

POLICY ON SEXUAL HARASSMENT AT WORKPLACE

Our Policy on Sexual Harassment (POSH) aims to ensure that each employee working with us is treated with dignity. We at HHCL, are committed to promote a conducive and healthy atmosphere at our workplace to allow people to work with ease and creativity.

The Company strictly prohibits harassment of any nature be it sexual, racial or ethnic harassment, as well as any other harassment which is forbidden by law. Employees who violate this policy are subject to discipline, including possible termination. We treat Sexual harassment as a form of misconduct that undermines the employment relationship and deeply affects the individual's capacity to work. Therefore, HHCL is committed to provide an environment free from sexual harassment by framing this policy to prohibit, prevent or deter the commission of acts of sexual harassment at workplace. Through this policy we also intend to fulfil the mandate of law to provide the procedure for the redressal of complaints pertaining to sexual harassment.

Sexual harassment is defined to include unwelcome sexual advances or requests for sexual favours where submission or rejection of such conduct by an individual is used as basis for employment decisions affecting this individual. Some of the norms of sexual harassment are:-

- 1) Sexual advances;
- 2) Requests for sexual favours;
- 3) Verbal or physical conduct of sexual nature;
- 4) Persistent on the job flirtations;
- 5) Repeated invitations for a social relationship when he or she has stated these invitations to be unwelcome.
- 6) Displaying sexually suggestive visual material in the work place; or
- 7) Creating a hostile work environment for the victim as a result of gender discrimination.

Any such act as listed above or an act that may not be listed above but results in similar harassment must be avoided at all times and any employee who feels he or she is the victim of such harassment must report it to their own supervisors or to the supervisors of those carrying out such harassment. The employees may concurrently raise the matter with the Internal Complaint Committee (Please refer to the "Policy on Sexual Harassment " of the Company).

There is ZERO tolerance towards any conduct which can be termed as sexual harassment. Similarly, a false complaint of sexual harassment is also taken seriously to injure the person's reputation. We shall view this as serious misconduct and strict penalties shall be imposed on erring employee. Should an act of harassment occur in violation of this policy, it will be considered solely as an act of offending employee and not as an act by or on behalf of HHCL.

ANTI-SEXUAL HARASSMENT POLICY

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Policy Owner	Hughes & Hughes Chem Ltd.
Policy Administration	Human Resources
Initiated by	Manager, HRD
Approved by	Board of Directors

NAME AND APPLICABILITY

This policy is known as the “Anti-Sexual Harassment Policy” (“POSH”) of HHCL and it is applicable upon all its employees whether hired directly or indirectly working within the Company's premises or outside. This policy shall also apply to all other Companies/Divisions/Institutions constituted under the umbrella of HHCL and to all visitors who arrive at the Company’s premises. For reference this Policy is also available with the HR Department and on Company’s server for information and compliance by Employees of the Company.

OBJECTIVE

Sexual harassment by its very nature is a form of misconduct that gravely undermines the employment relationship. By framing POSH the Company wishes to prohibit, prevent and deter the commission of acts of sexual harassment at workplace and provide a procedure for redressal of complaints pertaining to such incidences. Employees who violate this policy will be subject to disciplinary proceedings.

POSH sets out the types of behavior that are unacceptable, the forms of redress available for those who feel they have been a victim of such behavior and the action to be taken if a false complaint has been filed. In circumstances where the issue can be resolved at an early stage, the Company will promote conciliation between the complainant and the respondent; if necessary, the Company will also offer Counseling to the parties. However, where the issue is serious and persistent, a complaint or report of Sexual Harassment will be investigated immediately and appropriate action will be taken against the offending employee or employees. Such action will depend upon the nature and gravity of the offence.

SCOPE

POSH shall apply to all allegations against any employee or group of employees of the Company and all the Companies under the flagship of HHCL. The provisions are deemed to be incorporated in the service contracts of all present employees retrospectively and with immediate effect in case of future employees. The policy applies to all partners, employees, subcontractors or vendors etc. of the Company. It prohibits harassment not only in the workplace but also in any work-related setting outside the workplace, such as business trips, meetings, business-related social events etc.

DESCRIPTION — WHAT IS SEXUAL HARASSMENT?

Sexual harassment may be one or a series of incidents involving unwanted and unwelcome sexual advances, requests for sexual favours, or any other verbal or physical conduct of sexual nature. Sexual harassment would mean and include any of the following:

- 1.) Unwelcome requests or demand for sexual favours, either explicit or implicit, in return for employment, promotion, examination or evaluation of a person towards any company activity;
- 2.) Unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, e-mail, gestures, showing pornography, lurid stares, physical contact or molestation, stalking, sounds, displaying pictures, signs, verbal or non-verbal communication which offends the individual sensibilities and affect victim's performance;
- 3.) Eve teasing, innuendos and taunts, physical confinement against one's will and intrusion upon one's privacy
- 4.) Act or conduct by a person in authority which creates a hostile environment at workplace or intimidates a person belonging to the other sex.
- 5.) Any unwelcome gesture having sexual overtones.
- 6.) Any other unwelcome physical, verbal or non verbal conduct of sexual nature.

CONSTITUTION AND MEETINGS OF ICC

As per the provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter referred to as the "Act") the Company has constituted a Committee known as Internal Complaints Committee (ICC) for addressing complaints relating to sexual harassment. The ICC consists of the following members:

- 1.) Presiding Officer, a woman employed at a senior level.
- 2.) At least two members amongst Employees.
- 3.) An independent third party member who is a subject matter expert with considerable experience.
- 4.) At least half the total strength comprises of women, and
- 5.) The independent member will be remunerated separately for holding the proceedings of the internal committee as prescribed under the Act.

INTERNAL COMPLAINTS COMMITTEE (ICC)

The ICC includes the following members. The committee also includes members from the HR department & Independent Persons.

S.NO.	Name of the member	Position in ICC
1	Ms. Teena Rathi	Presiding Officer
2	Ms. Reena Kumari	Member
3	Ms. Soumya Sagar	Member
4	Mr. Bharat	Member
4	Ms. Shivani Jain	External Member

Note: If a complaint is registered against any member of the ICC, then that member will be replaced by a new member. Such new member will be appointed by the Employer.

REDRESSAL PROCESS

The Company is committed to provide a supportive and compassionate environment to resolve concerns of sexual harassment. Any such issues/ complaints can be resolved through the process given under POSH as stated further.

INFORMAL RESOLUTION

When an incident of sexual harassment occurs, the victim needs to communicate their disapproval or objections immediately to the harasser and request the harasser to behave decently. If the harassment does not stop or if the victim is not comfortable addressing the harasser directly, the victim can bring their concern(s) to the attention of the Supervisor, the HR Team, or to the ICC for redressal of their grievances. The ICC will thereafter provide advice or extend support to solve the matter informally.

FORMAL RESOLUTION

1.) If the harassment does not stop then the victim or a person on victim's behalf, with victim's consent, may make a formal complaint in writing with victim's signature or through e-mail on the above mentioned addresses of the alleged incident to any member of the ICC or alternatively send an email addressing it to any member at POSH@hugheschem.com (a commonly accessed e-mail address of HHCL for addressing sexual harassment complaint) within 90 days of occurrence of incident.

2.) After receiving the Complaint, ICC will initiate proceeding in the matter. The purpose of the ICC is to resolve/redress the complaint. Hence, at the first stage, the ICC will make efforts to resolve the issue through the process of conciliation if the victim agrees for the same.

3.) The ICC after confirming that the victim is availing the option of conciliation process will voluntarily take steps towards mutually solving the matter between the complainant and the respondent. However, the time period for such Conciliation shall not be more than 30 days after initiation of the process. Pertinently, no monetary settlement can be made on the basis of such conciliation.

4.) If the matter is settled amicably, then the ICC will record the terms of settlement acceptable to the complainant and the respondent. Thereafter, the ICC will file a report with the HR department to take further action in accordance with the settlement. Copies of the settlement shall be provided to both the parties as soon as possible. Once the matter is settled between the parties during the conciliation process, the ICC will not make further inquiry in the complaint.

5.) However, if the respondent still continues with the wrongful behaviour after the settlement has been arrived between the parties and if respondent fails to comply with the terms of the settlement, the ICC shall proceed to impose such disciplinary action as it deems fit.

6.) If victim is not willing to resolve the dispute through the process of Conciliation or has exhausted such options but failed to reach a settlement, the ICC shall initiate the inquiry against the respondent and intimate date, time, and place of inquiry to all relevant persons.

INQUIRY

1.) At the commencement of the inquiry, the ICC members shall explain to both the complainant and the respondent the procedure which will be followed in the Inquiry. The said inquiry will be made in consonance with the principles of natural justice.

2.) After hearing the Complainant, the ICC shall draw up a formal document containing the definite allegations charged against the respondent which shall include:

a.) copy of the complaint;

b) Statement of all relevant facts; and

c) Supporting documents/ list of witnesses.

3.) The ICC shall hand over the formal document to the respondent within 7 working days and give him/her an opportunity to submit a written explanation if it is so desired within 10 days of receipt of the same.

4.) In the event the complainant and/or respondent fail to present themselves before the ICC without sufficient cause for three consecutive hearings, the ICC shall if it deems fit, terminate inquiry proceedings or issue ex-parte decision for the complaint. However, such a decision can be taken by the ICC only after giving an advance notice of 15 days to the parties.

5.) After the completion of the proceeding in the matter, the ICC will send an Inquiry report to the Employer within a period of 10 days from the date of completion of the proceedings. The report shall have recommendations on the action to be taken by the Employer.

6) In case the Committee finds that the degree of offence is covered under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management which shall also include the making of a Police Complaint.

INTERIM RECOMMENDATIONS BY THE ICC

During the course of the inquiry, the ICC for that period may recommend to the Management on its own and/or at the written request of the complainant to:

- 1.) Transfer of either the complainant or the respondent;
- 2.) Grant leave to the complainant up to 3 months (this leave would be in addition to the one they are already entitled);
- 3.) Restrain the respondent from reporting on the work performance or confidential report of the complainant and assign that task to another officer;
- 4.) Issue a restraint order to warn the respondent that any attempt on respondent's part, or by person(s) acting on respondent's behalf, to contact or influence, or intimidate, or exert pressure on the complainant or witnesses may prove prejudicial to their case.;
- 5.) Make an order to keep away the Respondent from work/ or transfer till the time the inquiry is completed to avoid tampering of documents, pressure on the witnesses and the complainant.
- 6.) In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be closed after recording the reasons thereof.
- 7.) In case the complaint is found to be false, with the intention of defaming or tarnishing the reputation of the defendant, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management which could involve termination.
- 8.) The Company also promotes confidential counselling with the HR and will listen to your concerns, provide support and explore ways to achieve positive change.

Note: The ICC will apply the Interim Recommendations only after thoroughly considering and determining the totality of the circumstances.

GRIEVANCES ARISING DUE TO ACTS OF THIRD PARTIES

In case of sexual harassment of an employee during their employment where such harassment occurs as a result of an act or omission by any third party or outsider on whom the Company has no control (or on whom POSH does not apply), the Company, will take all steps necessary to assist the affected employee in terms of support and preventive action.

VIOLATION OF POSH

Any employee who is found to have violated this policy (by either sexually harassing another employee or by falsely accusing another person of sexual harassment) shall be subject to appropriate disciplinary action as deemed fit by the ICC. It could be either one or the combination of the actions given below:

- A.) Written apology;
- B.) Warning and taking a written bond of good conduct;
- C.) Reprimand or censure;
- D.) Withholding of promotion till such period as mentioned;
- E.) Withholding of pay rise or increments of pay till such period mentioned;

- F.) Termination from service;
- G.) Undergoing counselling session;
- H.) Performing Community service;
- I.) Compelling the respondent to pay a reasonable amount of compensation to the complainant;
- J.) Deduction of sum from salary or wages of the respondent as it may be considered appropriate by the Management to be paid to the complainant. In case deduction from salary / wages is not possible due to absence or cessation from employment, defendant can be directed to pay the amount to the complainant; and
- K.) Where the perpetrator is an outsider, HHCL in addition to assisting the complainant to initiate action under the IPC or any other law for the time being in force, will also pass and implement necessary orders restricting the perpetrator's entry into the premises and forewarn them of criminal/legal action in case any trauma or threat of any kind is caused to the complainant.

APPEALS

In the event of any decision of ICC not being acceptable to the complainant and/or respondent, they could further appeal to a court or tribunal as per law within a period of 90 days.

NO RETALIATION

The Company follows a zero tolerance policy in case of retaliation against the complainant and all others who report such misconduct. Individuals engaging in retaliatory conduct will be subject to disciplinary action by the Company.

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.

- 1.) Confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances. Publication, communication or giving information to public and media of contents of the complaint, identity and addresses of the complainant, respondent and witnesses, information related to conciliation or enquiry proceedings, recommendations by the ICC, and action taken by the employer is treated as confidential and as a consequence prohibited.
- 2.) However, in order to disseminate information regarding the justice done to the complainant, the Company under this Policy can publish data without disclosing name, address, identity, or any other particulars leading to identification of the persons involved.
- 3.) The Company apart from other disciplinary actions shall also recover a sum of Rupees Fifty Thousand as penalty from any person who violates the confidentiality

FALSE ALLEGATIONS

- 1.) If the ICC finds that the Complainant made a false allegation of sexual harassment, it will be considered a grave violation of POSH. If any employee knowingly or with reckless disregard for the truth makes false accusations of sexual harassment and is found guilty by the Committee of furnishing a false complaint then that employee will face disciplinary action.
- 2.) If the ICC finds that the witnesses supported the Complainant even after knowing that the complaint is false or if the complainant and or witnesses produced forged or misleading document/s, the ICC will recommend suitable action to the Management and the complainant and/or witnesses will be liable for appropriate disciplinary action by the Management. However, mere inability of the complainant to prove the complaint against the respondent will not mean that the complaint is false.

CONCLUSION

The Company reiterates its commitment to provide its employees a conducive environment that is free from any form of discrimination and a domain where every employee is treated with respect and dignity. This Policy is subject to periodical modifications as per changing times and needs of the Company and/or change in law.

Note:

- 1.) The policy will be overall governed by “The Sexual Harassment of Women at the Workplace (Prevention and Redressal) Act, 2013”
- 2.) Enclosed please find in Annexure 1, a format that will be used by the complainant to register the complaint.

ANNEXURE 1

COMPLAINT FORM

1. Details of Aggrieved Person /Complainant (in case the Complainant is not the Aggrieved Person)

Name	Designation	Division and Department	Contact No.s (Landline and Mobile)	Office Address

2. Details of individual alleged to have engaged in Sexual Harassment/ Respondent

Name	Designation	Division and Department	Contact No.s (Landline and Mobile)	Office Address

3. Details of the incident(s)

4. Has these incidents been informed to anyone prior to filing of this Complaint?

Yes () No()

If yes, with whom?

5. Additional information and comments if any:

Signature of Aggrieved person/ Complainant : _____

Date: _____