

Policy on Prevention of Sexual Harassment at theWorkplace

1. OVERVIEW

1.1. Objectives

The Samkrg Group is committed to creating and maintaining an atmosphere in which our employees can work together, without fear of sexual harassment, exploitation or intimidation. Every employee should be aware that we are strongly opposed to sexual harassment and that such behavior is prohibited both by the law and the Group policy. We intend to take all necessary action(s) required to prevent, correct and if necessary, discipline behavior which violates this policy. This policy has been framed in accordance with the provisions of the "Sexual Harassment of Women at Workplace (Prevention, Prohibition and redressed) Act, 2013. 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.

2. GUIDELINES

2.1. Definitions

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

i. Physical contact and advances; or

ii. A demand or request for sexual favors; or

iii. Making sexually colored remarks; or

iv. Showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or sexually offensive pictures, cartoons or other material through email, or message ; or

v. Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy; or

vi. Persistent watching, following, or;

vii. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
viii.

The following circumstances, among others, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment, may amount to sexual harassment:

i. Implied or explicit promise of preferential treatment in your employment; or

ii. Implied or explicit threat of detrimental treatment in your employment; or

iii. Implied or explicit threat about your present or future employment status; or

iv. Interference with your work or creating an intimidating or offensive or hostile work environment for you; or

v. Humiliating treatment likely to affect your health or safety.

It is important to note that whether harassment has occurred or not, does not depend on the intention of the people but on the experience of the aggrieved person.

2.1.2. Aggrieved person: In relation to a workplace, a person, 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 and temporary, and visitors.

2.1.3. Respondent: A person against whom a complain of sexual harassment has been made by the aggrieved person

2.1.4. Employee: A person employed at the 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 expressedor implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.

2.1.5. Employer: A person responsible for management, supervision, and control of the workplace.

2.1.6. Workplace: All offices, factories, units, or any place visited by the aggrieved person or the employee during the course of and/or arising out of employment/contract/engagement with Samkrg, including transportation provided for undertaking such a journey.

2.2. Internal Complaints Committee

Constitution of the Internal Complaints Committee:

An Internal Complaints Committee has been formed to redress any complaints of sexual harassment. The committee comprises of:

- Presiding Officer: A woman employee at a senior level in the organization or workplace
- At least 2 members from amongst employees, committed to the cause of women and or having legal knowledge
- One external member from non-governmental organization, familiar with the issues relating to Sexual harassment
- At least one half of the total members is women

The members of this committee are mentioned in Annexure 1.

The committee is responsible for:

- Receiving complaints of sexual harassment at workplace
- Initiating and conducting inquiry as per the established procedure
- Submitting findings and recommendations of the inquiry
- Coordinating with the employer in implementing appropriate action
- Maintaining strict confidentiality throughout the process as per established guidelines
- Submitting annual reports in prescribed format

2.3. Filing a complaint

- If you believe that you have been subjected to sexual harassment, you should file a complaint with any of the internal committee members
- As per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the complaint must be lodged within 3 months from the date of incident or from the date of the last incident. However, at Samkrg we encourage employees to raise their complaint even after this timeline
- Provided that where such a complaint cannot be made in writing, the Presiding officer, or any member of the Internal Complaints Committee shall render all reasonable assistance to the person for filing the complaint in writing
- If the aggrieved person is unable to file the complaint in account of her incapacity, the following may do so on her behalf – Legal heir, co-worker, any person having knowledge of the incident
- The complainant will need to self-attest the written complaint

2.4. Investigating a complaint

- The committee will promptly investigate any allegation made in a free and fair manner
- This investigation may include private interviews with the complainant, the person alleged to have committed the offence and witnesses, if any. All notes from the investigation are kept strictly confidential.
- Once the complaint is received, before initiating the inquiry the committee may take steps to conciliate the complaint between the complainant and the respondent. This is only if requested by the complainant
- Resolution through conciliation happens within 2 weeks of receipt of complaint.
- The committee initiates formal inquiry in the following cases:
    - Conciliation not requested by complainant

- Conciliation has not resulted in any settlement
- Complainant tells the committee that terms of conciliation were not complied with

2.4.1. Manner of inquiry:

- Complainant should submit six self-attested copies the complaint along with supporting documents and names of the witnesses
- Upon receiving the complaint the committee sends 1 copy to the respondent within 7 working days with supporting documents and names of witnesses
- Respondent is expected to reply with all supporting documents within 10 working days
- The Complaints Committee shall have the right to terminate the inquiry or give ex parte decision on
- The complaint, if the complainant or respondent fails to present himself/herself for 3 consecutive hearings convened by the Presiding Officer.
- Parties shall not be allowed to bring any legal practitioner to represent them.
- Completion of the inquiry will be done within 90 days from the date on which the inquiry commenced.

2.4.2. Interim relief:

During the inquiry the committee may recommend the employer to

- Transfer the complainant or respondent
- Grant leave to the aggrieved person for maximum of 3 months
- Prevent respondent from assessing complainant's work performance
- Grant other relief as may be deemed appropriate

2.4.3. Action taken after inquiry:

- Post completion of inquiry the report will be submitted to the employer within 10 days
- In case the complaint was substantiated the committee may recommend action for the misconduct. Action may include counseling, censure, written warning, written apology, suspension, withholding of increments, community service, termination, or any other action that the management deems fit.
- In case the complaint was unsubstantiated, the committee may recommend to the employer that no action is required, or they may recommend to punish the complainant for malicious intent and/or false evidence. Malicious intent must be clearly established. The action for malicious complaints could be the same as mentioned above.
- The employer will act upon the recommendations within 60 days
- Appeal against the decision is allowed within 90 days of the date of recommendation

2.5. Whistleblower policy

If you want to inform the committee about any incident of sexual harassment within Samkrg that you are aware of, you can do so by sharing the details of the employee being subjected to sexual harassment and the employee responsible for it.

Annexure-1

Composition of Internal Complaints Committee pursuant to the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

S. NO	NAME	DESIGNATION
1	Mrs. A. Sailaja	Presiding Officer
2	Mr. Dinker Mishra	Member and Legal Officer
3	Mrs. Pondara Jhansi	External Member
4	Ms. K Mounavya	Member
5	Ms. G Poornima	Member