



## **POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE**

**[NIPHA GROUP OF COMPANIES]**

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### **COMMITMENT:**

Nipha Group of Companies is committed to provide work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment. The Company is also committed in promoting a work environment that is conducive to the professional growth of its employees and encourages the Equality of Opportunity. The Company will not tolerate any form of Sexual Harassment and is committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment. Sexual harassment at the work place involving employees is a grave offence and is, therefore, punishable. The Hon'ble Supreme Court has also directed companies to lay down guidelines and a forum for redressal of grievances related to sexual harassment.

### **SCOPE:**

This policy applies to any person employed at workplace for any work on regular or temporary basis, either directly or through an agent/ contractor and includes any co-worker, contract worker, probationer, apprentice or called by any other such name. The Company will not tolerate Sexual Harassment, if engaged in by Clients or by Suppliers or by any other Business Associates of the Company. This Policy is deemed to be incorporated in the service conditions/Code of conduct/ HR policy of all employees.

The workplace includes:

1. All department, organization, establishment, office, branch, unit or any Other Premises where the Company's business is conducted;
2. Any place visited by the employee arising out of and in course of employment including transportation for undertaking such journey.





#### **DEFINITION OF SEXUAL HARASSMENT:**

Sexual harassment may be one or a series of incidents involving unsolicited and unwelcome sexual advances, requests for sexual favors, or any other verbal or physical conduct of sexual nature. Sexual Harassment at the workplace includes but not limited to:

1. Physical contact and sexual advances (verbal, written or physical), or
2. Demand or request for sexual favors, or
3. Any other type of sexually-oriented conduct, or
4. Verbal abuse or 'joking' that is sex-oriented, or
5. Showing pornography or
6. Any other implied or explicit promise of preferential treatment, threat of detrimental treatment about present or future employment of the woman or humiliating her which may affect her health and safety or interfering with her work or creating an intimidating or offensive or hostile situation may also amount to sexual harassment.

#### **RESPONSIBILITIES REGARDING SEXUAL HARASSMENT:**

All Employees of the Company have a Personal Responsibility to ensure that their behavior is not contrary to this Policy. All Employees are encouraged to reinforce the maintenance of a Work Environment free from Sexual Harassment.

#### **COMPLAINT MECHANISM:**

An appropriate complaint mechanism in the form of "Internal Complaints Committee" has been created in the Company for time-bound redressal of the complaint made by the victim. The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.

#### **INTERNAL-COMPLAINTS COMMITTEE:**

The Company has instituted an Internal Complaints Committee (ICC) at Kolkata Head Office, for Redressal of Sexual Harassment complaint and for ensuring time bound treatment of such complaints. Initially, the Internal Complaints Committee will comprise of the following for the next three years w.e.f. 01-03-2023.





Nipha Exporta (P) Ltd. (HEAD OFFICE):

- a. Ms. Diksha Shah (Chairperson) - Presiding Officer
- b. Mrs. Gouri Dey.
- c. Mrs. Moumita Gupta.
- d. Mr. Ritesh Maity.

**The Complaints Committee is responsible for:**

- Investigating every complaint of Sexual Harassment;
- Taking appropriate remedial measures to respond to any substantiated allegations of Sexual Harassment;
- Recommend punishment against the respondent, if found guilty;
- Discouraging and preventing any and all employment-related Sexual Harassment:

**PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT:**

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

**A. Complaints:**

1. An aggrieved woman with a harassment concern may make a complaint in writing to the ICC in a sealed envelope or through an email within a period of three months from the date of incident. The employee is required to disclose her name, department, division and location they are working in, to enable the Presiding Officer to contact them and take the matter forward. The ICC may extend the time limit of three months if it is satisfied that circumstances prevented the woman from filing the complaint within three months.
2. The ICC, before initiating inquiry into complaint, may at the request of the aggrieved woman take steps to settle the matter between her and the respondent through conciliation. If amicably settled, a copy of such

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settlement is to be provided to both the woman and the respondent and there will be no further requirement of initiating inquiry by the ICC. Settlement under conciliation shall not be on any monetary terms.

3. The Presiding Officer of the ICC will proceed to determine whether the allegations made in the complaint fall under the purview of Sexual Harassment, preferably within 30 days from date of receipt of the complaint. 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 Presiding Officer will record his finding with reasons and communicate the same to the woman and the respondent.
4. If the Presiding Officer of the Complaints Committee prima facie determines that the allegations constitute an act of sexual harassment, she will proceed to investigate the allegation with the assistance of the Complaints Committee. In the enquiry proper opportunity of being heard is to be provided to both the woman and the respondent and the ICC shall conduct this enquiry following the principles of nature justice.
5. For the purpose of inquiry, the ICC shall have the power, inter alia, to summon and enforce attendance of any person and examine him on oath and require the discovery and production of documents;
6. Where such conduct, on the part of the respondent, 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.
7. The Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Managing Director of the Company as soon as practically possible and in any case, not later than 90 days from the date of receipt of the complaint and such report is to be made available to the woman and respondent within 10 days from the date of completion of inquiry report. Only if the respondent is found guilty, the ICC shall recommend the employer to take action for sexual harassment as misconduct. The Managing





Director will ensure corrective action on the recommendations of the Complaints Committee and keep the complainant informed of the same.

8. If the complaint is against any respondent who is also a member of ICC, in that case the said member is to be excluded from the ICC for the purpose of adjudication of the complaint.

**B. Corrective action may include any of the following:**

- Formal Apology;
- Counseling;
- Written warning to the respondent and a copy of it maintained in the Employee's File;
- Change of Work Assignment / Transfer for either the Perpetrator or the Victim;
- Suspension or Termination of services of the employee found guilty of the offence;
- Deduct such sum from the salary of the respondent as it may consider appropriate to be paid to the aggrieved woman. If such deduction is not possible, it may direct the respondent to pay such sum to the aggrieved woman.

**APPEAL**

Any person aggrieved by the inquiry report of ICC may prefer an appeal within 90 days before the "appellate authority" as defined under the Industrial Employment (Standing Orders) Act, 1946

**FALSE OR MALICIOUS COMPLAINT AND FALSE EVIDENCE:**

In case the complaint is found to be false or malicious or evidence given by the woman knowing it to be false or documents produced is forged or misleading, the woman shall, if deemed fit, be liable for appropriate Disciplinary Action by the Management

**CONFIDENTIALITY:**

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





matter confidential. To protect the interests of the woman, the respondent and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process and thereafter to the extent practicable and appropriate under the circumstances.

**ACCESS TO REPORTS AND DOCUMENTS:**

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.

**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 adequate Disciplinary Action.

**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

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(Director)

(Managing Director)

