



Aryan Group



ACB (INDIA) LIMITED

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POLICY UNDER THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013

1.0 OBJECTIVE

ACB (India) Limited along with its subsidiaries/ group Companies (the "Company") are committed to provide a healthy working environment that enables Employees to work without fear of prejudice, gender bias, free from harassment of any kind and in particular, a work environment that does not tolerate sexual harassment. The Company has zero-tolerance for sexual harassments. Sexual harassment at the work place is a grave offence and is punishable under the laws as set down under **The Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013**, and Rules framed thereunder (hereinafter referred to as "**the Act**"). We respect dignity of everyone involved in our work place, whether they are employees, suppliers or our customers. We require all employees to make sure that they maintain mutual respect and positive regard towards one another.

2.0 SCOPE & EFFECTIVE DATE:

This policy applies to all categories of Employees of the Company. For the purposes of this policy, Employee shall mean a person employed at a workplace for any work on regular, temporary, ad-hoc, daily wage basis, hired either directly or through agent or contractor, with or without the knowledge of 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, trainees, apprentice or called by any other such name (herein after referred to as "Employee").

The workplace includes:

1. All offices including Regional & Branch Office or Factory/Plant premises where the Company's business is conducted.
2. Any place visited by any Employee arising out of or during the course of employment including transportation provided by the company to perform such activity.

This policy is deemed to be incorporated in the service conditions of all Employees and comes into force with immediate effect.

3.0 RESPONSIBILITY:

All Employees of the Company have a personal responsibility to ensure that their behavior is not contrary to this policy & make sure that they maintain mutual respect and positive regard towards each other.

All Employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

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4.0 DEFINITION OF SEXUAL HARASSMENT

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

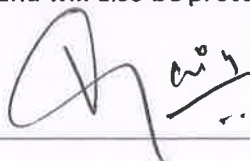
- (a) physical contact and advances; or
- (b) a demand or request for sexual favours; or
- (c) Verbal forms of sexual harassment include unwelcome suggestions and hints, sexual advances, comments with sexual overtones, objectionable sex-related jokes or insults or unwelcome graphic comments about a person's body made in their presence or directed towards them.
- (d) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature or inappropriate inquiries, and unwelcome whistling directed at a person or group of persons.
- (e) Non-verbal forms of sexual harassment include unwelcome gestures, indecent exposure, and the unwelcome display of sexually explicit pictures and objects in any media.

The following circumstances, among other circumstances, if it occurs or is present, in relation to or connected with any act or behavior of sexual harassment, as defined above, may amount to sexual harassment:—

- (i) Implied or explicit promise of preferential treatment at work; or
- (ii) Implied or explicit threat of detrimental treatment at work; or
- (iii) Implied or explicit threat about present or future employment status; or
- (iv) Interference with work or creation of an intimidating or offensive or hostile work environment; or
- (v) Humiliating treatment likely to affect health or safety.

5.0 POLICY STATEMENT

- 5.1 All Employees will maintain high standards of dignity, respect and positive regard for one another in all their dealings.
- 5.2 All Employees will understand and appreciate the rights of the individual to be treated with dignity.
- 5.3 All Employees are required to maintain a work environment, which is free from any kind of harassment.
- 5.4 All Employees will refrain from committing any acts of sexual harassment at work place.
- 5.5 All allegations of sexual harassment will be dealt seriously, expeditiously, sensitively and with confidentiality.
- 5.6 All Employees will be protected against victimization, retaliation for filing or reporting a complaint on sexual harassment and will also be protected from false accusations.





6.0 PROCEDURE FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF SEXUAL HARASSMENT COMPLAINTS

6.1 INTERNAL COMPLAINT COMMITTEE:

6.1.1 The Company will constitute an Internal Complaints Committee (the "Complaint Committee" or "ICC") at each administrative unit where any female staff is working, for redressal of sexual harassment complaint (made by the victim) and for ensuring time bound resolution of such complaints.

6.1.2 Each ICC shall consist of the following members to be nominated by the employer, namely:-

- (a) a Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees;

Provided that in case a senior level woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units.

- (b) not less than two members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge;
- (c) one member from amongst NGO or association committed to the cause of women or a person familiar with the issues relating to sexual harassment.

Provided that at least one-half members so nominated shall be women.

6.1.3 The Presiding Officer and every member of ICC shall hold office for such period, not exceeding three years, from the date of their nominations as may be specified by the Company.

6.2 Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the ICC within period of **three months** from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident. The ICC may, for the reasons to be recorded in writing, extend the time limit; if it is satisfied that there were sufficient circumstances for delay in such complaints.

6.3 The ICC may before initiating an inquiry, at 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. In case settlement is arrived through conciliation, ICC shall record the settlement so arrived and forward the same to the management of the Company to take action as specified in the recommendation, if any. The ICC shall provide copies of the settlement to the aggrieved woman and respondent. In such cases, no further inquiry shall be conducted by ICC. However, in case no settlement is arrived through conciliation, or where the aggrieved woman informs the ICC that terms or conditions of the settlement arrived has not been complied with by the respondent, ICC will start the inquiry of the case as usual.

6.4 The aggrieved woman shall also disclose in her complaint, her name, department, division, reporting location, to enable the ICC to contact her and take the matter forward.



- 6.5 The ICC will thoroughly investigate the complaint/grievance and will take appropriate actions, as may be required.
- 6.6 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.
- 6.7 At the first meeting, the Committee members shall hear the complainant and record her allegations. The complainant can also submit any corroborative material with documentary proof, oral or written material, etc., to substantiate her complaint. If the complainant does not wish to depose personally due to embarrassment of narration of event, a woman member of the ICC shall meet the complainant and record her statement.
- 6.8 The ICC shall provide every reasonable opportunity, including a copy of the findings, if any, to the complainant and to the person against whom complaint is made, for putting forward and defending their respective case considering principle of natural justice.
- 6.9 The Presiding Officer of the ICC will proceed to determine whether the allegations (assuming them to be true only for the purpose of this determination) made in the complaint fall under the purview of Sexual Harassment, preferably within 7 days from receipt of the complaint. In case allegation falls under the purview of Sexual Harassment, ICC will take corrective action as explained in clause 7.
- 6.10 In the event, the allegation does not fall under the purview of Sexual Harassment or the allegation does not constitute an offence of Sexual Harassment, the Presiding Officer will record this finding with reasons and shall recommend to the Company that no action is required to be taken in the matter.
- 6.11 In case, the complaint lodged is found to be false, malicious or forged and misleading documents have been produced, the Committee post investigations may recommend disciplinary action against the complainant.
- 6.12 The ICC shall complete the enquiry within a period of 90 (Ninety) days from the date of receipt of complaint. The ICC shall, within 10 days of completion of the enquiry, send its recommendations to the management of the Company and shall make available such report to the concerned parties. The management of the Company shall act upon the recommendation within 60 days from the date of receipt of report and shall be obligated to send a report of such implementation to the ICC.
- 6.13 The ICC shall submit an annual report, in each calendar year, to the employer covering all the cases of sexual harassment dealt by it during the calendar year.

7.0 CORRECTIVE ACTION

7.1 Corrective actions may include the following:

- a) Formal apology
- b) Counselling
- c) Written warning to the perpetrator & a copy of it maintained in the Employee's file

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- d) Change of work assignment/transfer of the perpetrator or the aggrieved woman.
- e) Suspension or termination of services of the employee(s) found guilty of the offence.
- f) Deduction of appropriate amounts from the salary/wages of the Employee(s) found guilty of the offence, and pay the same to the aggrieved woman.

7.2 In case the ICC finds that the offence may be covered under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the management of the Company, for making a police complaint. Any such action or proceedings initiated shall be in addition to proceedings initiated and/or any action taken under this Policy.

7.3 Any victimization of, or retaliation against, the complainant or any Employee who gives evidence regarding sexual harassment or bullying will be subject to disciplinary actions including the option of termination of employment.

7.4 Nothing in this Policy shall prevent the complainant or the person against whom the complaint was made, from pursuing formal legal remedies or resolution through competent authorities empowered by law or regulation or courts of law in India.

8.0 CONFIDENTIALITY

8.1 Notwithstanding anything contained in the Right to Information Act, 2005, the contents of the complaint, the identity and addresses of the aggrieved staff member, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the ICC and the action taken by the management shall not be published, communicated or made known to the public, press and media in any manner. All complaints / grievances of sexual harassment will be taken seriously, will be held in strict confidence and will be investigated promptly in an impartial manner. For the purpose of completing the investigation, key witnesses or other stakeholders may be required to be taken into confidence at the strict discretion of the ICC.

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FREQUENTLY ASKED QUESTIONS (FAQS)

1) What is sexual harassment?

Sexual harassment is defined as any unwanted physical, verbal or visual sexual advances, requests for sexual favours, and other sexually oriented conduct, which is offensive or objectionable to the recipient.

2) When is conduct unwelcome or harassing?

Unwelcome sexual advances (either verbal or physical), requests for favours and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
Submission to such conduct is either explicit or implicit act.

The conduct having sexual overtones has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

3) What is not sexual harassment?

Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It only refers to behaviour that is not welcome, that is personally offensive, that debilitates morale, and that, therefore, interferes with the morals and values at work.

4) What should one do if harassed sexually?

If anyone feels that she has been the recipient of sexually harassing behaviour, report it immediately to the supervisor and the respective HR Manager. It is preferable to make a complaint in writing, but one can accompany or follow up the written complaint with a verbal complaint.

If the supervisor is the source of the harassing conduct, report the behaviour to the next level or as mentioned in the sexual harassment policy.

The identity will be protected and one will not be retaliated against for making a complaint.

5) What happens after a complaint is made?

The ICC will investigate the complaint. The committee will first speak to the person who has made the complaint and then will speak to the person named in the complaint. The anonymity of the involved parties will be maintained.

