

# **POLICY ON PREVENTION OF SEXUAL HARASSMENT OF WOMEN AT WORKPLACE**

## **I. COMMITMENT:**

The Government of India has Published the Sexual Harrassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 for its implementation at the Organization levels.

Our Company is committed to creating and maintaining a sensitive and congenial democratic working environment in which every women can work together in a community free of violence, harassment, exploitation, intimidation and stress. The Company is averse to all forms of violence, sexual harassment on women and discrimination on the basis of sex.

In compliance with the above mandate guidelines laid down by the Court, AHCL has adopted the guidelines and procedure to prevent, prohibit and punish sexual harassment of women at the workplace.

## **II. SCOPE:**

This policy applies to all categories of female employees of the Company, including permanent management and workmen, temporaries, trainees and female employees on contract at their workplace or at sites. The Company will not tolerate sexual harassment, if engaged in by contractors or by suppliers or any other business associates.

The workplace includes:

1. All offices or other premises where the Company's business is conducted.
2. All company-related activities performed at any other site away from the Company's Premises.
3. Any social, business or other functions where the conduct or comments may have an Adverse impact on the workplace or workplace relations.

## **OBJECTIVES OF THE POLICY**

1. To fulfil the directive of the Hon'ble Supreme Court of India enjoining all employers to develop and implement a policy against sexual harassment of women at the work places.
2. To evolve a permanent mechanism for the prevention and redressal of sexual harassment cases and other acts of violence in the Organisation.
3. To actively promote a social, physical and psychological environment that will raise awareness about and deter acts of sexual harassment of Women.
4. To ensure the implementation of the policy in letter and spirit through proper reporting of complaints and their follow-up procedures.
5. To ensure that AHCL upholds the commitment to ensure an environment without gender based discrimination and violence against any female member.
6. To generate public opinion against sexual harassment of women member at the workplaces

### III. DEFINITION OF SEXUAL HARASSMENT:

Sexual harassment on women may be one or a series of incidents involving unsolicited and unwelcome sexual advances, requests for sexual favours, or any other verbal or physical conduct of sexual nature.

Sexual Harassment on Women at the workplace includes:

1. Unwelcome sexual flirtations, advances or propositions (verbal, written or physical),
2. Sexually explicit language or gestures.
3. Demand or request for sexual favours,
4. Any other type of sexually-oriented conduct,
5. Verbal abuse or 'joking' that is sex-oriented,
6. Any conduct on women that has the purpose or the effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment and/or submission to such conduct is either an explicit or implicit term or condition of employment and /or submission or rejection of the conduct is used as a basis for making employment Decisions.

### IV. RESPONSIBILITIES REGARDING SEXUAL HARASSMENT:

All employees of the Company have a personal responsibility to ensure that their behavior is not contrary to this policy.

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

### V. COMPLAINT MECHANISM:

An appropriate complaint mechanism in the form of "**Internal Complaints Committee (ICC)**" has been created in the Company for time-bound redressal of the complaint made by the victim.

### VI. INTERNAL COMPLAINTS COMMITTEE (ICC):

Committee for the Prevention of Sexual Harassment on Women means a forum of minimum 4 people who will investigate complaints of alleged sexual harassment and make recommendations for resolution to the Competent Authority. The Internal Complaints Committee will comprise of the following 04 members.

1. Mr. Sabu Thomas, Addl.Vice President (HR&Admn) (**Presiding Officer**), **Email ID – sabu.thomas@ansals.com**, Mobile No. **9810492124**
2. Ms. Ranjita Krishna, General Manager (Mktg) - (**Member**), **Email Id – Ranjita.krishna@ansals.com**, **Mob. No. 9810600091**
3. Head of the Department from where the complaint has originated (**Member**)
4. Mr. Vikas Tiwari, Lawyer (**Member**), **Email ID - Vikastiwari.adv@gmail.com – Mob No. 9971336949 / 9350866949**

If the alleged harassment involves any of the above members, the Company will constitute a new Complaint Committee for redressal.

The Internal Complaints Committee is responsible for:

- Investigating every formal written complaint of sexual harassment on women.
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment on women.
- Discouraging and preventing employment-related sexual harassment on women.

## **VII. PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT ON WOMEN:**

The Company is committed to providing a supportive environment to resolve concerns of sexual harassment on women as under:

### **A. Informal Resolution Options**

When an incident of sexual harassment on women occurs, the victim of such conduct can communicate their disapproval and objections immediately to the harasser and request the harasser to behave decently.

If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, the victim can bring their concern to the attention of the Internal Complaints Committee for redressal of their grievances. The Internal Complaints Committee will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.

### **B. Complaints:**

1. An employee with a harassment concern, who is not comfortable with the informal resolution options or has exhausted such options, may make a formal complaint to the Presiding Officer of the Internal Complaints Committee constituted by the Management. The complaint shall have to be in writing and can be in form of a letter, preferably within 15 days from the date of occurrence of the alleged incident, sent in a sealed envelope. Alternately, the female employee can send complaint through an email. The female employee is required to disclose their name, department, division and location they are working in, to enable the Presiding Officer to contact them and take the matter forward.
2. The Presiding Officer of the Internal Complaints Committee 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 on Women, preferably within 30 days from receipt of the complaint.
3. In the event, the allegation does not fall under the purview of Sexual Harassment on Women or the allegation does not constitute an offence of Sexual Harassment on Women, the Presiding Officer will record this finding with reasons and communicate the same to the complainant.

4. If the Presiding Officer of the Internal Complaints Committee determines that the allegations constitute an act of sexual harassment on women, she will proceed to investigate the allegation with the assistance of the Internal Complaints Committee.
5. Where such conduct, on the part of the accused, amounts to a specific offence under the law, the Company shall extend all co-operation with the victim to initiate appropriate action in accordance with law by making a complaint with the appropriate authority.
6. The Internal Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Management as soon as practically possible and in any case, not later than 90 days from the date of receipt of the complaint. The Management will ensure corrective action on the recommendations of the Internal Complaints Committee and keep the complainant informed of the same.

Corrective action may include any of the following:

1. Formal apology
2. Counselling
3. Written warning to the perpetrator and a copy of it maintained in the employee's file.
4. Change of work assignment / transfer for either the perpetrator or the victim.
5. Suspension or termination of services of the employee found guilty of the offence
6. In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

**Punishment for false or malicious complaint and false evidence:**

- (1) Where the Committee against the Prevention of Sexual Harassment on Women, arrives at a conclusion that the allegation against the respondent is malicious or the complainant or any other person making the complaint has made the complaint knowing it to be false or the complainant or any other person making the complaint has produced any forged or misleading document, it may recommend to the Committee, to take action against the member or the person who has made the complaint, as the case may be, in accordance with the provisions of the service rules /Terms and conditions mentioned in the Appointment letter as applicable to her.

Provided that a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant under this rule: Provided further that the malicious intent on part of the complainant shall be established in inquiry, before any action is recommended.

- (2) 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 Competent Authority to consider it to be a misconduct in accordance with service rules and the AHCL shall take action in accordance with the provisions of the service rules or terms and condition of appointment letter applicable to the said witness.

### **VIII. CONFIDENTIALITY:**

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

### **IX. ACCESS TO REPORTS AND DOCUMENTS:**

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

### **X. PROTECTION TO COMPLAINANT / VICTIM:**

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

The Company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment on women.

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

### **XI. CONCLUSION:**

In conclusion, the Company reiterates its commitment to providing its female employees, a workplace free from harassment/ discrimination and where every female employee is treated with dignity and respect.