



GREAVES COTTON LIMITED

Policy on Prevention, Prohibition and Redressal of Sexual Harassment of Women at Workplace

1. POLICY

1. Greaves Cotton Limited (hereinafter 'GCL or the Company'), is an equal opportunity employer and as a responsible corporate citizen has adopted a policy of "Zero Tolerance" to sexual harassment at the workplace. In doing so, GCL is committed to creating a healthy working environment that enables employees to work with dignity and equal opportunity, without fear of prejudice, gender bias and sexual harassment whether physical, verbal or psychological. Sexual harassment at the work place or other than work place results in violation of the fundamental rights of a woman to equality under Articles 14 & 15 of the Constitution of India and her right to life and live with dignity under Article 21 of the Constitution. Hence, sexual harassment of any nature is a grave offence and is, therefore, punishable.
2. This Policy has been enacted in compliance with "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013", (hereinafter 'Act') notified by the Government of India, on 22nd April, 2013.

2. AIM & OBJECTIVE

1. The aim of this Policy is to provide –
 - a) Protection against sexual harassment of women at workplace and for the prevention and redressal of complaints in such regard;
 - (b) Information to all employees about their responsibilities to prevent and address sexual harassment;
 - (c) A timely and a fair complaint handling process to resolve complaints from complainant / employees about sexual harassment; and
 - (d) Ensuring that the members of the Internal Complaints Committee are trained to perform their roles, in relation to this Policy.
2. The objective of this Policy is to have a workplace that is free of discrimination / sexual harassment and ensuring a safe and healthy environment for women.

3. SCOPE AND EFFECTIVE DATE

1. This Policy extends to all employees regardless of seniority or contractual status, i.e. permanent / temporary, short-term, casual, supervisors and all applicants for employments, whether at the workplace or outside the workplace for work-related functions (including social functions and celebrations), while on official trips and attending conferences, and all persons dealing with GCL i.e. clients, customers, suppliers, and with whom employees interact personally.
2. This Policy shall provide a fair and equitable opportunity for the Complainant and the Respondent to place on record their respective statement of cause and explanations. This Policy is based on the fundamentals of an unbiased approach, impartial treatment of cause and shall at all times uphold human dignity.
3. This Policy comes into effect from the date mentioned at the end of this Policy document.

4. DEFINITIONS

1. Complaint: means and includes any reference to an act of inappropriate behaviour or sexual harassment, made by a Complainant or an employee to the Internal Complaints Committee, in writing, stating therein her name, the nature of the complaint, the name of the Respondent and seeking redressal of the reference.
2. Complainant: means an aggrieved woman of any age whether or not an employee who alleges to have been subjected to any act of sexual harassment by the Respondent.
3. Conciliation: means a process in which the parties to a dispute identify the disputed issues, develop options, consider alternatives and endeavour to reach a settlement, provided that no monetary settlement shall be made as basis of such conciliation.
4. Employee: means and includes any person who is: (a) On the rolls of GCL, whether temporary or permanent or a trainee (b) On deputation (c) On contract (d) Working on part time basis (e) Working as probationer, apprentice.
5. Internal Complaints Committee: means the internal committee constituted under Section 6.0.
6. Member: means a Member of the Internal Complaints Committee.
7. Sexual Harassment: means and includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:- (i) Physical contact and advances; or (ii) A demand or request for sexual favours; or (iii) Making a sexually coloured remarks; or (iv) Showing

pornography; or
(v) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

8. Reference: means and includes an application made by the Complainant to the Internal Complaints Committee for investigating a matter of sexual harassment with a request to redress the same. Unless made in writing, mere reference cannot be termed as a Complaint and the Internal Committee is under no obligation to investigate the same.
9. Respondent: means a person or Employee against whom a Complaint has been made to the Internal Committee
10. Workplace: means any place visited by the Employee arising out of or during the course of employment including transportation provided by GCL for undertaking such journey.

5. RECOGNIZING HARASSMENT

The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:-

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

6. INTERNAL COMPLAINTS COMMITTEE

1. An Internal Complaints Committee (hereinafter 'ICC') has been constituted by the Management to consider and redress complaints of Sexual Harassment. The ICC shall comprise at least 4 Members provided, at least one half of the total Members shall be women. The Presiding Officer and Members of the Committee are as follows:

Member	Designation in the Committee	Email ID	Contact Number
Ms Jaylaxmi Sharat Kumar	Presiding officer nominated by the company	jaylaxmi.kumar@greavescotton.com	9342564780
Mr Kamal Sharma	Member nominated by the Company	Kamal.sharma@greavescotton.com	9769568524
Ms Kanika Shukla	Member nominated by the Company	kanika.shukla@greavescotton.com	9766261255

Ms Kalpita Dhotre	Member nominated by the Company	kalpita.dhotre@greavescotton.com	9833563715
Ms Soma Sadhukhan	Member nominated by the Company	soma.sadhukha@greavescotton.com	9892347775
Ms Sneha Khandekar	NGO Nominee	snehakhandekar@hotmail.com	9819770166
Mr Neetesh Priyaranjan	Member nominated by the Company (SPOC for Aurangabad, Shendra & Pune)	neetesh.priyaranjan@greavescotton.com	7447786768
Mr Prashant Joshi	Member nominated by the Company (SPOC for Pune)	prashant.j@greavescotton.com	7798943030
Mr Kalyan Patil	Member nominated by the Company (SPOC for Shendra)	kalyan.patil@greavescotton.com	9158880149
Mr Surendra Pal Singh	Member nominated by the Company (SPOC for Gurugram)	sp.singh@greavescotton.com	9654141316

2. A quorum of 3 Members will be present, for the proceedings to take place. The quorum shall include the Presiding Officer and two Members.
3. The Presiding Officer and every Member of the ICC shall hold office for a period of three (3) years, from the date of their nomination.
4. The Members appointed from Non-Governmental Organizations or Associations shall be paid such fees and allowances, for holding the proceedings of the ICC, as may be prescribed by GCL, from time to time.
5. Where the Presiding Officer or any Member of ICC:-
 - a) Contravenes the provisions of 11.2; or
 - b) Has been convicted of any offence or an inquiry into an offence under any law for the time being is pending against him; or
 - c) Has been found guilty in any disciplinary proceedings or a disciplinary proceedings is pending against him / her; or
 - d) Has so abused his position as to render his continuance in office prejudicial to the public interest

Such Presiding Officer or Member, as the case may be, shall be removed from the ICC and the vacancy so created or any casual vacancy shall be filled by fresh nominations in accordance with the provisions of this section.

7. PROCESS OF FILING OF COMPLAINT

1. A Complainant who alleges to have been subjected to an act of inappropriate behaviour or alleges to have been sexually harassed may submit a Complaint to any Member of the ICC in writing duly signed within 3 months of the date of

the incident or in the case of a series of incidents, within 3 months from the date of the last incident giving her name, particulars of the incident along with the name of Respondent. Provided the ICC may, for reasons recorded in writing, extend the time limit not exceeding 3 months, if it is satisfied that there were such circumstances which prevented the Complainant from filing the Complaint within the prescribed period.

2. Where the Complainant is unable to make a Complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or such other person as may be prescribed, may make a Complaint to the ICC.

8. REDRESSAL PROCESS

1. After receipt of the Complaint from the Complainant, ICC will, at the request of the Complainant, in the first instance, undertake formal conciliation proceedings between the Complainant and the Respondent. The aim of the conciliation will be to bring the parties together to discuss the issue of concern and decide between them the future course of action or to amicably settle the matter between them. Conciliation is a voluntary process which will be conducted with the permission of the Complainant. It is made clear that no monetary settlement shall be made as a basis of conciliation.
2. Where a settlement has been arrived at between the parties before the ICC, such settlement shall be duly recorded in writing and an order to that effect shall be duly passed by the ICC. The said order duly signed by the ICC, shall be forwarded to GCL within five (5) working days, with a recommendation to take appropriate action as per the order. Copies of the settlement shall be provided to the Complainant and the Respondent.
3. Where a settlement has been arrived at between the Complainant and the Respondent, as mentioned in section 8.2 above, no further inquiry shall be conducted by the ICC into the matter.
4. Where the Complainant informs the ICC that a settlement, as arrived between the Complainant and the Respondent in section 8.2 above, has not been complied with by the Respondent, then in such an event, the ICC shall proceed with the inquiry into the Complaint or forward the said Complaint to the police, as may be decided by the ICC depending on the facts and prevailing circumstances.

9. INQUIRY PROCESS

1. Upon receipt of a Complaint, the ICC shall issue a notice to the Respondent to appear before the ICC on a designated day, date, time and venue. On the first hearing, the ICC shall call upon the Respondent to submit a duly signed reply in writing within ten (10) days from receipt of the notice, furnishing a copy thereof to the Complainant, otherwise the counter-affidavit shall be considered, as not filed.
2. An inquiry shall be conducted by the ICC. The inquiry involves examination of documents and materials submitted by the Complainant and the Respondent and granting formal hearings to both the parties. During the inquiry proceedings, the parties may submit affidavits and counter-affidavits. Both the

parties shall before filing such documents, materials, affidavits and counter-affidavits, supply to the other party, copies of such documents, materials, affidavits and counter-affidavits. During inquiry, strict confidentiality of the proceedings before the ICC shall be maintained.

3. If, during the pendency of the inquiry, the Complainant or the Respondent desires to summon any witness (es) in support of their submissions, they shall communicate in writing to the ICC the names of witness (es) whom they propose to call. The ICC shall summon all such witness (es) mentioned by both the parties. The ICC shall provide every reasonable opportunity to the Complainant and to the Respondent, to put forward and defend their respective cases.
4. The inquiry shall commence not later than five (5) days from receipt of the Complaint by the ICC and shall be terminated within ninety (90) days thereafter.
5. During the pendency of the inquiry proceedings, the ICC may, upon a written request of the Complainant
 - (a) Transfer the Complainant or the Respondent to any other workplace; or
 - (b) Grant leave to the Complainant up to a period of 3 months; or
 - (c) Grant such other relief to the Complainant, as may be prescribed.

The leave granted to the Complainant under this section, shall be in addition to the leave, which she would be otherwise entitled, as per the Leave Policies of GCL.

6. Any such recommendation(s) made by the ICC, as mentioned in Section 9.5 above, shall be forwarded to GCL for its implementation by GCL. GCL shall send a report of such implementation to the ICC.
7. ICC shall provide a report of its findings to GCL within a period of ten (10) days from the date of completion of the inquiry and such report will be made available to the concerned parties.
8. If after completing the inquiry proceedings, ICC comes to the conclusion that the Complaint does not fall under the purview of Sexual Harassment, as defined in section 4.7 above or the Complainant has not been able to prove her case, then an appropriate report will be made to GCL stating that, as no action is required to be taken in the matter, the case is dropped, after recording the reasons there for.
9. However, where the ICC in its final report holds that, the allegations made against the Respondent have been proved and that a prima-facie case exists, it shall recommend GCL –

- (a) To take action against the Respondent for committing an act of Sexual Harassment as 'misconduct' in accordance with its Service Rules;
- (b) To deduct from the salary or wages of the Respondent, such sum as it may consider appropriate to be paid to the Complainant or to her legal heirs, as it may determine, notwithstanding anything contained in the Service Rules applicable to the Respondent;

In the event, GCL is unable to make such deductions from the salary or wages of the Respondent due to his being absent from the duty or cessation of the

employment, then, it may direct the Respondent to pay such sum to the Complainant.

In the event, the Respondent fails to pay such sum as referred to in sub-section (b) above, then GCL shall forward an order for recovery of the said sum, as an 'arrear of land revenue' to the concerned District Officer.

10. Where the ICC in its final report, is of the view that, a prima-facie case exists, it shall forward the complaint to the police, within a period of 7 days for registering the case under Section 509 of the Indian Penal Code, or any other provision of the said Code, where applicable.
11. GCL shall act upon the recommendations made by the ICC, within a period of sixty (60) days from the date of its receipt.

10. FALSE AND FRIVOLOUS COMPLAINTS

1. Where the ICC arrives at a conclusion that, the allegation made against the Respondent is malicious or the Complainant or any person acting on behalf of the Complainant (as mentioned in section 7.2 above), has made the complaint knowing it to be false or the Complainant or any person acting on behalf of the Complainant has produced any forged or misleading document, then, it may recommend GCL to take appropriate action against the Complainant or any person acting on behalf of the Complainant, in accordance with the Service Rules of GCL applicable to her or him.
2. Notwithstanding anything contained in Section 10.1 above, mere inability on the part of the Complainant to substantiate the complaint or provide adequate proof, will not attract any action against the Complainant or any person acting on behalf of Complainant.
3. Provided the malicious intent on the part of the complainant shall be established by the ICC, only after conducting an inquiry in accordance with the procedure prescribed.
4. Where the ICC arrives at a conclusion that during the inquiry proceedings, any witness has given false evidence or produced any forged or misleading document, it may recommend GCL or the employer of such witness, as the case may be, to take action against such witness, in accordance with the Service Rules applicable to the said witness.

11. MISCELLANEOUS

1. For the purposes of determining the sum to be paid to the Complainant under subsection (b) of section 9.8 above, the ICC shall have regard to the following:-
 - (a) mental trauma, pain, suffering and emotional distress caused to the Complainant;
 - (b) loss in the career opportunity due to the incident of Sexual Harassment;
 - (c) Medical expenses incurred by the Complainant for physical or psychiatric treatment;
 - (d) Income and financial status of the Respondent;

- (e) Feasibility of such payment in lump sum or instalments.
2. Notwithstanding anything contained in the Right to Information Act, 2005, the contents of the Complaint made under Section 7.0 above, the identity and address of the Complainant, Respondent and witness(es); any information relating to the conciliation and inquiry proceedings; recommendations of the ICC and the action taken by GCL, under the provisions of this Policy, shall not be published, communicated or made known to public, press and media in any manner.
 3. Where any person entrusted with the duty to handle or deal with the Complaint on behalf of GCL or any recommendations or action to be taken under the provisions of Section 11.2 above, contravenes the provisions of Section 11.2, shall be liable for a penalty in accordance with the provisions of the Service Rules applicable to the said person or where no such Service Rules exist, in such manner, as may be prescribed.

Provided that information may be disseminated regarding the justice secured to any victim of Sexual Harassment without disclosing the name, address, identity or other particulars calculated to lead to identification of the aggrieved woman and witness.

4. Any person aggrieved by the recommendations made by the ICC under section 9.8 or under sub-section (a) & (b) of section 9.9 or under sections 10.1 and 10.4 or under section 11.3 above, may prefer an Appeal to the Court or Tribunal, in accordance with the provisions of the Service Rules, applicable to the said person or where no such Service Rules exist then, without prejudice to provisions contained in any other law for the time being in force, the person aggrieved may prefer an Appeal, in such manner as may be prescribed. The Appeal shall be preferred by such aggrieved person within a period of ninety (90) days of the recommendations.
5. In case the Complaint is against any Member of the ICC, such Member will not be a part of the inquiry proceedings under this Policy.
6. The penal consequences of Sexual Harassment and the order constituting the ICC shall be displayed at a conspicuous place at all administrative units or offices of GCL.
7. GCL will organize requisite workshops and awareness programmes at regular intervals, for sensitizing the employees with the provisions of the Act and orientation programmes for the Members of the ICC.
8. The ICC shall in each calendar year prepare, in such form and at such time as may be prescribed, an annual report and submit the same to GCL and the District Officer.
9. GCL shall include in its report the number of cases filed, if any, and their disposal under this Policy in its annual report or where no such report is required to be prepared, intimate such number of cases, if any, to the District Officer.
10. The management of GCL, with a view to provide necessary assistance for the purpose of ensuring full, effective and speedy implementation of this Policy, shall:-

- (a) Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;
- (b) Provide necessary facilities to the ICC, for dealing with the complaint and conducting inquiry;
- (c) Assist in securing the attendance of respondent and witness (es) before the ICC;
- (d) Make available such information to the ICC as it may require having regard to the complaint made under section 7.0;
- (e) Provide assistance to the Complainant, if she so chooses to file a Complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force;
- (f) Cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the perpetrator or respondent, as the case may be, or where the respondent or perpetrator is not an employee, in the workplace at which the incident of Sexual Harassment took place;
- (g) Treat the Sexual Harassment as misconduct under its Service Rules and initiate action for its misconduct
- (h) Monitor the timely submission of reports by the ICC.