(i) physical contact and advances; or

(ii) a demand or request for sexual favors; or

(iii) making sexually colored remarks; or

(iv) showing pornography; or

(v) any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

2. The following circumstances if it occurs or is present in relation to any sexually determined act or behavior 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; or

e. Humiliating treatment likely to affect health or safety

3. "**Employee**" means any person on the rolls of the Company to whom this policy is applicable including temporary, part time, honorary employees by whatever name called and would include employees engaged on a casual or project basis and also engaged through a contractor.

4. SCOPE

This Policy will be applicable to all allegations of Sexual Harassment made by an Employee / third party or against an Employee / third party, irrespective of whether Sexual Harassment is alleged to have taken place within or outside the Company premises.

5. INTERNAL COMPLAINTS COMMITTEE (ICC)

The Internal Complaints Committee shall comprise of:

- a) A Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the Employees;
- b) Not less than 2 (two) members from amongst Employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge; and
- c) One 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.

The Internal Complaints Committee will operate on the following guidelines: -

- A. The person against whom the allegation of Sexual Harassment has been made by the Aggrieved employee, Internal Complaints Committee shall meet as and when any instance of violation of the policy is referred to the committee.
- B. Internal Complaints Committee shall prepare the annual report and submit the report pertaining to number of cases filed and their disposal under the act to the Board.
- C. The Presiding Officer and the members of the Internal Complaints Committee will hold the position up to three years from the date of their nomination.

6. FUNCTIONING OF COMMITTEE:

A. Lodging a Complaint:

- I. The Aggrieved Employee makes a complaint directly to the Presiding Officer of the Internal Complaints Committee. The Presiding Officer should be able to try & solve the grievance informally before escalating the matter to the formal Committee within a period of three months from the date of incident.
- II. Where the aggrieved employee is unable to make a complaint on account of his/her physical or mental incapacity or death or otherwise, his/her legal heir or any other person, with consent of aggrieved employee, may make a complaint.
- III. Where such complaint cannot be made in writing, member of ICC shall render all reasonable assistance to the aggrieved employee for making the complaint in writing;
- IV. The Internal Complaints Committee, as the case may be, may, for the reasons to be recorded in writing, extend the time limit, to not exceeding three months, if it is satisfied that there were unavoidable circumstances which prevented the Aggrieved Employee from filing a complaint within the said period. Such complaint shall contain all the material and relevant details concerning the alleged Sexual Harassment including the name of the contravener. The information disclosed by such complainant should be treated as confidential information by the members of the Internal Committee.
- V. If the Aggrieved Employee would like to initiate action under the Indian Penal Code, 1860 ("IPC"), he/she may inform the management of the Company about the same, and the management will provide necessary assistance to the Aggrieved Employee to file the complaint in relation to the offence under the IPC.

B. Conciliation:

The Internal Complaints Committee may, before initiating an inquiry, at the request of the complainant take steps to settle the matter between his/her and the Respondent through conciliation. However, no monetary settlement shall be made the basis of the conciliation. Where a settlement has been arrived at as mentioned above, the Internal Complaints Committee shall record the settlement so arrived at and forward the same to the management of the Company to take action as specified in the recommendation and shall provide copies of the settlement to the complainant and the Respondent. Where a settlement is arrived, no further inquiry shall be conducted by the ICC.

C. Inquiry into Complaint:

The Internal Complaints Committee shall proceed to make inquiry into the complaint in accordance with the provisions of the service rules applicable. Such an inquiry (with due conciliation as appropriate) shall be completed within a period of three months. Confidentiality of the complaint procedure will be maintained.

The Internal Complaints Committee shall proceed to make an inquiry into the complaint in accordance with the principles of natural justice and further during the course of inquiry provide an opportunity of being heard to the complainant and the Respondent and the relevant witnesses provided by the complainant and the Respondent.

D. Inquiry Report:

On the completion of such inquiry, the internal committee shall provide the report of its findings to the Managing Director of the Company within a period of 10 days from the date of completion of enquiry and such report be made available to the concerned parties. The Managing Director shall act upon the recommendation within 60 days of its receipt.

In the event that the Internal Complaints Committee arrives at the conclusion that there is no case for Sexual Harassment, then the complaint may be dropped by the Internal Complaints Committee, and it shall notify the management of the Company about the same.

7. PENALTIES TO RESPONDENT:

If the sexual harassment complaint is proved prima-facie right to the Internal Complaints Committee based on the material and/or witness verified by them, then the Committee will recommend to the Managing Director of the Company, punishment to the Respondent in terms of:

- Warning in writing
- Immediate suspension from the services
- Immediate termination
- May immediately refer the case based on the gravity and merits of the case to the local police/judiciary

8. ACTION DURING PENDENCY OF INQUIRY

During the pendency of an inquiry, on a written request made by the aggrieved employee, ICC, as the case may be, may recommend to the Managing Director of the Company to:

1. Transfer the aggrieved employee or the respondent to any other office; or
2. Grant special leave to the aggrieved employee up to a period of three months; or
3. Grant such other relief to the aggrieved employee as may be prescribed.

9. PUNISHMENT FOR FALSE COMPLAINTS:

Where the Internal Complaints Committee arrives at a conclusion during or after the inquiry that the allegation against the Respondent is either malicious or false, appropriate punitive action may be taken by the Managing Director as per service rules applicable on recommendations of the committee.

10. CONFIDENTIALITY

Notwithstanding anything contained in the Right to Information Act, 2005, contents of the complaint, the identity and addresses of the Aggrieved Employee, Respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Complaints Committee and the action taken by the Company shall not be published, communicated, or made known to the public, press and proceedings media in any manner.

11. OBLIGATION OF THE MANAGEMENT

The Management of the Company shall provide all necessary assistance for the purpose of ensuring full, effective, and speedy implementation of this policy.

12. DEVIATIONS

Any deviations from this Policy shall require the concurrence from the Board of Directors.

The Management of the Company reserves the right to modify this policy without prior notice, but subject to the approval by the Board, which will be communicated to all employees of the Company.