

POLICY ON PREVENTION OF SEXUAL HARASSMENT

This policy is in accordance with the provisions of “The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013” of India and existing rules framed thereunder. Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail.

1. OBJECTIVE

Vastu is committed to creating a safe work environment that is free from any form of sexual harassment and where all employees are treated with dignity and respect. Purpose of this policy is to provide protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

2. APPLICABILITY

This policy is applicable to all employees (full-time, part-time, trainees and those on contractual assignments). The policy also extends to those who are not employees of the company such as customers, clients, visitors, interns, contract workers, suppliers, etc.

This policy is restricted to the business locations of the company and any external location visited by the employees during the course of employment whether inside or outside of India.

Any exceptions/ deviations to the provisions of the policy must be approved by Chief Executive Officer (CEO) or Chief Financial Officer (CFO) or Chief Risk Officer (CRO). Management reserves the right to change the provisions of the policy with adequate approval.

3. KEY DEFINITIONS

- **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.
- **Complainant:** is any aggrieved individual (including a representative as more fully described under Rule 6 of the said Rules, if the aggrieved individual is unable to make a complaint on account of his/her physical or mental incapacity or death or otherwise) who makes a complaint alleging Sexual Harassment under this Policy.
- **Respondent:** means a person against whom the aggrieved person or complainant has made a complaint.
- **Internal Complaints Committee:** means a committee constituted by Company as per this Policy.
- **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.
- **Employee:** A person employed at the workplace, for any work on regular, temporary, ad-hoc or daily wage 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 by any other such name.
- **Employer:** A person responsible for management, supervision and control of the workplace

4. DEFINITION OF SEXUAL HARASSMENT

Sexual harassment 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 at the workplace includes:

- Unwelcome sexual advances (verbal, written or physical)
- Demand or request for sexual favours
- Sexually colored remarks or remarks of a sexual nature about a person's clothing or body
- Verbal abuse or 'joking' that is sex-oriented
- Showing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets or sayings, SMS, MMS, emails, etc.
- Giving gifts or leaving objects that are sexually suggestive
- Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy
- Persistent watching, following, contacting of a person
- Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes

Following circumstances amongst other circumstances mentioned above may constitute sexual harassment if it occurs or is present in relation or connected with any act or behavior of sexual harassment:

- Implied or explicit promise of preferential treatment in their employment
- Implied or explicit threat of detrimental treatment in their employment
- Implied or explicit threat about their present or future employment status
- Interfering with their work or creating an intimidating or offensive or hostile work environment
- Humiliation treatment likely to affect their health or safety
- Humiliating treatment likely to affect the health and safety of the aggrieved person.

This is only an indicative list of the possible acts which could be treated as sexual harassment and is no way intended to be constructed as an exhaustive list

5. RESPONSIBILITIES OF THE EMPLOYEES

All employees of the Company have a personal responsibility to ensure that their behaviour is not contrary to this policy. All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

6. RESPONSIBILITIES OF THE MANAGER

All employees in a managerial / supervisory role at Vastu must ensure that nobody is subject to harassment and there is equal treatment. They must also ensure that all employees understand that harassment will not be tolerated; that complaints will be taken seriously; and that the complainant, respondent/s, or witnesses are not victimized in any way.

7. INTERNAL COMPLAINTS COMMITTEE

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, an "**Internal Complaints Committee**" is constituted. The details of the Committee will be shared at all locations / offices.

The committee comprises of:

- **Presiding Officer:** A woman employed at a senior level in the organization or workplace
- At least 2 members from amongst employees, committed to the cause of women and or having legal knowledge
- One external member, familiar with the issues relating to sexual harassment
- At least one half of the total members is women

The committee is responsible for:

- Receiving complaints of sexual harassment at the workplace
- Initiating and conducting inquiry as per the established procedure
- Submitting findings and recommendations of inquiries
- Coordinating with the employer in implementing appropriate action
- Maintaining strict confidentiality throughout the process as per established guidelines
- Submitting annual reports in the prescribed format

Additionally, the Committee will also coordinate preventive activities to make a sexual harassment free workplace. These would include:

- Common information mailers
- Periodic articles being shared

8. FILING OF A COMPLAINT

- The complainant needs to submit a detailed complaint, along with any documentary evidence available or names of witnesses, to any of the committee members at the workplace.
- The complaint must be lodged within 3 months from the date of incident/ last incident.
- The Committee can extend the timeline by another 3 months for reasons recorded in writing, if satisfied that these reasons prevented the lodging of the complaint.
- Provided that where such complaint cannot be made in writing, the Chairperson or any Member of the Committee, as the case may be, shall render all reasonable assistance to the woman for making the complaint in writing.
- Where the aggrieved woman 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 within 3 months of the incident.
- Internal Complaints Committee on receipt of such written complaint, may, if require ask the aggrieved person to furnish additional information about the alleged harassment.
- If the initial complaint is made to a person other than a committee member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the committee immediately.
- Wherever possible, Vastu will ensure that all the complaints of harassment are dealt with speedily, discreetly and as close as possible to the point of origin.

9. RESOLUTION THROUGH CONCILIATION

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.

It is made clear to all parties that conciliation in itself doesn't necessarily mean acceptance of complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings cleared.

In case a settlement is arrived at, the committee records & reports the same to the employer for taking appropriate action. Resolution through conciliation happens within 2 weeks of receipt of complaint.

Where, a settlement is arrived as mentioned hereinabove, no further Inquiry shall be conducted by the Internal Complaints Committee.

10. RESOLUTION THROUGH THE PROCESS OF A FORMAL INQUIRY

The committee will initiate inquiry in the following cases:

- No conciliation is requested by aggrieved woman
- Conciliation has not resulted in any settlement
- Complainant informs the committee that any term or condition of the settlement arrived through conciliation, has not been complied with by respondent

The Committee will proceed to make an inquiry into the complaint within a period of 1 week of its receipt of the original complaint/closure of conciliation/repeat complaint.

- On receipt of such complaint, the Committee will provide a copy along with supporting documents of such complaints to the Respondent within 7 working days.
- Respondent will file a reply within 10 working days of receipt of the complaint along with list of documents, names and addresses of witnesses.
- The Committee will investigate in detail into the matter of the complaint in accordance with the principles of natural justice.
- The Committee will document all proceedings of the inquiry. Detailed notes of the meetings will be prepared which may be shared with the respondent and complainant upon request. Any witnesses produced by the respondent will also interviewed & statements are taken.
- During the inquiry process, the Complainant and the respondent shall refrain from any form of threat, intimidation or influencing of witnesses.
- The Committee must complete its investigation within a period of 90 days.
- No legal practitioner can represent any party at any stage of the inquiry procedure
- For conducting an inquiry, the quorum of the Internal Complaints Committee shall be of 3 members including the Presiding Officer.

11. ACTIONS DURING PENDENCY OF THE INQUIRY

During the pendency of an inquiry, on a written request made by the aggrieved woman, the Committee may take the following actions

- transfer the aggrieved woman or the respondent to any other workplace
- grant leave to the aggrieved woman up to a period of three months
- grant such other relief to the aggrieved woman as may be prescribed

The leave granted to the aggrieved woman shall be in addition to the leave she would be otherwise entitled.

12. TERMINATION OF INQUIRY

Internal Complaint Committee shall have the right to terminate the inquiry or give ex-parte decision on the complaint, if the respondent or complainant remains absent for 3 consecutive hearings, without sufficient cause, provided that such termination or ex-parte Order may not be passed without giving a notice in writing, 15 days in advance, to the party concerned.

13. INQUIRY REPORT AND ACTION

On the completion of an inquiry, the Committee shall provide a report of its findings to the Board of Directors within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.

Considerations while preparing the inquiry report:

While preparing the findings/recommendations, following are considered:

- Whether the language used (written or spoken), visual material or physical behavior was of sexual or derogatory nature
- Whether the allegations or events follow logically and reasonably from the evidence
- Credibility of complainant, respondent, witnesses and evidence
- Other similar facts, evidence, for e.g. if there have been any previous accounts of harassment pertaining to the respondent
- Both parties have been given an opportunity of being heard
- A copy of the proceedings was made available to both parties enabling them to make representation against the findings

Where the Committee arrives at the conclusion that the allegation against the respondent has not been proved, then no action is required to be taken in the matter. The committee has to ensure that both parties understand that the matter has been fully investigated, that the matter is now concluded and neither will be disadvantaged within the company.

Where the Committee and Board of Directors together arrive at the conclusion that the allegation against the respondent has been proved, it may take the following actions depending upon the circumstances:

- Formal apology
- Censure or reprimand
- Counselling
- Written warning to the Respondent and a copy of it maintained in the employee's file
- Change of work assignment / transfer for either the Respondent or the Complainant
- Suspension or termination of services of the employee found guilty of the offence
- Granting of compensation or damages to the Complainant
- Or any other action that the Management may deem fit

In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management. The action recommended should be similar to the ones proposed for the respondent in case of substantiated complaints.

14. ACCESS TO REPORTS AND ACTION

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.

15. CONFIDENTIALITY

The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.

The Committee will ensure confidentiality during the inquiry process and will ensure that sufficient care is taken to avoid any retaliation against the witnesses.

16. PROTECTION TO COMPLAINANT / VICTIM

The Company is committed to ensuring that no 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.

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

17. APPEAL

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the appellate authority in accordance with the Act and rules, within 90 days of the recommendations being communicated.

18. CONCLUSION

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