



PURSUIT WITH EXCELLENCE
CEIGALL INDIA LIMITED

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POLICY NO: CIL/HR-POL-__/_/2023

NAME OF POLICY – POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

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I. OBJECTIVES

This Policy on **Prevention of Sexual Harassment at Workplace** (hereinafter referred to as the “Policy”) reinforces the Company’s commitment to foster and create a Workplace which is safe and free from any act of Sexual Harassment and all forms of intimidation or exploitation.

The Company shall provide healthy working environment that enables employees to work without fear of prejudice, gender bias, sexual harassment and all forms of intimidation or exploitation. The Company believes that all stakeholders, irrespective of their gender, have the right to be treated with dignity.

The Policy encompasses the following objectives:

- To lay down a code ensuring prevention, prohibition and protection against Sexual Harassment;
- To lay down guidelines for reporting acts of Sexual Harassment at the Workplace; and
- To provide procedures for resolution and redressal of complaints of Sexual Harassment.

Where Sexual Harassment occurs as a result of an act of commission or omission by any third party at their Workplace, CEIGALL will take all steps necessary and reasonable to assist the affected person/victim.

II. SCOPE

This Policy takes complete cognizance of the legislation by the Government of India “The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act 2013” and rules made thereunder (the “Act”). This Act is to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for the matters connected herewith or incidental thereto.

The Policy covers all categories of “employees” including permanent, temporary, trainees, employees on contract and visitors to the office/workplace premises and also includes employees of its subsidiaries, associates etc. across the Company. HGIEL encourages every employee who believes they are sexually harassed to use the redressal mechanism as provided in the Policy.

The Policy is applicable to Prevention, Prohibition & Redressal of Sexual Harassment which may arise in places not limited to geographical location viz. Company’s offices, sites, 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 the course of employment including transportation provided by the company for undertaking such visit. This Policy includes sexual harassment by fellow employees, supervisors, managers as well as agents, contractors, customers, vendors, partners and visitors including outsourced employees.

Sexual Harassment is judged by the impact on the Complainant and not the intent of the Respondent. Sexual Harassment as addressed in this Policy need not necessarily be from a male to a female employee, it can be vice versa as well as between individuals of same gender.

The Company operates a zero-tolerance policy on any form of Sexual Harassment at Workplace, deals with all incidents seriously and promptly investigates all allegations of Sexual Harassment. Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal from employment.

III. DEFINITIONS

- a) **“Aggrieved Person”** means a person of any age in relation to work place whether employed or not, who alleges to have been subject to any act of sexual harassment by the respondent. This would include visitors or guests at the workplace.
- b) **“Board”** means the Board of Directors of the Company.
- c) **“Committee(s)”** means internal complaints committee(s) constituted by the Company for redressal of complaints of Sexual Harassment in accordance with the procedure laid down in the Policy.
- d) **“Company”** means Ceigall India Limited.
- e) **“Complaint”** means any complaint (written or oral form) in the nature of Sexual Harassment made by a Complainant against any other Employee or any third-party having business dealings with HGIEL. Complaint by any other person not covered herein, can be considered only if made as per the procedure prescribed herein and as per the discretion of Internal Complaints Committee.
- f) **“Complainant”** means the aggrieved person or any other person making complaint against Sexual Harassment.
- g) **“Employee”** means a person employed at a workplace for any work on regular, temporary, *ad hoc* or daily wages basis, either directly or through an agent, including a contractor, with or, without the knowledge of the Company, 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. **“Management”** includes the person(s) or board or committee responsible for formulation and administration of policies on the Company.
- h) **“Respondent”** means a person against whom the aggrieved person has made a complaint.
- i) **“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;
 - ii. A demand or request for sexual favors;
 - iii. Making Sexually colored remarks;
 - iv. Showing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets or sayings;
 - v. Any other unwelcome physical, verbal or non - verbal conduct of sexual nature;
 - vi. Physical contact and advances such as touching, stalking, sounds which have explicit and/or implicit sexual connotation/overtones, molestation, etc.;
 - vii. Display of pictures, signs, etc. with sexual nature/ connotation/ overtones in the work area and work-related areas;
 - viii. Verbal or non-verbal communication which offends the individual’s sensibilities and affect her/his performance and has sexual connotation/ overtone/ nature;
 - ix. Teasing, innuendos and taunts, physical confinement and/or touching against one’s will and likely to intrude upon one’s privacy.

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:

- i. implied or explicit promise of preferential treatment in the employment;
- ii. implied or explicit threat of detrimental treatment in the employment;
- iii. implied or explicit threat about the present or future employment status;
- iv. interfering with the work or creating an intimidating or offensive or hostile work environment;
- v. humiliation treatment likely to affect health or safety.

In addition to the instances mentioned hereinabove, any other acts or behavior, which outrages the

modesty of an employee, will be considered as sexual harassment.

j) **“Workplace”** includes-

- i. Any premises, locations, establishments, enterprises, institutions, offices, branches, Project sites or units established, owned, controlled by HGIEL;
- ii. Any external location visited by the Employee arising out of or during the course of employment with the Company/ dealing for the Company; and
- iii. Any mode of transportation provided by the Company (or a representative of the Company) for undertaking a journey to and from the aforementioned locations.

IV. INTERNAL COMPLAINTS COMMITTEE

The Company has constituted an Internal Complaints Committee (the “ICC” or “Complaints Committee” or “Committee”) for redressal of sexual harassment complaint (made by the victim) and for ensuring time bound treatment of such complaints.

Every complaint received shall be forwarded to the Committee

The Committee comprises of the following members as nominated by the Company

- a) A woman employee employed at a senior level amongst the employees shall act as Presiding Officer/ Chairperson of the committee.
- b) Not less than 2 members from amongst employees preferably committed to the cause of women OR have experience in social work OR have legal knowledge.
- c) One external member 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) At least one half of the total members nominated being women.

The Presiding Officer reserves the right to nominate more members of appropriate seniority and rank in the Complaints Committee to conduct such enquires to ensure equal representation of the gender as that of the complainant or for any other valid reason.

The Presiding Officer and every Member of the Complaints Committee shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the Company. The Presiding Officer or any Member of the Complaints Committee shall be removed from the Committee on the following grounds:

- a. If convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him/her.
- b. If found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him/her.
- c. Has abused his/her position as to render his/her continuance in office prejudicial to the public interest.

The Complaints Committee will be responsible for:

- (i) Receiving complaints of sexual harassment at the workplace;
- (ii) Initiating and conducting inquiry as per the established procedure;
- (iii) Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment;
- (iv) Discouraging and preventing employment-related sexual harassment;
- (v) Submitting findings and recommendations of inquiries;

- (vi) Coordinating with the management in implementing appropriate action;
- (vii) Maintaining strict confidentiality throughout the process as per established guidelines;
- (viii) Submitting annual reports in the prescribed format.

V. COMPLAINT REDRESSAL MECHANISM

The Company is committed to providing a supportive environment to resolve concerns of sexual harassment as under:

A. Informal Resolution Options:

When an incident of sexual harassment occurs, the victim of such conduct can communicate their disapproval and objections immediately to the harasser and request the harasser to behave decently. If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, the victim can bring their concern to the attention of the Complaints Committee for redressal of their grievances. The Committee will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.

B. Complaints:

(i) Raising a Complaint

A victim, who is not comfortable with the informal resolution options or has exhausted such options, may make a complaint to the Complaints Committee.

A complaint in writing can be raised by the affected person or by someone who has witnessed the behavior. In case the complaint is raised by someone who has witnessed the behavior, the Complaints Committee must ensure before proceeding in the matter that prima facie there is a case of sexual harassment against the Respondent.

If an incident of this kind is brought to the notice of any employee (not necessarily the reporting manager of the respondent/affected person), he/she is responsible to communicate the same to the Complaints Committee.

The complaint shall have to be in writing and can be in form of a letter, submitted within 3 months from the date of the incident and in case of a series of incidents, within a period of 3 months from the date of the last incident. The Complaints Committee can extend the timeline for filing the complaint, for reasons to be recorded in writing, by a period of 3 months, if it is satisfied that the circumstances were such which prevented the Complainant from filing a complaint within the said period.

The Presiding Officer or any Member of the Complaints Committee can render reasonable assistance to the person for making complaint in writing, in case they are unable to do so.

The complaint can be submitted to the Complaints Committee electronically at hr@ceigall.com or may be physically submitted to any member of the Committee. The Committee may, but shall not be bound to, accept oral complaints under this Policy.

Complaint against any member of the Complaints Committee or employee in Strategic Job Responsibility Band (or equivalent) and above should be sent directly to the CMD of the Company.

(ii) Conciliation

Prior to initiating an inquiry, the Complaints Committee may, at the request of the Complainant take steps to settle the matter between the Complainant and the Respondent through conciliation, provided that no monetary settlement is made the basis of such conciliation. In case a settlement has been arrived, the

Committee shall record the settlement so arrived and forward the same to the Company to take action as specified in the recommendation of the Committee.

However, the Complaints Committee will have authority to decide if a conciliation is appropriate, the Committee will have right to not take cognizance of the conciliation request by the Complainant.

(iii) Inquiry Process

The Complaints Committee would carry out an inquiry into the complaint received and determine whether the allegations (assuming them to be true only for the purpose of this determination) made in the complaint fall under the purview of Sexual Harassment.

In the event, the allegation does not fall under the purview of Sexual Harassment or the allegation does not constitute an offence of Sexual Harassment, the Committee will record this finding with reasons and communicate the same to the complainant.

If the Complaints Committee determines that the allegations constitute an act of sexual harassment, it will proceed to investigate the allegation.

The Complaints Committee has powers to:

- Summon and enforce the attendance of any person and examine him on oath.
- Require the discovery and production of documents.

The Committee shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the Complainant or Respondent fails, without sufficient cause, to present themselves, for three consecutive hearings convened by the Chairperson or Presiding Officer. Provided that such termination or ex-party order may not be passed without giving a notice in writing, fifteen days in advance, to the party concerned.

The Complainant and the Respondent shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the complaints committee. However, they may be accompanied by a colleague for psychological or emotional support. Such colleague will not be permitted to speak at or otherwise interfere with the proceedings of the Committee.

Failure or refusal of any person to co-operate with the Complaints Committee, disturb the proceedings of the Committee, misguide the Committee by giving false testimony or suppression of fact during the investigation shall attract disciplinary action as deemed appropriate.

All efforts should be taken to expedite the process and complete the inquiry as early as possible. The inquiry should be completed within a maximum of 90 days from the date of receipt of the complaint.

Conclusions of the Committee will be informed to both the parties in writing.

Where such conduct, on the part of the accused, amounts to a specific offence under the law, the Company shall initiate appropriate action in accordance with law by making a complaint with the appropriate Authority.

Action during Pendency of Inquiry:

During the period of enquiry, based on a request from the victim, the Complaints Committee may recommend the Company to:

1. Transfer the victim/respondent to another location/work place.
2. Grant leave to the victim up to a period of three months (In addition to the leave otherwise entitled).
3. Restrain the respondent from reporting on the work performance of the Aggrieved Individual or

- writing his/her confidential report and assign the same to another officer.
4. Grant any other relief as found suitable by the Committee.

(iv) Recommendations by Complaints Committee and Action

The Complaints Committee shall conduct investigations in a timely manner and shall submit a written report containing the findings and recommendations on action to be taken to the Company as soon as practically possible and in any case, not later than 10 days from the completion of the inquiry. The report is also to be made available to the concerned parties.

If the allegation has not been proved, the Committee recommends that no action is required to be taken in the matter.

If the allegation has been proved, it is required to recommend to the Company:

1. To take appropriate action as per service rules and includes a written apology, warning, reprimand or censure, withholding of promotion, withholding of pay rise or increments, terminating the respondent from service or undergoing a counselling session or carrying out community service.
2. To provide appropriate compensation to be paid to the aggrieved party which would be paid by the respondent / deducted from his/her salary

The determination of amount of compensation to be paid to the victim would be based on:

- a) the mental trauma, pain, suffering and emotional distress caused to the aggrieved party;
- 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) the income and financial status of the respondent;
- e) feasibility of such payment in lump sum or in installments.

The Company has to act upon the recommendation within 60 days of receipt of the same.

The action to be taken shall be informed to the Respondent and the Complainant in writing within a reasonable time.

VI. FALSE OR MALICIOUS COMPLAINT

In case the Complaints Committee arrives at a conclusion that the allegation against the Respondent is malicious or the Complainant has made the complaint knowing it to be false or has produced any forged or misleading document, it may recommend to the Company to take suitable action against the Complainant who has made the complaint, in accordance with the provisions of the applicable service rules or as prescribed under applicable law.

Mere inability to substantiate a complaint or provide adequate proof need not attract action against the Complainant.

Further, the malicious intent on part of the Complainant needs to be established through the inquiry process before any action against such Complainant is recommended by the Complaints Committee to the Company.

VII. 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. To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances. The identity and address of the aggrieved person, respondent and witnesses must not be published or disclosed to the public or media.

VIII. AMENDMENTS

The Company may make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary to do so as long as it complies with the applicable laws. Any such alterations or amendment or rescinding will be intimated to the employees.

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

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Adopted on: dd/mm/yyyy