



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

## **OBJECTIVE:**

Abhey Oswal Group is committed to creating and maintaining a secure work environment where dignity of employees, agents, vendors and partners is of utmost importance and is respected. It aims at providing a workplace that enables employees to work and pursue business together in an atmosphere free of harassment, exploitation and intimidation caused by acts of sexual harassment within but not limited to the office premises and other locations directly related to the group's business.

The objective of this policy is to provide protection to all employees of the Group Companies, namely Oswal Greentech Limited and Oswal Agro Mills Limited ("**Companies**") against sexual harassment at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith.

The Policy has been formulated in accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("the Act") and rules made thereunder. This Policy is gender neutral and intends to promote a safe working environment for all where there is zero tolerance for any form of sexual harassment.

## **SCOPE:**

This Policy for Prevention, Prohibition and Redressal of Sexual Harassment covers every "employee" across the Abhey Oswal Group. Companies encourages every employee who believes they are sexually harassed to use the redressal mechanism as provided in this policy.

The policy is with respect to prevention, prohibition & redressal of sexual harassment which may arise in places not limited to geographical location viz. Companies' offices/ branches but includes all such places or locations where acts are conducted in context of working relationships or whilst fulfilling professional duties or which may be visited by an employee during employment including transportation provided by the companies for undertaking such visit.

This policy against sexual harassment includes sexual harassment by fellow employees, supervisors, managers as well as agents, contractors, customers, vendors, partners and, visitors including outsource employees. Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

## **DEFINITION:**

- a. "Aggrieved Person" means a person in relation to work place whether employed or not, who alleges to have been subject to any act of sexual harassment by the Respondent.
- b. "Companies" means Oswal Greentech Limited and Oswal Agro Mills Limited.
- c. "employee" means a person employed at a workplace for any work on regular, temporary, daily wages basis, either directly or through an agent, including a contractor, with or, without the knowledge of the 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, trainee, apprentice or called by any other such name;

- d. "Internal Complaints Committee" means a committee constituted by the Abhey Oswal Group as per this Policy.
- e. "Respondent" means a person against whom the aggrieved person has made a complaint.
- f. "Sexual Harassment" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) such as:
  - i. Physical contact and advances; or
  - ii. A demand or request for sexual favors; or
  - iii. Making Sexually colored remarks; or
  - iv. Showing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets or sayings; or
  - v. Any other unwelcome physical, verbal or non - verbal conduct of sexual nature.
- g. "workplace" includes any department, organization, undertaking, establishment, enterprise institution, office or branch unit. Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

#### **INTERNAL COMPLAINTS COMMITTEE:**

An Internal Committee will be set up by the Abhey Oswal Group which will deal with all cases of alleged sexual harassment whether escalated to it by any employee or taken up suo moto by the group companies, to prevent and deal with sexual harassment and to otherwise implement the Policy.

The Group Companies may have multiple Internal Committees constituted to oversee specific administrative units or offices.

The obligations of the Internal Committee include:

1. To create awareness on the rights of employees against sexual harassment;
2. To prevent sexual harassment at the work place ;
3. To conduct enquiry on any complaint/s received from employees and for ensuring time bound treatment of such complaints;
4. To provide procedure for the resolution, settlement or prosecution of acts of sexual harassment by taking all steps in accordance with applicable law; and
5. Any other obligations that may be prescribed under applicable law.

#### **COMPOSITION**

1. The Internal Committee shall consist of the following members, subject always to at least half the members of the Committee being women,

a. A Presiding Officer (senior woman employee) to be nominated by the Companies. In case a senior woman employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the employer.

b. Not less than two (2) members from amongst the employees preferably committed to the cause of women or having experience in social work, HR matters or legal knowledge;

c. One (1) member from outside the Companies (an NGO representative or outside counsel familiar or dealing with cases of sexual harassment at workplace).

2. A person shall cease to hold office as a member of the Committee if she/he ceases to be an employee on account of resignation, termination, or death or for any other reason whatsoever, and in such case the vacancy shall be filled immediately by the Companies.

It is further clarified that in case of a complaint where either the accused is senior in position to any of the employees who are members of the Internal Committee or directly/indirectly related to any member of the Internal Committee, the Companies shall ensure that such member is replaced with another employee who is either at same level or senior and/or unrelated to the alleged respondent within the organization.

3. The Presiding Officer and every member of the Internal Committee shall hold office for a period not exceeding 3 years, from the date of their appointment.

4. Final decisions and recommendations with regard to the complaint shall rest with the Internal Committee.

5. Disqualifications: A person shall be disqualified from being appointed, elected, nominated or designated, or for continuing, as a member of the Internal Committee, for any period of time, inter alia, during which there is any complaint concerning sexual harassment pending against him/her or if he/she is found guilty of sexual harassment.

### **COMPLAINT REDRESSAL MECHANISM**

Any aggrieved person may make, in writing, a complaint of sexual harassment at workplace to the committee giving details of the sexual harassment meted out to her/him within a period of 3 months from the date of incident and in case of a series of incidents, within a period of 3 months from the date of last incident, which may be extended for a further period of 3 months, if circumstances warrant such extension in the opinion of the Internal Complaints Committee.

- The Presiding Officer or any Member of the Internal Complaints Committee can render reasonable assistance to the person for making complaint in writing, in case they are unable to do so.
- On receipt of complaint, the Internal Complaint Committee shall decide the place and time for hearing the complaint and shall intimate the date, time and place of hearing to the Complainant and Respondent. The Internal Complaints Committee shall follow principle of Natural Justice while handling such complaints.

- Internal Complaints Committee on receipt of such written complaint, may, if require ask the aggrieved person to furnish additional information about the alleged harassment.
- The Internal Committee may before initiating an inquiry, and at the aggrieved person's request, attempt to settle the matter through conciliation. However, Internal Complaints Committee shall ensure that:
  - Monetary settlement will not be made as a basis of conciliation.
  - Where a settlement has been arrived, the settlement terms shall be signed by both the parties and shall be provided with a copy of it.
- Where, a settlement is arrived as mentioned hereinabove, no further enquiry shall be conducted by the Internal Complaints Committee.
- The Internal Complaints Committee may during such investigation may exercise the power of a civil court, vested in it, in respect of:
  - summoning and enforcing the attendance of any person and examining him under oath;
  - requiring discovery and production of documents;
  - any other prescribed matter.

**ACTION:**

The Committee shall on completion of the enquiry provide a report of its findings within 10 days from the date of completion of the enquiry and such report shall be made available to the concerned parties.

If the allegation against the respondent has not been proved, the Committee may recommend that no action needs to be taken in the matter.

If the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to:

- Take action for sexual harassment as a misconduct.
- To tender written apology to the complainant, issue warning, withholding of promotions / increments of the Respondent, terminating the Respondent.
- To deduct from salary / wages of the respondent or issue direction for payment; such sum as it may consider appropriate to be paid to the aggrieved person or to their legal heirs, as it may determine.

Such action will be taken within 60 days of the receipt of report.

**FALSE ACCUSATIONS:**

The complaint of sexual harassment made by any employee shall be taken up with utmost seriousness by companies. However, there shall be zero tolerance for any false accusation.

If the Internal Complaint Committee comes to a conclusion that the allegation was made with malicious intent or the aggrieved person or any other person making the complaint on behalf of the aggrieved person produced false or forged or misleading documents to prove his/her case, the

Internal Complaint Committee may recommend action to be taken against the person who has made the complaint, including termination of service. In such a case, malicious intent has to be established after an inquiry, before any action is recommended. A mere inability to substantiate a complaint or provide adequate proof would not attract action as provided herein. A similar recommendation for taking action would be recommended against any witness whom the Internal Complaint Committee concludes, that he/she has given false evidence or produced forged or misleading documents.

**CONCLUSION:**

Complaints relating to sexual harassment shall be handled and investigations will be conducted under the principles of natural justice, basis of fundamental fairness, in an impartial and confidential manner so as to protect the identity of all viz., the person bringing the charge, potential witnesses, and the person accused of improper behavior. Also, all efforts shall be taken to ensure objectivity and thoroughness throughout the process of investigation.

The identity and address of the aggrieved person, respondent and witnesses must not be published or disclosed to the public or media.

The decision of Companies shall be final and binding on all. However, the same is without prejudice to any recourse that Companies or the individual concerned may have against the respondent and it shall not limit or restrict the rights of the Complainant and/or Companies to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.

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