



**SAROJA PHARMA INDUSTRIES
INDIA LIMITED**

“PREVENTION OF SEXUAL HARASSEMENT POLICY”

PREVENTION OF SEXUAL HARASSEMENT POLICY

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1. BACKGROUND

Saroja Pharma Industries India Limited (hereinafter referred to as the “**Company**”) is committed to provide equal opportunity and a harassment free workplace not withstanding race, caste, religion, color, ancestry, marital status, gender, sexual orientation, age, nationality, ethnic origin or disability, as the case may be. Thus, in order to create such a safe and conducive work environment, this Policy has been framed, in line with the provisions of the “**Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**” of India (hereinafter referred to as the “**Act**”¹) and existing rules framed thereunder namely the “**Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013** (hereinafter referred to as the “**Rules**”²).

POLICY ON PREVENTION OF SEXUAL HARRASSMENT AT THE: In line with the Act, the Company has set out this Policy for prevention, prohibition, and redressal of sexual harassment of women at workplace. Accordingly, no associate shall be subjected to sexual harassment at the Company. The Policy identifies what constitutes sexual harassment, establishes the Internal Committee (“IC”) list of members are under annexure - 2, identifies the processes to be followed by the IC and outlines the redressal mechanism in the face of any breach of Policy. Any complaint received on account of sexual harassment will be dealt with utmost seriousness by the Company and any one in breach of the Policy shall be strictly dealt with in terms of this Policy set out in lines of the Act and Rules framed thereunder.

2. PURPOSE & SCOPE

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.

This policy extends to all associates including individuals coming to the workplace for employment or for any other purpose whatsoever including but not limited to visitors, vendors, contractual resources, interns apprentice and applies to any alleged act of sexual harassment against persons at workplace, whether the incident has occurred during or beyond working hours.

Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the harasser. The Company recognizes that sexual harassment may also occur between people of the same sex. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

All sexual harassment is prohibited whether it takes place within the Company premises or outside, including at social events, business trips, training sessions or conferences sponsored. conducted, by the Company.

3. IMPORTANT DEFINITIONS

- I. “Aggrieved Individual” means in relation to a workplace, a person, of any age, whether employed or not, who alleges to have been subject to any act of sexual harassment by the respondent and includes contractual, temporary associates and visitors.
- II. “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.

III. "Associate" as defined under the Act and means a person employed with the Company, subsidiaries and associate companies for any work on permanent, temporary, part-time, ad-hoc or daily wage basis, either directly or through an agent, including a contractor, who 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 expressed or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

IV. "Employer" means person who are responsible for management, supervision and control of the workplace including appointment/removal/termination of associates and will include 'Director and Human Resource Officer, '

V. "Internal Committee" means and include an Internal Complaints Committee (hereinafter referred to as the "IC").

VI. "Member" means a member of the IC.

VII. "Presiding officer" means the presiding officer of the IC and shall be a woman employed at a senior level at the workplace amongst the associates.

VIII. "Respondent" means a person against whom a complaint of alleging sexual harassment has been made under this policy.

IX. "Parties" means collectively the complainant and the respondent.

X. "Sexual Harassment" includes any one or more of the following unwelcome acts of behavior (whether directly or by implication):

A. Any unwelcome sexually determined behavior or pattern of conduct that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely –

- Physical contact and advances;
- Demand or request for sexual favours;
- making sexually coloured remarks or remarks of sexual nature about a person's clothing or body;
- showing pornography;
- Any other unwelcome physical, visual, verbal or non-verbal conduct of sexual nature including but not limited to cat-call, wolf/finger whistle, vulgar/indecent jokes, letters, phone calls, text messages, e-mails, gestures etc.
- Sexual harassment can involve a series of incidents or it can be a one-off occurrence.

B. The following circumstances, among other circumstances, if it occurs or is present in relation to connected with any act or behavior 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 the present or future employment status; or
- Interference with work or creating an intimidating or offensive or hostile work environment for the person; or
- Humiliating treatment affecting any person's health or safety.

Exception: any act or omission or any intention to act or omission by the associates of the company which is arising out of or in relation to the personal relationship maintained by them out of workplace or within workplace will not be covered under this policy.

*Personal Relationship - marriage, live-in relationship, blood relation, family relation etc maintained between the associates of the same company.

4. Roles and Responsibility:

A. Responsibilities of Individual: It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:

- a. Refusing to participate in any activity which constitutes harassment
- b. Supporting the person to reject unwelcome behavior
- c. Acting as a witness if the person being harassed decides to lodge a complaint

All are encouraged to advise others of behavior that is unwelcome. Often, some behaviors are not intentional. While this does not make it acceptable, it does give the person behaving inappropriately, the opportunity to modify or stop their offensive behavior.

B Responsibilities of Managers: All managers must ensure that nobody is subject to harassment and there is equal treatment. They must also ensure that all associates understand that harassment will not be tolerated; those complaints will be taken seriously; and that the complainant, respondent/s, or witnesses are not victimized in anyway.

4.1 PROCEDURES & GUIDELINES

4.1.1 Composition of Internal Committee

- Pursuant to the relevant provisions of the Act, an Internal Committee (IC) has been constituted to prevent sexual harassment and to receive and effectively deal with complaints pertaining to the same. Details of the members, including their names and contact information, of the IC constituted by the Company for its offices at Mumbai is displayed at office notice board and have also been published in the company internal portal under "Companies policies" and will be updated on a periodic basis, as and when applicable. Employer will not form a part of the IC.
- The Committee must comprise of:
 - A quorum of 4 members is required to be present at each location of office for the proceedings to take place. The quorum must include the (1) Presiding Officer, (2) at least two members (one of whom must be female and/or have legal knowledge) and (3) the external member.
 - CPO and Ethics Leader may be consulted by the IC from time to time. Such consultation is purely discretionary.
- 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

The Presiding Officer and every member of the IC shall hold office for a period not exceeding three years, from the date of their nomination.

Accordingly, in compliance with the Act and the Rules, the Company has constituted an IC at all its branches (details in Annexure A attached herewith). To ensure confidentiality, a dedicated e-mail id posh@sarojapharma.com has been created for Aggrieved Woman, for sending sexual harassment related complaints. This e-mail id can be accessed only by members of the IC.

Any complaint that comes to the IC will be dealt with appropriately, sensitively and confidentially in the most judicious and un-biased manner within a certain defined time frame.

The members of the IC shall be entitled to fees or allowances as prescribed under the Act and the Rules made under the Act, from time to time.

4.1.2 Complaint of Sexual Harassment

4.1.2.1. Lodging of a complaint

1. Any aggrieved individual may make in writing, a complaint of sexual harassment along with the documentary evidence available or names of witnesses, to any of the committee members at the workplace. within a period of three (3) months from the date of incident and in case of more than one incident, within a period of three (3) months from the date of last incident. Complaints arising of incidents more than three (3) months old shall not be accepted.
2. However, the IC may, for reasons to be recorded in writing, extend such time limit of filing complaint up to further 3 months, if it is satisfied that bonafide circumstances prevented the aggrieved individual from filing complaint within the time limit mentioned in point (1) herein above. The complaint should clearly mention name and available details of both the aggrieved person and the respondent. Anonymous or pseudonymous complaints will not be investigated.
3. Where the aggrieved individual is unable to make the complaint on account of her/his physical or mental incapacity or death or otherwise, his/her representative, as more fully described under Rule6 of the said Rules, may make a complaint.
4. The HC Department or Ethics Office will officially forward the complaint to the Presiding Officer of IC within seven (7) days from the date of making of the complaint.
5. The complainant shall submit six copies of the complaint accompanied by available supporting documents and relevant details concerning the alleged act of sexual harassment(s) including names and address of witnesses, if any which the complainant believes to be true and accurate.

4.1.2.2. Receiving a Complaint (guidelines)

Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed and it requires tact and discretion while receiving the complaint.

The following points are kept in mind by the receiver of the complaint: -

1. Complaint are listened to and the complainant informed that the Company takes the concerns seriously. Complainant is informed that these concerns will be reported to the appropriate committee and follow up will be done speedily
2. Situation are not be pre-judged. Written notes are taken while listening to the person. Complainant is allowed to bring another person to the meeting if they wish. When taking accurate notes, complainants' own words, where possible, is used. Clear description of the incident in simple and direct terms is prepared and details are confirmed with the complainant
3. All notes are kept strictly confidential. Complainant's agreement is taken to allow proceeding with the matter, which involves a formal investigation.
4. The complainant is advised that although the process is confidential, the respondent needs to be informed and any witnesses and persons directly involved in the complaint process will also learn of the complainant's identity Care is taken to prevent any disadvantage to or victimization of either the complainant or the respondent

4.1.3. Redressal Process

4.1.3.1. Resolution procedure through conciliation

Before the IC initiates an inquiry, the complainant may request the IC to take steps to resolve the matter through conciliation provided no monetary settlement shall be made as basis of conciliation. If a settlement has been so arrived, the IC shall record the same and forward the same to the Employer and provide copies of the settlement to the aggrieved individual and the respondent. In such cases, no further inquiry shall be conducted by the IC.

4.1.3.2. Resolution procedure through formal inquiry

- (1) In case where a settlement is not feasible or could not be arrived at through conciliation (ref clause 4.3.1 above), the IC will conduct an inquiry into the complaint. Additionally, an inquiry may also be initiated if the aggrieved person informs the IC that any terms of settlement (ref clause 4.3.1 above) has not been complied with by the respondent.
- (2) The IC within 7 (seven) working days of receiving the complaint shall forward one copy thereof to the respondent for obtaining a response.
- (3) The respondent within 10 (ten) working days of receiving the complaint shall file his/her reply to the complaint along with list of supporting documents, names and addresses of witnesses.
- (4) The IC shall consider the reply from the respondent and initiate an inquiry. The complainant or the respondent to the complaint shall not be allowed to bring any legal practitioner to represent them at any stage of the proceedings before the IC. IC shall hear both the complainant and the respondent on date(s) intimated to them in advance and the principles of natural justice will be followed accordingly.

(5) In the event of failure to attend personal hearing before IC by the complainant or the respondent on three consecutive dates (intimated in advance) without sufficient cause, the IC shall have the right to terminate the inquiry proceedings or give an ex-parte decision. However, the IC shall serve a notice in writing to the party (i.e.), 15 (fifteen) days in advance, before such termination or the ex-parte order.

(6) The inquiry process shall be completed maximum within the period of 90 (ninety) days from the date of receipt of the complaint.

(7) The IC within 10 (ten) days from the date of completion of inquiry shall provide a report of its findings and recommendation(s) to CPO and Director & General Manager and such report and recommendation(s) shall also be forthwith made available to the complainant(s) and respondent(s).

(8) Where the conduct of Sexual Harassment amounts to a specific offence under the Indian Penal Code (45 of 1860) or under any other law; it shall be the duty of IC to immediately inform the complainant of his/her right to initiate action in accordance with law with the appropriate authority, and to give advice and guidance regarding the same. Any such action or proceedings initiated shall be in addition to proceedings initiated and /or any action taken under this Policy.

Please refer **Annexure-1** for sections dealing with sexual harassment under the Indian Penal Code.

4.2. Action after inquiry

On completion of the inquiry, an inquiry report shall be issued to the Company within a period of 10 days from the completion of the inquiry and such report shall also be made available to the concerned parties

a) In the event the allegation is not proven: The IC shall not recommend any action to be undertaken by the Company.

b) In the event the allegation stands proven:

1. The IC shall recommend take action against the respondent for sexual harassment as a misconduct in accordance with the Code of Conduct; or

2. The IC shall recommend to take action including

- I. seek a mandatory written apology from the respondent;
- II. issue a warning to the respondent;
- III. Reprimand or censure the respondent;
- IV. Withhold the promotion of the respondent;
- V. Withhold the pay rise or increments of the respondent;
- VI. Terminate the respondent from service;
- VII. instruct the respondent to undergo a counseling session; or
- VIII. instruct the respondent to undertake community service.

IX. Suspension; or

The determination of amount of compensation to be paid to the Aggrieved person would be based on the following factors:

- Mental, trauma, pain, suffering and emotional distress;
- The loss in the career opportunity due to the incident
- Medical expenses;
- Income and financial status of the respondent; and
- Feasibility of such payment in lump sum or in installments

d) In case the IC finds the degree of offence coverable under the Indian Penal Code, 1860 the IC shall take appropriate action for making a police complaint. Upon the recommendation received from the concerned IC, the Company shall act within 60 days from the date of receipt of the report of the IC

4.3. Interim relief

During pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the employer to:

- Transfer the aggrieved individual or the respondent to any other workplace; or
- Grant leave to the aggrieved individual of maximum 3 months, in addition to the leave he/she would be otherwise entitled; or
- Grant such other relief to the aggrieved individual as may found to be appropriate; or
- Restraint the respondent from reporting on the work performance of the complainant.
- Once the recommendation of interim relief are implemented, CPO shall inform the committee regarding the same.

4.4. Termination of Enquiry

The IC have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the Complainant or the Respondent fails, without sufficient cause to present herself or himself for three consecutive hearings convened by the Chairperson, as the case may be, provided that such termination or ex-parte order may not be passed without giving a notice of 15 days to the concerned party.

4.5. Prohibition on disclosure of information

This policy and the law prohibit any person including IC Members from publishing, communicating or making known to the public, press and media in any manner, contents of the complaint, the identity and addresses of the aggrieved person, respondent and witnesses, any information relating to conciliation and inquiry proceedings, or recommendations of the IC during the proceedings under the provisions of the Act.

Any violation thereto shall also be subject to applicable disciplinary action as outlined in Associate Handbook. Further CPO shall impose monetary sanctions as per provisions of the Act and Rules.

4.6. Harassment by individuals outside this policy

If an aggrieved individual brings to the notice of the IC any instances of sexual harassment where the respondent is not an associate or other individuals covered under this policy, the Management or any person delegated by the Management shall provide assistance to the aggrieved individual, if such aggrieved individual so chooses, to file a complaint with the IC of the respondent's employer or under the IPC or any other law for the time being in force, as may be appropriate.

4.7. Protection to Complainant

The Company is committed to ensuring that no associate 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 and/or produces any forged or misleading document) will be subject to applicable disciplinary action.

4.7.1 Appeal

Any person aggrieved by the recommendation of IC may prefer an appeal under the relevant provisions of the Act and Rules.

4.7.2. Disciplinary Proceedings

Pursuant to written recommendation of CPO on the basis of report and findings of IC and subject to the final outcome of the appeal proceedings, if any, (ref. clause 4.3.6 above) necessary disciplinary proceedings may be initiated against the respondent in terms of the applicable provisions of Associate Handbook of the Company.

4.7.3. Savings and Repeal

Prevention of Sexual Harassment Policy (v1.11 dated 27th April 2020) hereby stands substituted with this Policy with effect from 14 September 2020. All existing inquiry proceedings and/or appeals initiated under the withdrawn policy will be deemed to have been made under this Policy and same shall continue accordingly.

5. Malicious Allegations

Where the committee arrives at the conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer to take action against the woman or the person making the complaint. The action recommended should be similar to the ones proposed for the respondent in case of substantiated complaints. While deciding malicious intent, the committee should consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

6. Annual Report

The IC shall prepare an annual report with details of number of complaints received, number of complaints disposed off during a given year, number of cases pending for more than 90 days, number of workshops or awareness programs organized and nature of action taken by the Company. The annual report shall be submitted to the Company.

7. Key Duties of the Company

Key duties of EKIESL include:

- To constitute and provide facility to all the members of the IC for dealing with complaints of sexual harassment and conducting inquiry;
- To provide safe working environment for all;
- To display at a conspicuous place penal consequence of sexual harassment;
- To provide necessary support to the Aggrieved Woman if she chooses to file a criminal complaint under the Indian Penal Code 1860;
- To treat sexual harassment as a misconduct under the service rules;
- To monitor timely preparation and submission of an Annual Report by the Internal Committee;
- To conduct orientation programs and seminars for the members of the IC; and Conduct workshops and associate awareness programs at regular intervals for sensitizing the associates with the provisions of the Act and the Rules.
- Declare the names and contact details of all the members of the Internal Committee.

8. POLICY REVIEW

This Policy may be amended, modified or supplemented from time to time to ensure compliance with any modification, amendment or supplementation to any notifications and directions issued by Ministry of Law and Justice or under any other law applicable, from time to time. The IC may issue /implement such guidelines, procedures, formats and/or reporting mechanisms to enforce this Policy as it may deem fit.

ACKNOWLEDGEMENT

Associate acknowledges and confirms that the Associate has read an understood this Policy, and agrees to comply with this Policy. Associate acknowledges that the employer reserves the right to modify the Policy.

Associate Signature

Associate name

Annexure-1

Sections of the Indian Penal Code (IPC) – Sexual Harassment and Punishment for Sexual Harassment

Under the Indian Penal Code, the newly introduced Section (Section 354A) which deals with Sexual Harassment has made this a 'cognizable offense' i.e. a person charged with Sexual Harassment may be arrested **without a warrant**.

(1) A man committing any of the following acts:

- (i) physical contact and advances involving unwelcome and explicit sexual overtures; or
- (ii) a demand or request for sexual favours; or
- (iii) showing pornography against the will of a woman; or
- (iv) making sexually coloured remarks,

shall be guilty of the offence of sexual harassment.

(2) Any man who commits the offence specified in clause (i) or clause (ii) or clause (iii) above, shall be punished with rigorous imprisonment for a term which may extend to three years, or with fine, or with both.

(3) Any man who commits the offence specified in clause (iv) above shall be punished with imprisonment of either description (i.e. either simple or rigorous) for a term which may extend to one year, or with fine, or with both.

In addition to Section 354A set out above, acts of Sexual Harassment may also constitute other offenses under IPC including Section 354 (assault or criminal force to woman with intent to outrage her modesty), Section 354C (Voyeurism), Section 354D (Stalking), Section 375 and 376 (Rape) and Section 509 (word, gesture or act intended to insult the modesty of a woman) of the IPC.

Annexure-2

List of Internal Committee Member at Saroja Pharma Industries India Limited

1. Mrs. Sonal Diwadkar
2. Mr. Ravindra Salaskar
3. Ms. Bindu Kurup
4. One NGO Representatives