
TABLE OF CONTENTS

1	INTRODUCTION & DEFINITIONS	1
2	COMMITTEE MEETINGS COMPLAINTS PROCEDURE	2
3	INTERIM MEASURES & ACTIONS	4
4	INQUIRY PROCEDURE, REPORT	5
5	ACTION IF FOUND GUILTY & MALICIOUS ALLEGATIONS	6
6	PROTECTION TO COMPLAINANT, CONFIDENTIALITY, APPEAL AND ANNUAL REPORT	7
7	ANNEXURE – PRESIDING OFFICERS & MEMBERS OF COMMITTEE	8

Introduction

This policy has been framed in accordance with the provisions of “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” and rules framed thereunder (hereinafter referred to as “the Act”). 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.

Objectives

This Policy on Prevention of Sexual Harassment at Workplace (“POSH Policy”) of Zuari Agro Chemicals Limited (ZACL) encompasses the Company’s philosophy

- To provide a safe, secure and enabling environment free from sexual harassment at workplace thereby improving women’s participation in work, resulting in their economic empowerment and inclusive growth.
- Protection of right to work with dignity for women
- Mechanism of grievance redressal with deterrent action

Definitions

“**Aggrieved woman**” in relation to a workplace means a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent and includes contractual, temporary, visitors

“**Committee**” or “**Internal Complaints Committee**” or “**ICC**” means the Committee constituted by the Company as per Section 4 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and annexed as Annexure. The Presiding Officer and Members of the Committee shall hold office for a period of 3 years from the date of their nomination by the Employer.

“**Employee**” means a person employed at a 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 called by any other such name

“Employer” Means head of the department/organisation/branch office/unit and any person responsible for the management supervision and control of the workplace

“Respondent” means a person against whom the aggrieved woman has made a complaint

“Sexual harassment” includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication): physical contact and advances; or a demand or request for sexual favours; or making sexually coloured remarks; or showing pornography; or any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

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;

implied or explicit promise of preferential treatment in employment, or implied or explicit threat of detrimental treatment in employment; or implied or explicit threat about present or future employment status; or which interferes with the work or creates an intimidating or offensive or hostile work environment; or Humiliating treatment likely to affect the health or safety.

“Workplace” includes place of carrying on commercial, professional, vocational, educational, entertainment, industrial, health services or financial activities including production, supply, sale, distribution or service; hospitals or nursing homes; and includes 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.

COMMITTEE MEETINGS

The committee shall meet at least once in a quarter irrespective of filing of any complaint and document the minutes of the meeting. The minutes shall be forwarded to Group HR Head with copy to respective Head - HR.

PROCEDURE TO LODGE COMPLAINTS

An aggrieved woman can make in writing a complaint of sexual harassment at workplace to the Committee, within a period of 3 (three) months from the date

of incident and in case of a series of incidents, within a period of 3 (three) months from the date of last incident.

6 (six) copies of written complaint should be submitted to the committee or any of its members along with list of witnesses and supporting documents.

Provided that where such complaint cannot be made in writing, the Presiding Officer or any other Member of the ICC, shall render all reasonable assistance to the woman for making the complaint in writing:

Provided further that the Internal Committee, for the reasons to be recorded in-writing, may extend the time limit not exceeding 3 (three) months, if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period.

Where the aggrieved woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by her relative or friend, her co-worker; an officer of the National or State Commission for Women or any person who has knowledge of the incident, with the written consent of the aggrieved woman;

Where the aggrieved woman is unable to make a complaint on account of her mental incapacity, a complaint may be filed by her relative or friend, a special educator, a qualified psychiatrist, the guardian or authority under whose care she is receiving treatment or care;

Where the aggrieved woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir

Timelines of Inquiry Once complaint received

SL	Action flow	Time lines of actions
1	Notice to respondent	Within 7 days of receipt of complaint
2	Reply from respondent	Within 10 days of receipt of Notice from ICC
3	Conciliation	The Committee may before initiating an Inquiry, at the aggrieved woman's request, take steps to settle the matter through conciliation. No further inquiry shall be conducted where settlement has been arrived.
4	Inquiry	within 90 days from date of complaint

5	Submission of report to Employer (Group HR Head)	ICC s within 10 days of completion of inquiry whether allegation is proved or not proved
6	Action	Employer to act on action for punishment within 60 days of receipt of recommendation

Interim Measures

During the pendency of an inquiry, based on the recommendations of the Committee, the Employer may take such interim measures, as it may deem appropriate, in the interest of justice and equity including but not limited to transfer of the complainant / accused, grant leave to the aggrieved woman of maximum 3 (three) months in addition to the leave she would be otherwise entitled to, temporary suspension from office duties, restraining from reporting on the work performance or writing confidential report. Once the recommendations of interim relief are implemented, the Employer should inform the committee regarding the same.

Inquiry Procedure

All proceedings of Inquiry is documented. The Committee interviews the Respondent separately and impartially. The Committee states exactly what the allegation/s is/are and who has made the allegation/s. The Respondent is given an opportunity to respond and provide any evidence, etc. Detailed notes of the meeting are prepared which may be shared with the respondent and complaint upon request. Any witness/s produced by the respondent are also interviewed and statement are taken.

If the Complainant or Respondent desires to cross examine any witness/s, the Committee facilitates the same and records the Statements.

In case Complaint or respondent seeks to ask questions to the other party, they may give them to the Committee which asks them and records the statement of the other party.

Any such inquiry is completed, including the submission of the inquiry report, within 90 days from the date on which the inquiry commences. The Inquiry procedure ensures absolute fairness to all parties.

Inquiry Report

While preparing the report, following factors need to be taken into consideration:

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

A copy of the final findings is shared with the complainant and the respondent to give them an opportunity to make representations on the finding of the committee.

Action if found guilty

Based on the recommendations of the Committee, the Employer may, as it may deem appropriate, take following actions against the Respondent, if the Respondent is found guilty of the offence of sexual harassment at workplace.

- a. Written apology
- b. Written Warning
- c. Reprimand or censure
- d. With holding of promotion/ pay rise/ increments
- e. Suspension
- f. Termination
- g. Counseling session / community service
- h. Any other action that the management may deem fit.

Malicious Allegations

Where a committee arrives at a conclusion that the allegation made is malicious or the aggrieved woman or any other person has made the

complaint knowing the same to be false or have produced any forged or misleading documents, if proven, the Complainant & the witness(s), will be subject to same action as proposed for the respondent above.

Protection to Complainant, Confidentiality, Appeal and Annual Report

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.

Confidentiality

The identity of the complainant, respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the committees, action taken by the Company is considered as confidential materials, and not published or made known to public or media. Any person contravening this clause is subject to disciplinary action.

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.

Annual Report

The Committee shall prepare and submit a report to the Company, within 15 days from the end of the year, stating the number of complaints of filed during the financial year, number of complaints disposed of during the year

and the number of complaints pending as on the end of the year.

The Company shall include the number of cases filed, if any, and their disposal in the Annual Report.

GOVERNING LAW & AMENDMENTS TO THE POLICY

This Policy shall be governed by the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 read with Rules made thereunder, as may be in force for the time being. Provisions not mentioned in the Policy but laid down in the Act and Rules shall apply by default.

Any or all provisions of this Policy shall be subject to revisions / amendments in accordance with the Rules, Regulations, Notifications, etc. on the subject as may be issued by relevant statutory authorities, from time to time.

In case of any amendment(s), clarification(s), circular(s) etc. issued by the relevant authorities, which make the provisions laid down under this Policy inconsistent with such amendment(s), clarification(s), circular(s) etc. then such amendment(s), clarification(s), circular(s) etc. shall prevail upon the provisions hereunder and this Policy shall stand amended accordingly from the effective date as laid down under such amendment(s), clarification(s), circular(s) etc.

Annexure – Presiding Officers & members of Committee**ZACL Zuarinagar Registered office and Plant:**

Sl	Position	Member Name
1	Presiding Officer – Int.	America Dias e Monteiro
2	Member- Int.	Rashwin Dias
3	Member - Int.	Naresh Prabhu
4	Member- Int	Siddhi Bandodkar
5	Member - External	Sister Phileshin D'souza

In case of complaints against the Employer himself and in relation to other work places where there are less than 10 workers are employed, the Local Complaints Committee of the district concerned, constituted under Section 6(1) of the Act shall be competent to receive complaints of sexual harassment