



Gandhi Special Tubes Limited

**Policy on
Prevention of Sexual Harassment at Workplace
(Version 1)**

Gandhi Special Tubes Limited, is committed to operating in an ethical manner and in compliance with applicable, through this Act, the government has sought to provide women with a safe and secure working environment and has put in place mechanisms to prevent and redress complaints of sexual harassment. In this blog, we will explore the critical provisions of the POSH Act 2013, its impact on women, the challenges in implementing it, and strategies for enforcing the POSH Act.

The Policy is applicable for all acts of sexual harassment alleged to have taken place by individuals within or outside the Company premises where the Company conducts its business.

Any act of violation of this policy, by employees or third party interacting with the Company, will lead to appropriate remedial measures under the circumstances, including mitigation against the potential for repetition and to discipline any of its employees who may have participated in such conduct, or may have failed to stop such conduct when having the authority to do so.

The objective of this policy is to provide the definition, framework and modus operandi for addressing all allegations of sexual harassment made by any women employee and enable the implementation of provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 as modified from time to time ("the Act").

Overview of the POSH Act, 2013

The Protection of Women from Sexual Harassment Act, 2013, was passed by the Indian government to protect against sexual harassment and abuse of women in the workplace. This Act was created to ensure that workplaces remain free from sexual harassment and to provide a safe and secure environment for women.

It also seeks to create awareness about the issue of sexual harassment and to provide the necessary legal remedies for victims. The POSH Act 2013 also provides for establishing Internal Complaints Committees (ICCs) in organizations to address complaints of sexual harassment and to create a safe working environment for women employees.

The POSH Act is an important step forward in ensuring that women in India can enjoy a safe and respectful working environment.

Applicability:

To all women employees on the rolls of the Company and outsourced personnel working in the Company premises.

Definitions and examples of sexual harassment

Sexual harassment includes, but will not be confined to the following:

- Creation of a hostile work environment through unwelcome sexual advances such as
- Physical contact or molestation
- Stalking
- Requests for sexual favours, verbal or physical conduct of a sexual nature, either explicitly or implicitly, in return for a team or condition of instruction, employment, participation or evaluation of a person's engagement in any Company activity.
- Sexually coloured remark
- arks or jokes, letters, phone calls or e-mails, gestures, showing of pornography or other visual displays of degrading sexual images, lurid stares
- Sounds of a derogatory nature
- Sexual harassment by one in position of power or influence constituting quid pro quo when submission by an individual is made either in explicit or implicit terms or condition of employment or submission to or rejection of such conduct is used as the basis for employment decisions affecting that women employee such as promotion and pay rise.
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

The following circumstances if it occurs or is present in relation to any sexually determined act or behavior amount to sexual harassment :

- Implied or explicit promise of preferential treatment in employment;
- Implied or explicit threat of detrimental treatment in employment;
- Implied or explicit threat about the present or future employment status;
- Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
- Humiliating treatment likely to affect her health or safety.

Please note:

- The definition of sexual harassment will also apply to any member of a third party or outsider in relation to a woman employee of the Company or vice versa on the premises of Company.
- Any of the acts mentioned above, committed in circumstances wherein the victim of such conduct has a reasonable apprehension that in relation to the victim's employment or work, such conduct can be humiliating or may constitute to a health and safety problem, the same will tantamount to sexual harassment.

Obligations of the Company:

The Company shall be responsible, among others, for the following:

- Prohibit, prevent and deter commission of acts of sexual harassment;
- Implement the Policy in strict alignment, thus creating a favourable environment.

- Spread awareness of the Policy amongst its employees by providing easy access to the policy through publication, notification and circulation of the same
- Sensitizing employees about workplace harassment issues
- Provide fair and impartial procedures for resolution, settlement or prosecution of acts of workplace harassment by taking all necessary steps
- Implementation of recommendations of the Anti-Workplace Harassment Committee).

It will be the responsibility of the Human Resource function to get an understanding of the issues raised and counsel the Complainant as well as the accused and make them aware of all implications of filing/ not filing a complaint formally.

In a scenario, wherein the Company/Committee becomes aware of commission of an act(s) of sexual harassment, the Company shall have the right to initiate suo moto action, even in the absence of a formal complaint being submitted by aggrieved women employee.

Anti-Sexual Harassment Committee:

The Committee has been set up by the Company, which will address all cases/complaints of alleged sexual harassment submitted by the aggrieved women employee(s) or initiate suo moto by the Company, to prevent a deal with sexual harassment within the outlined framework. Further, Company may set up further committees or sub-committees, as and when Company deems fit.

Composition:

The Committee consists of the following:

Presiding officer

Member -

Member -

The Committee will meet as and when required.

The quorum requirement for convening a Committee meeting is 3 members. It is mandatory that at least half of the members of the Committee are women and the Committee is led by a women member. Tenure of members and chairperson of Committee shall not exceed 3 years.

Disqualifications:

A person shall be disqualified for being appointed, elected nominated, designated for continuing, as a member of the Committee, if:-

- He has been found guilty in any disciplinary proceedings (including proceedings involving complaint of sexual harassment) or a disciplinary proceeding is pending against him; or
- Has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him; or
- Has so abused his position as to render his continuance in office prejudicial to the

- public interest; or
- Contravenes the provisions of Section 16 of the Act

Confidentiality:

It is the obligation of the Committee that all complaints of sexual harassment are treated and processed with utmost confidentiality, in alignment with the process outlined for required investigation and implementing corrective actions.

Submission of a complaint:

Any aggrieved women employee will have a right to lodge a complaint concerning sexual harassment against an employee or a third party interacting with the Company (henceforth referred to as "Complaint") with the Committee either in person or through an email to "HR", 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, in the manner as outlined below:

- An aggrieved women employee making a Complaint (henceforth referred to as "Complainant") will be provided full confidentiality.
- In case such complaint is made against a person who is member of the Committee, such person should excuse from the conduct of the committee for such complaint.
- Upon receipt of complaints, the Committee shall forthwith convene a meeting of which advance written intimation will be given to the Complainant.
- The Complainant will be entitled to remain present personally during the meeting.

Provided that Anti-sexual harassment committee may, for the reasons to be recorded in writing, extend the time limit, not exceeding three months, if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period.

During the first meeting of the Committee, the Complainant shall be heard and the Committee shall decide whether the Complaint requires to be proceeded with. The Complaint will be dropped only if the Complainant will not able to substantiate an offence of sexual harassment.

In case the Committee decides to proceed with the Complaint, the Complainant's concerns with respect to the issue shall be taken into account and if the Complainant so wishes, the Accused (henceforth referred to as "Accused") will be called to a meeting of the Committee, be heard and if necessary, warned about his / her behaviour and the matter concluded with a recording to that effect made by the Committee. However, if the Complainant wishes to proceed with the Complaint beyond a mere warning to the Accused, the same will be proceeded with in the manner prescribed in this policy under the 'proceedings' section.

Proceedings of the Committee

The following is the redressal process, which will be adopted by the Committee to address any complaints lodged by an aggrieved women employee:

- The Committee will prepare the statement of allegation and will share the same with the Accused.
- If the Accused desires to tender any written explanation to the statement of allegation, he/she shall submit the same to the Committee.
- The Committee will give ample opportunity to the Complainant and the Accused, for putting forward and defending their respective case by presenting witnesses and evidence, which may establish their claims.
- The Complainant and the Accused will have the right to submit supporting evidence.
- The Committee will complete the enquiry / investigation within a period not exceeding ninety (90) days and prepare a report of its findings on the charges against the Accused and its decision to the CEO/Director and any other persons as nominated by them (henceforth referred to as the “Management”) within a reasonable period from the date of filing of the Complaint by the Complainant. Committee shall share the report with the management within 10 days from the date of completion of the inquiry. The report of the Committee will also include recommendations to the Management for imposition of penalty along with reasons for such recommendations, as applicable.

Implementation of Recommendations of the Committee:

The Management will consider the recommendations and findings of the Committee and will be required to arrive at a decision with respect to the proposed corrective action against the accused with sixty (60) days of the submission of the report by the Committee.

The Management has the right to issue such order and / or directions as it deems fit. The Management shall also endorse a copy of its order to the Complainant, Accused and to the Committee.

Punishment for Sexual Harassment:

The Management can impose the following penalties, which are indicative and not exhaustive on an employee who is found guilty of sexual harassment. These can be further classified as minor and major penalties, as follows:

- Minor penalties
 - Written warning
- Major penalties
 - Withholding of performance based pay awards and bonus
 - Withholding of Promotion/ Increment
 - Termination of service

Further, the employee may also be required to give a written apology to the complainant and upon his/her failure to do so, the penalty can be enhanced.

Criminal Proceedings:

In case the act under sexual harassment amounts to a specific offence under the Indian Penal Code, 1860 or under any other applicable law, the Management shall initiate appropriate action, in accordance with law, by making a complaint with the appropriate authority.

Protection against Victimization:

The following will be obligations of the Company, during the processing / investigation of the Complaint:

- In the event the Accused is the Complainant’s Reporting Manager / senior, the Company will review the possibility of relocating the complainant employee within the Company and ensure that the Complainant is not being evaluated by the Accused
- Ensure that any sort of retaliation against the Complainant or witnesses is strictly prohibited. Any act of reprisal, including internal interference, coercion and restraint, by the Accused, whether directly or indirectly, will result in appropriate action against the Accused by the Committee in consultation with the Management;
- In case the Accused is a third party interacting with the Company, such Accused shall not be allowed to enter the Company premises except for the purpose of attending any meeting / interaction as and when required by the Committee.

Post conclusion of the investigations of the Complaint, the Company will observe the following:

- If the Accused is found to be guilty, the Accused shall not write the evaluation / reports of the Complainant, if he/she is otherwise authorized to do so
- In case the Accused is a third party interacting with the Company, and found to be guilty, the Accused may not be allowed to enter the Company premises.
- In the event, the Committee after investigation of a Complaint in accordance with the procedure prescribed herein, concludes that the Complaint was false and made with malafide intention by the Complainant, then the Committee shall take such appropriate measures, in consultation with the Management, against the Complainant, as it may deem necessary.

Review of the Policy:

The Committee reserves the right to modify and/or review the provisions of this Policy, so as to comply with applicable legal requirements, internal policies, or with a view to align / alter the provisions of the policy to the extent deemed necessary by Committee from time to time

INTERNAL COMPLAINTS COMMITTEE

	INTERNAL COMPLAINTS COMMITTEE	Contact No
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Presiding Officer:	Mrs. Shobhana Vartak- Chief Financial Officer	9619666204
Member:	Ms. Chaitali Kachalia- Company Secretary & Compliance	9699908030
Member:	Mrs. Malathi Mendon- Accounts Executive	
Member:	Mr. Punit A. Doshi- Social Worker	
Member:	Mrs. Manisha Kamalakar - Office Asst. QA	8320482868
Member:	Mrs. Heena Pandya - Office Asst. HRA	8849129206
Member:	Ms. Shivani Soni - Office Asst. Packing & dispatch	9913964071