



PRITHVI EXCHANGE (INDIA) LIMITED

POLICY FOR PREVENTION, PROHIBITION AND REDRESSAL OF SEXUAL HARASSMENT AT WORKPLACE

**[Pursuant to the Sexual Harassment of Women at Workplace (Prevention,
Prohibition and Redressal) Act, 2013]**

POLICY FOR PREVENTION, PROHIBITION AND REDRESSAL OF SEXUAL HARASSMENT AT WORKPLACE

Introduction

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 be made to the Act and the provisions of the Act shall prevail.

The objective of the policy is to provide its employees a workplace, free from sexual harassment/discrimination and wherein every employee is treated with dignity and respect.

Prithvi Exchange (India) Limited believes that all employees have a right to be treated with respect and dignity. The organization is committed for creating a healthy working environment that enables employees to work without fear or prejudice, gender bias or sexual harassment.

SCOPE:

This policy is applicable to all employees who are on rolls or on contract and trainees. The policy covers harassment of women by men or men by women. This is a zero tolerance policy irrespective of who is involved.

DEFINITIONS:

a). “Complainant” 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.

b) “Employer” means, and includes

i. Management

ii. Any person(s) or board or committee responsible for the formulation and administration of policies that enables management, supervision and control of the workplace.

(c) “Employee” includes all categories of employees of Prithvi Exchange (India) Limited including

- Employees on rolls;
- Temporary employees;
- Trainees;
- Contract employees;

(d) “Internal Complaints Committee (ICC)” means a Committee constituted by the employer for the purpose of dealing with all matters in relation to or connected with sexual harassment at the work place.

(e) “Respondent” means a person against whom the complainant has made a complaint.

(f) “Sexual Harassment” includes any one or more of the following unwelcome acts or behavior (whether directly or by implication):

g) Any unwelcome sexually determined behavior, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely:

- i. Physical contact and advances;
- ii. Demand or request for sexual favors;
- iii. Sexually colored remarks or remarks of a sexual nature about a person's clothing or body;
- iv. Showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS etc.;
- v. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes;
- vi. Giving gifts or leaving objects that are sexually suggestive;
- vii. Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy;
- viii. Persistent watching, following, contacting of a person; and
- ix. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

RESPONSIBILITIES OF EMPLOYEES:

- All employees of the Organization have a personal responsibility to ensure that their behavior is in compliance with this policy.
- All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment. That is, an Employee who notices any kind of sexual harassment against any co-employee or receives any information in good faith about any kind of sexual harassment at the workplace is also encouraged to report such incidents.

INTERNAL COMPLAINTS COMMITTEE:

The Internal Complaints Committee (ICC) is constituted to consider and redress complaints related to sexual harassment. The Constitution of ICC is as per the Act and includes;

- a) A senior female employee from the Organization
- b) At least two members from amongst the employees who are committed to the cause of the women or who have had experience in social work or have legal knowledge;
- c) One-half of the total members must be women
- d) One women member from the NGO/Association who would be paid an honorarium to attend the enquiries of the Internal Complaints Committee

Nomination: Board of Directors can nominate the Presiding Officer and the members of ICC.

Term of Office: The Presiding Officer and every member of the Internal Complaints Committee will hold the office for a period not exceeding three years from the date of the nomination.

Redressal of Complaints:

- The Internal Complaints Committee (ICC) in the Organization is responsible for attending the complaints on cases of Sexual Harassment.
- Any individual who is applicable under the policy and feels is being sexually harassed may submit a complaint of the alleged incident to the ICC within 03 months from the date of the incident of sexual harassment. The complaint needs to be signed by the complainant and submitted to Human Resources (HR) Head. However, if the HR is involved then to the Executive Director/

WTD/MD. If the Executive Director/ WTD/MD is involved then it may be submitted to the Chairperson. All such cases are then forwarded to ICC for inquiry.

- If the complainant is unable to make a complaint in writing, he/she should intimate the ICC and the ICC would render all reasonable assistance to the complainant for making the complaint in writing.
- Though it is desirable that the complaint is given within 3 months, however, there may be situations, where the complainant may not be able to file the complaint within the specified time due to compelling circumstances, in such cases, the time of giving complaint may be extended up to six months.
- Where the Complainant is unable to give the complaint on account of his/her physical or Mental incapacity the immediate blood relatives or guardian or such other person related to the complainant may make a written a complaint on her/his behalf to the ICC.
- The Committee maintains a register to endorse the complaint received by it and keeps the contents confidential, if it is so desired, except to use the same for discreet investigation.
- ICC holds a meeting with the complainant after receipt of the complaint. The complainant will be formally intimated of the date of the meeting.
- If the complaint does not fall under the purview of sexual harassment or the complaint is not an offence under the sexual harassment, the same is to be dealt under the disciplinary procedure of the Organization. The investigation of such complaints is not under the purview of ICC.

Enquiry:

- During the enquiry both parties will be given an opportunity to represent either personally or through authorized representative. The copies of the findings will be given to both the parties so that they can represent the committee against the findings.
- The ICC conducts the inquiry within 15 working days of the receipt of the complaint.
- During the pendency of the inquiry, depending on the severity of the case, ICC may request the Management for the following during the course of inquiry:
 - Transfer the complainant or the respondent to any other office, if possible, or
 - Grant leave to the complainant up to a period of three months;

The leave granted to the complainant under this section is over and above the leave that is due to him/her.

- During the inquiry the Complainant or the Respondent may produce witnesses or documents. In such cases, the names of the witnesses and the documents to be produced are to be given to the ICC in writing. However, if there are fresh evidences to be produced the complainant or the respondent can make such requests.

Report submission and action taken:

- ICC submits the report to Executive Director/WTD/MD within ten days of the completion of the Inquiry
- The copy of the report is given to the Complainant and the Respondent.

- If the allegation is proved in the inquiry stage, action will be taken against the Respondent as per the Standards of Conduct;
 - A letter of warning that will be placed in the personal file of the respondent
 - Stop the increment with or without cumulative effect
 - Reduction in rank.
 - Termination/dismissal from the services of the Company.
 - Any other action that the Disciplinary Authority may deem fit.
 - During the inquiry if it is found that the allegation against the respondent is malicious or if the complainant or any other person makes such complaint knowing it to be false or produces any forged or misleading document, action will be taken against them as per the Standards of Conduct/Standing Order.

However, if the Complainant is unable to substantiate a complaint or provide adequate proof, no action will be taken.

- During the inquiry, if it is proved that the witness/witnesses have given false evidence or produced any forged documents, action will be taken against them in accordance with the Standards of Conduct/Standing Order.
- The proceedings, conciliation or the action taken etc. is to be not made public or published and the names or addresses will not be disclosed. If required, the information may be disseminated to secure justice, without disclosing the name, address, identity or any other particulars, which may lead to the identification of the aggrieved woman and witnesses.
- If the person who is entrusted with the duty to handle or deal with the complaint, inquiry or any recommendation or action, which has to be taken, does not comply with the above mentioned clauses action to be taken as per the Standards of Conduct.

Support provided by the Management to the Complainant:

- Provide a safe working environment at the workplace which also includes employees, visitors, clients or any other internal or external individuals
- Provide assistance to the complainant if he/she chooses to file a complaint in relation to the offence under the Indian Penal Code.
- Assist the complainant to initiate action under the Indian Penal code against the perpetrator who is not an employee in the workplace where the sexual harassment has taken place.