



PREVENTION OF SEXUAL HARASSMENT POLICY

A detailed policy on prevention of sexual harassment at the workplace for the ANAND Group

1. POLICY OBJECTIVE

An Astute Corporate Governance and ethical behaviour are an integral part of the ANAND Group. ANAND believes in being an equal employment opportunity for all its employees in furtherance of which the Company is anchoring this policy against Sexual Harassment (SH).

We also strive to guarantee a safe and welcoming environment to all those who are frequent or visit any of our locations in any capacity, and hence harassment of any form is prohibited. We have a zero tolerance attitude against any kind of discrimination caused or perpetrated by employees.

The company seeks to create and maintain a safe work environment, free of sexual harassment, hostility, retaliation and discrimination.

The policy intends to detail what is sexual harassment, its prevention & its redressal with respect to the ANAND employees.

The provisions of this policy shall be ‘mutatis mutandis’ (i.e. things being changed that have to be changed) apply to male employees also. And in such case these provisions shall be construed accordingly.

2. SCOPE OR APPLICABILITY

The Policy is applicable to our *Employees* during their *tenure* with us at the *workplace*.

- a. Employee means
 - i. Individuals working on the payroll of any of our group companies
 - ii. Individual who are on contract, retainership or part-time
 - iii. Individuals who frequent our facilities as a vendor for contracted work

For more details, refer chapter 1 clause (2.f) of ‘The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013’
- b. Tenure of employment means
 - i. The entire period from when an employee joins any of the group companies at any location & continues to work till his/her date of relieving.
 - ii. The individual ceases to be an employee on getting a relieving letter, irrespective of the completion of other clearance formalities or full and final settlement.
- c. Workplace means
 - i. all offices, factories, branches of all ANAND Group companies
 - ii. Its sister concerns, associated companies, dealers, etc.
 - iii. The C&F Agent, client and customer where our employee visits or gets deputed to for contracted work.

For more details, refer chapter 1 clause (2.o) of 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013'

3. WHAT IS SEXUAL HARASSMENT

"Sexual harassment" means any one or more of the following unwelcome acts or behaviour, whether directly or by implication, made against a woman employee, namely;

- a. Physical contact and advancement.
- b. A demand or request for sexual favours.
- c. Making sexually coloured remarks.
- d. Showing pornography or any other material with lewd content.
- e. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

Note: For the purposes of this clause, the following 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:

- A. Implied or explicit promise of preferential treatment in her employment.
- B. Implied or explicit threat of detrimental treatment in her employment.
- C. Implied or explicit threat about her present or future employment status.
- D. Interference with her work or creating an intimidating or offensive or hostile work environment for her.
- E. Humiliating treatment likely to affect her health or safety.

For more details, refer chapter 1 clause (2.n) of 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013'

Do's	Don'ts
<p>» Know Anand Group's Anti-Sexual Harassment Policy</p>	<p>» Make sexually suggestive comments or comments on physical attributes</p>
<p>» Be aware of inappropriate behaviors and avoid the same</p>	<p>» Use offensive language that insults or demeans a colleague, using terms of endearment</p>
<p>» Say "NO" if asked to go to places, do things or participate in situations that make you uncomfortable</p>	<p>» Request for sexual favors, sexual advances, coerced acts of a sexual nature</p>
<p>» Trust your instincts. Walk away from uncomfortable situations</p>	<p>» Discuss sexual activities</p>
<p>» Say "NO" to offensive behavior as soon as it occurs</p>	<p>» Make sexually colored propositions, insults or threats</p>

Do's	Don'ts
<p>» Maintain confidentiality regarding any aspect of an inquiry to which they may be party to</p>	<p>» Make offensive gestures like staring, leering or whistling etc.</p>
	<p>» Show or mail pornographic posters, Internet sites, cartoons, drawings.</p>
	<p>» Don't write suggestive letters, phone calls, SMS, electronic instant messaging or e-mail messages</p>
	<p>» Don't make physical contact or advances</p>
	<p>» Intentional touching of the body, e.g. Hugs, kisses, brushing, fondling, pinching etc that make others uncomfortable</p>

4. EMPLOYER'S RESPONSIBILITY

Prevention

Take the following proactive steps:

- a. Display the penal consequences of the acts of sexual harassment at all conspicuous places.
- b. Conduct regular workshops and employee awareness programs for gender sensitization.
- c. Create forum for open dialogues for creating sensitization towards gender issues and also address various concerns and issues highlighted thereof.
- d. Orientation programs to be conducted for the Internal Complaints Committee.
- e. Conduct capacity building and skill building programs for the Members of the Internal Committee.
- f. Monitor timely submission of the reports including Annual Report by the Internal Complaints Committee.
- g. To ensure timely submission of the Annual Report by the Internal Complaints Committee to the District Officer. The Report shall contain details as to number of complaints of sexual harassment received in the year; number of complaints disposed-off during the year; number of cases pending for more than ninety days; number of workshops or awareness program against sexual harassment carried out;

and nature of action taken by the employer. The District officers will in-turn forward the report to the concerned State Govt.

- h. Timely and efficient enactment of the recommendations received from the Internal Complaints Committee.
- i. To assist the aggrieved woman in filing an official complaint with the concerned authorities under the Indian Penal Code.

For more details, refer chapter VI clause (19) of 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013'

Redressal

Each plant should constitute a committee for the redressal of all sexual harassment complaints, known as the "Internal Complaints committee" (ICC or the Committee).

All Group Companies have an ICC and at the Corporate level ANAND Group has a Central Redressal body related to all ethical issues called Ethics Committee.

5. INTERNAL COMPLAINTS COMMITTEE

Composition of the Committee:

Chairperson:

- 1. A woman employed at a senior level at 'workplace' from amongst employees
- 2. In case a senior level women employee is not available, the Chairperson shall be nominated from the other offices or administrative units of the 'workplace'.
- 3. In case the other offices or administrative units of the 'workplace' do not have a senior level woman employee, the Chairperson shall be nominated from any other 'workplace' of the same employer or other dept. or organization

b. Members :

- 1. Not less than two members with one male member
- 2. From employees preferably committed to the cause of women
- 3. Individuals who have experience in social work or have a legal knowledge

c. Independent Worker:

- 1. From amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment

d. The tenure of the Chairperson and members of the Internal Complaints Committee shall be three years.

e. All complaints relating to sexual harassment shall be tried and adjudicated by the Internal Complaints Committee.

For more details, refer chapter III, clause (7.1) of 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013'

The role of the Committee is as follow:

- a. Review the complainants complain in a fair and objective manner
- b. Help the complainant and the accused find a way of solving the problem
- c. Determine the facts of the case with the individuals concerned and the witnesses, if any, and prepare a report with the findings
- d. Be bound in principle of natural justice and be unbiased in evaluation.

COMPLAINTS TO INQUIRY

Lodging a complaint

- i. An aggrieved woman shall make a written complaint of sexual harassment and submit it to the Internal Complaints Committee, within a period of three months from the date of last incident.
- ii. If the complaint could not be made in writing, the chairperson or any member of the internal complaints committee shall render all reasonable assistance to the aggrieved woman to make the complaint in writing.
- iii. If the complaint is not made within the time limit mentioned in the aforementioned point, the internal complaints committee can extend the time limit up to further three months, upon reasons being given by the complainant for the delay caused.
- iv. If the aggrieved woman is unable to make the complaint on account of her physical or mental incapacity or death or otherwise, her legal heir or representative can make the complaint.

Complaint(s) can be made using the following options:

Option 1 - ICC Members & Helplines

Member Name	Role	Contact Number	Email ID

Option 2 – Complaint to Ethics Helpline Number

Ethics Helpline Number			
Phone	Email	Fax	Post Box

1800 102 2100	anandgroup@ethicshelpline.in	1800 102 2100 & Option 2 on IVR	PO Box No. 71, DLF Ph 1, Qutub Enclave, Gurgaon
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Option 3 – Complaint to Ethics Committee Members

Ethics Committee Members		
Name	Contact No	Email ID
Mr. KS Bhullar	+91 9811028528	KS.Bhullar@anandgroupindia.com
Mr. S Sarathi	+91 9940065801	S.Sarathi@anandgroupindia.com
Mrs. Pooja Malik	+91 9810688860	pooja.malik@anandgroupindia.com
Mr. Tribhuvan Rasyara	+91 9881730339	Tribhuvan.Rasyara@in.mahle.com

Option 4 – Complaint to JV partner(whenever applicable)

JV SPOC Name	Contact No	Email ID
ABC	123	ABC@XYZ.COM

For more details, refer chapter IV clause (9) of ‘The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013’

Conciliation

- i. On the request made by the aggrieved woman, before initiating the inquiry, the ICC will take steps to settle the matter through conciliation. It is only the aggrieved woman may also choose to resort to Conciliation
- ii. No monetary settlement shall be made as a basis of conciliation.
- iii. ICC shall record the settlement and forward it to the board of directors to take action. ICC will provide copies of the settlement to the aggrieved woman and respondent and no further inquiry shall be conducted.
- iv. The settlement terms will need to be duly implemented or else enquiry will need to be initiated.

For more details, refer chapter IV clause (10) of ‘The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013’

Process of Enquiry

- i. The Committee will ask the complainant to prepare a detailed statement of incidents/allegations.
- ii. ICC shall issue a show cause notice to the respondent along with a copy of the complaint, as to why punitive action should not be taken against him, within seven days from the date of receipt of the complaint. The statement of allegations will be shared with the accused.
- iii. The accused will be asked to prepare a response to the statement of allegations and submit to the Committee within seven days.
- iv. The statements and other evidence obtained in the inquiry process will be considered confidential.

- v. The Committee will organize verbal hearings with the complainant and the accused within fifteen days from date of receipt from the respondent. The hearing proceedings shall be completed within thirty days from the date of first hearing.
- vi. The Committee will take testimonies of other relevant persons and review the evidence wherever necessary. The committee should ensure that sufficient care is taken to avoid any retaliation against the witnesses.
- vii. During the inquiry process, the complainant and the accused would be expected to refrain from any form of threat, intimidation or influencing of witnesses.
- viii. The committee will conduct inquiry in accordance with the practices of natural justice, i.e. the Complainant will be offered to the accused for cross-examination and vice versa.
- ix. The Committee will arrive at a decision after carefully and fairly reviewing the circumstances, evidence and relevant statements. No legal practitioners shall be allowed to represent any party, unless either of them have legal qualifications or background.
- x. The Committee will ensure confidentiality during the inquiry process. The investigation into a complaint will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances.
- xi. The ICC will also ensure that in the course of investigating a complaint the following:
 - 1. Both parties will be given reasonable opportunity to be heard along with witnesses and to produce any other relevant documents;
 - 2. Upon completion of the investigation, both parties will be informed of the results of the investigation.
- xii. The committee will investigate and prepare an enquiry report with recommendations within 4 weeks.

For more details, refer chapter IV clause (11) of 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013'

False Accusations

If the ICC arrives at a conclusion that

- 1. The allegation made against the respondent is malicious; or
- 2. The complainant or any other person making the complaint has knowingly made a false complaint; or
- 3. The complainant or any other person making the complaint has produced any forged or misleading document

It may recommend to the board of directors to take appropriate action against the complainant in accordance with the applicable service rules.

Provided that the mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant under this sub clause.

If the ICC arrives at a conclusion that during the inquiry any witness, who is an employee of the company, has given false evidence or produced any forged or misleading document, it may recommend to the board of directors to take appropriate action against the witness in accordance with the applicable service rules.

For more details, refer chapter V clause (14) of 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013'

6. ACTION DURING PENDENCY OF INQUIRY

Upon the written request from the complainant, the ICC may, during the pendency of inquiry, recommend to the Board of directors of the company to take any of the following actions:

- a. Transfer the complainant or the respondent, as the case may be, to any other work place.
- b. Grant leave to the complainant up to a period of three months, which shall be in addition to the leave the complainant would be otherwise entitled.
- c. Grant such other relief to the complainant, as it deems fit and proper, in the circumstances of the case.

The board of directors shall implement the recommendations as made above and send a report of implementation to the ICC.

For more details, refer chapter V clause (12) of 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013'

7. RESOLUTION

Action

- a. **If alleged accused not proven guilty:** If the ICC arrives at the conclusion that the allegations against the respondent have not been proved, it shall recommend to the board of directors as to the actions to be taken against the complainant for the false accusation.
- b. **If accused proven guilty :** If the ICC arrives at the conclusion that the allegations against the respondent have been proved, it shall recommend to the board of directors of the company :
 - i. To take action for sexual harassment as a misconduct in accordance with the applicable service rules or standing orders as the case may be.
 - ii. To deduct from the salary/wages of the respondent such sum it may consider appropriate to be paid to the complainant.
- c. The disciplinary action to be taken against the respondent under sub-clause (b) shall be commensurate with the nature and gravity of the offence which shall include but not limited to, warning, written apology, bond of good behaviour, adverse suspension, and dismissal from service or any other relevant reprimand.

Compensation

The compensation to be paid to the complainant by the respondent under the following clause:

To deduct from the salary/wages of the respondent such sum it may consider appropriate to be paid to the complainant.

Shall be calculated and determined after taking into consideration the following factors:

- a. The mental trauma, pain, suffering and emotional distress caused to the complainant.
- b. The loss in the career opportunity due to the incident of sexual harassment.
- c. Medical expenses incurred by the victim for physical or psychiatric treatment.
- d. Income and financial status of the respondent.
- e. Feasibility of payment in lump sum or instalments.

For more details, refer chapter V clause (15) of 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013'

8. REPORTING, UPDATING & CONFIDENTIALITY

a. Reporting of inquiry report

- I. On completion of an inquiry under this Act, Internal complaints committee shall provide a report of its findings to the employer or the District court.
- II. The employer or the District office shall act upon the recommendation within sixty days of its receipt by him.

b. Annual report of the ICC

- i. The ICC shall prepare an annual report, in each calendar year, and submit the same to the board of directors.

c. Annual report of the company to include information

- i. The company shall, in its annual report, include the number of cases filed and their disposal under this policy.

d. Confidentiality

- i. All documents, information, records, reports, returns, etc., relating to sexual harassment incidents shall be kept in strict confidence by the Company.

e. Updatations

- i. This policy shall be updated from time to time and made accessible to all the employees.

For more details, refer chapter VIII clause (21) of 'The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013'

OVERALL FLOW OF SEXUAL HARASSMENT CASE RESOLUTION



