

# **ANTI-SEXUAL HARASSMENT POLICY**

This policy has been framed in accordance with the provisions of “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” and rules framed thereunder (hereinafter “the Act”). Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail.

The ‘Policy on Prevention of Sexual Harassment of women at workplace intends to provide protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

To reinforce our position as an equal opportunity employer and in the light of the increasing gender diversity in Shri Bajrang Alliance Limited (the ‘Company’), it has been felt necessary to articulate our commitment to provide a workplace free of sexual harassment. This policy known as the “Shri Bajrang Alliance Anti-Sexual Harassment Policy” (“Policy”) is in deference to The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (“Sexual Harassment Act”) requiring employers to have a mechanism to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters incidental thereto.

## **1. OBJECTIVE**

The objective of this Policy is to

- i.** To promote a safe, congenial, positive and productive work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment;
- ii.** To promote a work environment that is conducive to the professional growth of its employees and encourage equality of opportunity.
- iii.** To take all necessary steps to ensure that its employees are not subjected to any form of harassment provide for an effective complaint redressal mechanism, on occurrence of an event of sexual harassment.

## **2. SCOPE AND APPLICABILITY**

- 2.1.** This Policy shall be applicable to people employed in the Company across all locations in India, whether employed or not and to any third party visiting the premises of the Company.
- 2.2.** The Policy shall apply to all allegations made against any employee or a group of employees whether employed or not by the Company, irrespective of whether sexual

harassment is alleged to have taken place within or outside Company's premises. This Policy shall also apply to any third party visiting the Company's premises including all visitors, vendors and contractors of the Company, if sexual harassment is alleged to have taken place while such third party was inside the Company's premises.

### **3. DEFINITIONS**

#### **3.1. "Sexual Harassment"** shall mean and include

- i.** any unwelcome sexual advances, requests or demand for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any company activity;
- ii.** any unwelcome sexual advances involving verbal, non-verbal or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, e-mails, gestures, showing 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.
- iii.** Eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy;
- iv.** Act or conduct by a person in authority which creates the environment at work place hostile or intimidating to a person belonging to the other sex
- v.** Conduct of such an act at work place or outside in relation to an Employee of the company or vice versa during the course of employment;
- vi.** Persistent watching, following, contacting of a person; and
- vii.** Any unwelcome gesture by an employee having sexual overtones.

The following circumstances if it occurs or is present in relation to any sexually determined act or behavior amount to sexual harassment:

- Implied or explicit promise of preferential treatment in employment;
  - Implied or explicit threat of detrimental treatment in employment;
  - Implied or explicit threat about the present or future employment status;
  - Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
- i.** Humiliating treatment likely to affect her health or safety.

#### **3.2. "Workplace"** includes:

- a.** All offices or other premises where the company's business is conducted.
- b.** All company- related activities performed at any other site away from the Company's premises

- c. Any social, business or other functions where the conduct and comments may have an adverse impact on the workplace or workplace relations.

**3.3. “Employee”** means any person on the rolls of the Company including those on deputation, contract, temporary, part-time or working as consultants.

**3.4. “Complainant”** shall mean “In relation to a workplace, a woman, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent and includes contractual, temporary, visitors”.

**3.5. “Respondent”** shall mean, person against whom a complaint of sexual harassment has been made by the complainant.

**3.6. “Employer”** shall mean person responsible for management, supervision and control of the workplace

#### **4. ROLE AND RESPONSIBILITY OF THE EMPLOYEE**

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

- Refusing to participate in any activity which constitutes harassment
- Supporting the person to reject unwelcome behavior
- Acting as a witness if the person being harassed decides to lodge a complaint

All are encouraged to advise others of behavior that is unwelcome. Often, some behaviors are not intentional. While this does not make it acceptable, it does give the person behaving inappropriately, the opportunity to modify or stop their offensive behavior.

**Managers:** All managers at Shri Bajrang Alliance Limited must ensure that nobody is subject to harassment and there is equal treatment. 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.

#### **5. REDRESSAL MECHANISM**

In compliance with the Act, if the complainant warrants formal intervention, the complainant needs to lodge a written complaint, which shall be followed by a formal redressal mechanism as described in this Policy. In case of a verbal complaint, the complaint will be reduced in writing by the receiver of the complaint and signatures of the complainant will be obtained.

Any employee who believes that an employee’s or a third party’s actions or words constitute

unwelcome sexual harassment has a responsibility to report or complain about the situation as soon as possible. The report or complaint requires to be made to the Internal Complaints Committee specifically constituted for this purpose. The names, addresses, telephone numbers and email addresses of the members of the Internal Complaints Committee are appended herewith as **Annexure A** to this Policy.

## **6. CONSTITUTION AND MEETINGS OF THE INTERNAL COMPLAINTS COMMITTEE**

The company has instituted an “Internal Complaints Committee” for redressal of sexual harassment complaint (made by victim or anyone on behalf of the victim) for ensuring time bound treatment of such complaints. The Internal Complaints Committee shall comprise of

- ii.** Presiding Officer: A woman employed at a senior level in the organization or workplace, other than employer or his/her representative/s.
- iii.** At least 2 female members from amongst the employees.
- iv.** One external member (either male or female), familiar with the issues relating to sexual harassment and or committed to the cause of women and child development and or having legal knowledge
- v.** At least half of the total members of the committee must be women.

## **7. RESPONSIBILITIES OF THE COMPLAINTS COMMITTEE**

The Complaints Committee is responsible for:

- 7.1.** Receiving complaints of sexual harassment at the workplace
- 7.2.** Counseling the Aggrieved Women.
- 7.3.** Investigating every formal written complaint of sexual harassment.
- 7.4.** Submitting findings and recommendations of inquiries
- 7.5.** Coordinating with the employer in implementing appropriate action
- 7.6.** Maintaining strict confidentiality throughout the process as per established guidelines
- 7.7.** Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment.
- 7.8.** Discouraging and preventing employment –related sexual harassment.
- 7.9.** Conducting awareness programs on Sexual Harassment and its Prevention.
- 7.10.** Conducting orientation programs for IC Members.

The Committee shall in each calendar year prepare an annual report stating the number of complaints received during the year, the number of complaints disposed off during the year and such other information as required and submit it to the employers.

In the event that a complaint has been received against a member of Internal Complaints Committee, then such member shall with immediate effect resign from their position as a member

Internal Complaints Committee, further the Presiding Officer of the Internal Complaints Committee shall appoint an intermediate member to such vacant position.

## **8. COMPLIANT PROCEDURE**

- 8.1.** The report or complaint should be made to the Internal Complaints Committee and the Internal Complaints Committee may investigate and handle the said complaint or report in accordance with the procedure laid down in **Annexure B**.
- 8.2.** Each complaint should be made in writing either by the aggrieved woman or by her representative to the Internal Complaints Committee within 3 (three) months from the date of the incident or if a series of incidents, from the date of the last incident.
- 8.3.** The Internal Complaints Committee shall at the option of the aggrieved woman permit settlement of complaint through conciliation.
- 8.4.** Where the matter is resolved through conciliation, no further enquiry shall be made and the Internal Complaints Committee shall record the settlement, take action and provide copies to the parties to the conciliation.
- 8.5.** Where the Internal Complaints Committee proceeds to make an enquiry into the matter and a prima facie case exists, may forward the complaint to police within 7 (seven) days for registering the case under section 509 of the Indian Penal Code.
- 8.6.** The enquiry into any complaint by the Internal Complaints Committee should be completed within a period of 90 (ninety) days.
- 8.7.** All complaints of harassment should be investigated promptly and in an impartial and confidential manner.

## **9. POST INVESTIGATION**

### **9.1. Action to be taken after inquiry**

- Post the inquiry the committee submits its report containing the findings and recommendations to the employer, within 10 days of completion of the inquiry.
- The findings and recommendations are reached from the facts established and is recorded accurately.
- If the situation so requires, or upon request of the complainant, respondent or witness, Management at Shri Bajrang Alliance Limited may decide to take interim measures such as transfer, changing of shift, grant of leave etc. to protect against victimization or distress during or subsequent to the course of inquiry, pending the final outcome.

### **9.2. Complaint unsubstantiated**

- Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the employer that no action is required to be taken in this matter.

- Further, the committee ensures that both parties understand that the matter has been fully investigated, that the matter is now concluded, and neither will be disadvantaged within the company.

### **9.3. Complaint substantiated**

Where the committee arrives at the conclusion that the allegation against the respondent has been proved, it recommends to the employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:

- Counseling
- Apology to be tendered by respondent
- Written warning
- Termination or,
- any other action that the Management may deem fit.

The employer acts upon the recommendations within **60 days** from the date of receipt of the Recommendation Report along with Enquiry Report and confirm to the committee.

Post the implementation of the actions, a follow up with the complainant occurs to ascertain whether the behavior has in fact stopped, the solution is working satisfactorily and if no victimization of either party is occurring. This follow up is undertaken by the complainant's Line Manager supported by HR.

## **10. CONSEQUENCES OF VIOLATION OF THE POLICY**

The Company shall not tolerate any form of retaliation against employees for bringing bona fide complaints or providing information about harassment. However if any aggrieved woman or person making the complaint has made a complaint knowing it to be false or made a malicious allegation or has submitted a forged or misleading document, the Internal Complaints Committee may recommend to the management to take appropriate disciplinary action against the complainant. Mere inability to substantiate a complaint or provide adequate proof will not attract action against the complainant. Before any action is recommended against the malicious intent on the part of the complainant, such intent should be established on an enquiry.

## **11. CONFIDENTIALITY**

The Company understands that it is difficult for the victim to come forward with a complaint of Sexual Harassment and recognizes the victim's interest in keeping the matter confidential. To protect the interest of the victim, the accused person and other who may report incidents of Sexual Harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

## **12. PROTECTION TO COMPLAINANT/VICTIM**

**12.1.** The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action.

**12.2.** The company will ensure that the victim or witness are not victimized or discriminated against while dealing with complaints of Sexual Harassment.

**12.3.** However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

## **13. APPEAL**

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the appellate authority in accordance with the Act and rules, within 90 days of the recommendations being communicated.

## **ANNEXURE A**

### **(Details of Committee Members)**

<b><u>NAME</u></b>	<b><u>RESPONSIBLE FOR</u></b>	<b><u>CONTACT NUMBER</u></b>	<b><u>E-MAIL ID</u></b>
<b><u>Ashish Mital</u></b>	<b><u>Plant Head</u></b>	<b><u>0771-4288188/77</u></b>	<b><u>a.mital@goelgroup.co.in</u></b>
<b><u>Girwar Sahu</u></b>	<b><u>Dy.Manager HR&amp; Admin</u></b>	<b><u>0771-4288188/77</u></b>	<b><u>girwar.sahu@goelgroup.co.in</u></b>
<b><u>N.Swati</u></b>	<b><u>Sr.Executive HR</u></b>	<b><u>0771-4288188/77</u></b>	<b><u>nr.sbafoods@goelgroup.co.in</u></b>
<b><u>Smt.Nirupama Pradhan</u></b>	<b><u>Lawyer</u></b>	<b><u>0771-4288188/77</u></b>	<b><u>admin.sbafoods@goelgroup.co.in</u></b>

## **ANNEXURE B**

### **(Procedure)**

#### **LODGING A COMPLAINT**

The complainant needs to submit a detailed complaint, along with any documentary evidence available or names of witnesses, to any of the committee members at the workplace.

The complaint must be lodged within 3 (three) months from the date of incident/ last incident in writing and if the Complainant is not in a position to pen down her complaint in such case/s the Internal Committee shall assist the complainant in lodging the complaint in writing by providing her a Writer and in such cases, the Complainant must affix her thumb impression thereon and witness(es) must execute their signatures on such Complaint Letter. The Committee can extend the timeline for reasons recorded in writing, if satisfied that these reasons prevented the lodging of the complaint.

If the complainant is unable to lodge the complaint in account of her incapacity, the following may do so on her behalf, with her written consent.

- Legal heir, relative or friend
- Co-worker
- Any person having the knowledge of the incident

If the initial complaint is made to a person other than a committee member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the committee immediately.

#### **RECEIVING A COMPLAINT**

Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed, and it requires tact and discretion while receiving the complaint.

The following points are kept in mind by the receiver of the complaint:

- Complaints are listened to and the complainant informed that the Company takes the concerns seriously. Complainant is informed that these concerns will be reported to the appropriate committee and follow up will be done speedily.
- Situation are not be pre-judged. Written notes are taken while listening to the person.
- Complainant is allowed to bring another person to the meeting if they wish. When taking accurate notes, complainant's own words, where possible, is used. Clear description of the incident in simple and direct terms is prepared and details are confirmed with the complainant.

- All notes are kept strictly confidential. Complainant's agreement is taken to allow proceeding with the matter, which involves a formal investigation.
- The complainant is advised that although the process is confidential, the respondent needs to be informed and any witnesses and persons directly involved in the complain process will also learn of the complainant's identity.
- Care is taken to prevent any disadvantage to or victimization of either the complainant or the respondent.

## **RESOLUTION PROCEDURE THROUGH CONCILIATION**

Once the complaint is received, before initiating the inquiry the committee may take steps to conciliate the complaint between the complainant and the respondent. This is only if requested by the complainant.

It is made clear to all parties that conciliation in itself doesn't necessarily mean acceptance of complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings, if any, are cleared.

In case a settlement is arrived at, the committee records & reports the same to the employer for taking appropriate action. Resolution through conciliation happens within 2 weeks of receipt of complaint.

The committee provides copies of the settlement to complainant & respondent. Once the action is implemented, no further inquiry is conducted.

## **RESOLUTION PROCEDURE THROUGH FORMAL INQUIRY**

### **I. Conducting Inquiry**

The committee initiates inquiry in the following cases:

- No conciliation is requested by complainant.
- Conciliation has not resulted in any settlement
- Complainant informs the committee that any term or condition of the settlement arrived through conciliation, has not been complied with by respondent.

The Committee proceeds to make an inquiry into the complaint within a period of 1 week of its receipt of the original complaint/closure of conciliation/repeat complaint.

- Complainant should submit the complaint along with supporting documents and the names of the witnesses.
- Upon receipt of the complaint, the committee sends 1 copy of the complaint to respondent within 7 working days.
- Respondent replies with all supporting documents within 10 working days of receiving the copy of the complaint.
- No legal practitioner can represent any party at any stage of the inquiry procedure

- The Complaints Committee makes inquiry into the complaint in accordance with the principles of natural justice.
- In conducting the inquiry, a minimum of three committee members including the Presiding Officer is present.
- IC must conclude an enquiry within 90 days from the date of receipt of the Complaint.
- A copy of the proceedings was made available to both parties enabling them to make representation against the findings.
- A copy of the final findings is shared with the complainant and the respondent to give them an opportunity to make a representation on the findings to the committee.

## **II. Interim Relief**

During pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the employer to -

- Transfer the complainant or the respondent to any other workplace.
- Grant leave to the complainant of maximum 3 months, in addition to the leave she would be otherwise entitled.
- Prevent the respondent from assessing complainant's work performance.
- Grant such other relief as may be appropriate.

Once the recommendations of interim relief are implemented, the employer will inform the committee regarding the same.

## **III. Termination of Inquiry**

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

## **IV. Inquiry procedure**

- All proceedings of the inquiry are documented. The Committee interviews the respondent separately and impartially. Committee states exactly what the allegation is and who has made the allegation. The respondent is given full opportunity to respond and provide any evidence etc. Detailed notes of the meetings are prepared which may be shared with the respondent and complainant upon request. Any witnesses produced by the respondent are also interviewed & such statements are taken in absence of the complainant and respondent.
- All the witness in the proceedings shall submit a written undertaking confirming that the evidence submitted by him/her are voluntary and true to their best knowledge and

he/she is not to be forced, coerced, threatened or bestowed as a favour to/by either party to give any evidence in their benefit .

- If the complainant or respondent desires to cross examine any witnesses, the Committee facilitates the same and records the statements. In case complainant or respondent seeks to ask questions to the other party, they may give them to the Committee which asks them and records the statement of the other party.
- Any such inquiry is completed, including the submission of the Inquiry Report, within 90 days from the date on which the inquiry is commenced. The inquiry procedure ensures absolute fairness to all parties.

### **CONSIDERATIONS WHILE PREPARING INQUIRY REPORT**

While preparing the findings/recommendations, following are considered:

- Whether the language used (written or spoken), visual material or physical behavior was of sexual or derogatory nature.
- Whether the allegations or events follow logically and reasonably from the evidence.
- Credibility of complainant, respondent, witnesses and evidence.
- Other similar facts, evidence, for e.g. if there have been any previous accounts of harassment pertaining to the respondent.
- Both parties have been given an opportunity of being heard

