



HEC INFRA PROJECTS LIMITED

Anti- Harassment Policy

[Policy of the Company under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013]

Regd. Office:

Sigma-1 Corporates, Corporate House No.6,
Nr. Mann Party Plot Cross Road, Sindhu Bhavan Road,
Bodakdev, Ahmedabad-380054.

OBJECTIVE:

HEC Infra Projects Limited ('the Company') is committed to providing a work environment free from harassment of any kind and in particular, a work environment that does not tolerate sexual harassment. We respect dignity of everyone involved in our work place, whether they are employees, suppliers or our customers. We require all employees to make sure that they maintain mutual respect and positive regard towards one another.

APPLICABILITY:

The policy shall become operative from the date as may be decided by the Board of Directors of the Company.

DEFINATION:

- a) **Aggrieved woman:** means in relation to a workplace, a woman, of any age whether employed or not, who alleges to have been subject to any act of sexual harassment by a Respondent.
- b) **Complaint:** means a complaint of Sexual Harassment lodged with the Internal Committee.
- c) **Complainant:** means an aggrieved woman who lodges a Complaint with the Internal Committee
- d) **Employee(s):** means a person employed at 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;
- e) **Internal Complaint Committee:** means the Internal Complaints Committee constituted by HEC in accordance with the provisions of Section 4 of the Act for redressal of a Complaint;
- f) **Respondent:** means a person against whom a Complaint is made by an Aggrieved Woman.
- g) **Sexual Harassment:** includes any one or more of the following unwelcome behavior (whether directly or by implication) namely:
 - Physical Contact & 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;

No woman shall be subjected to sexual harassment at any workplace. Following circumstances amongst other circumstances mentioned above may constitute sexual harassment if it occurs or is present in relation or connected with any act or behavior of sexual harassment:

- i. implied or explicit promise of preferential treatment in their employment;
- ii. implied or explicit threat of detrimental treatment in their employment;
- iii. implied or explicit threat about their present or future employment status;
- iv. interfering with their work or creating an intimidating or offensive or hostile work environment; humiliation treatment likely to affect their health or safety.
- v. humiliating treatment likely to affect the health and safety of the aggrieved person.

In addition to the instances mentioned hereinabove, any other acts or behavior, which outrages the modesty of a female employee, will be considered as sexual harassment.

- h) **Workplace:** includes any department, organization, undertaking, establishment, enterprise institution, office or branch unit, 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.

INTERNAL COMPLAINT COMMITTEE:

The Internal Complaint Committee shall comprise of as many members as the Board of Directors may nominate from time to time, provided that at least one-half of the total number of Members shall be women.

The present Members of the ICC shall comprise of the following:

- (a) One Presiding Officer who shall be a senior level woman employee of the Company;
- (b) Two employee members preferably committed to the cause of women or who have experience in social work or have legal knowledge;
- (c) One member from amongst Non-Government Organization or Association committed to the cause of women or a person familiar with the issues relating to sexual harassment.

The ICC shall have the power to sub-delegate their authority to a sub-committee of ICC for monitoring the local issues at various sites of the Company. The Board of Directors may re-constitute the ICC as may be required from time to time, within the stipulated requirements under the Act.

The ICC shall in each calendar year prepare an annual report and submit the same to the Company.

PROCEDURE FOR DEALING WITH COMPLAINTS FOR SEXUAL HARASSMENT:

A. Lodging a Complaint:

- (i) Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the ICC giving details of the sexual harassment meted out to her 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, which may be extended for a further period of 3 months, if circumstances warrant such extension in the opinion of the ICC.
- (ii) The Presiding Officer or any Member of the ICC can render reasonable assistance to the aggrieved woman for making complaint in writing, in case they are unable to do so.
- (iii) On receipt of complaint, the ICC shall decide the place and time for hearing the complaint and shall intimate the date, time and place of hearing to the Complainant and Respondent. The ICC shall follow principle of natural justice while handling such complaints.
- (iv) Where the aggrieved woman is unable to make a complaint on account of their physical incapacity, a complaint may be filed by
 - a) a relative or friend; or
 - b) a special educator or
 - c) a qualified psychiatrist or psychologist; or
 - d) the guardian or authority under whose care they are receiving treatment or care; or
 - e) any person who has knowledge of the incident jointly with any of the abovementioned persons.
- (v) Where the aggrieved woman for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with her written consent.
- (vi) 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.
- (vii) A Complaint may also be made orally. If the Complaint is oral, member of the Internal Committee to whom the Complaint is made shall record the same in writing, in detail, and have the contents confirmed by the Complainant.

B. Manner of Inquiry:

The aggrieved woman or person authorized on her behalf as per the aforesaid provision shall make a complaint to the ICC as per the Act.

- a. At the time of filing the complaint, the complainant shall submit to the ICC, six copies of the complaint along with supporting documents and names and address of witness.
- b. On receipt of such complaint, the ICC shall provide a copy of the complaint received from the aggrieved woman to the Respondent within 7 working days.
- c. Respondent shall file his reply within a period not exceeding 10 working days of receipt of the complaint along with list of documents, names and addresses of witnesses.
- d. ICC shall have the right to terminate the enquiry or give ex-parte decision on the complaint, if the Respondent or complainant remains absent for 3 consecutive hearings, without sufficient cause.
- e. The ICC must complete its investigation within a period of 90 days.
- f. The parties shall not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings before the ICC.
- g. For conducting the enquiry the quorum of the ICC shall be of 3 members including the presiding officer.

The ICC may before initiating an inquiry, and at the aggrieved woman's request, attempt to settle the matter through conciliation. However, ICC shall ensure that no monetary settlement shall be made as a basis of conciliation.

Where a settlement has been arrived as mentioned hereinabove, the ICC shall record the settlement so arrived and forward the same to the employer to take action as specified in the recommendation. The settlement terms shall be signed by both the parties and the ICC shall provide the copies of the settlement to the aggrieved woman and the respondent.

Where, a settlement is arrived as mentioned hereinabove, no further inquiry shall be conducted by the ICC. The Committee may, during such investigation, exercise the power of a civil court, vested in it, in respect of:

- a. summoning and enforcing the attendance of any person and examining him under oath;
- b. requiring discovery and production of documents;
- c. any other prescribed matter.

C. Manner of Action:

- 1) The ICC shall on completion of the enquiry provide a report of its findings within 10 days from the date of completion of the enquiry and such report shall be made available to the concerned parties.
- 2) If the allegation against the respondent has not been proved, the ICC may recommend that no action needs to be taken in the matter.

- 3) Except in cases where service rule exists, if the ICC arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the employer to take any action for sexual harassment as a misconduct including:
 - a. Written apology to the complainant, warning, reprimand or censure;
 - b. Withholding of promotions, pay rise or increments of the Respondent, terminating the Respondent from service;
 - c. Undergoing a counseling session or carrying out community service.
 - d. To deduct from salary / wages of the respondent or issue direction for payment; such sum as it may consider appropriate to be paid to the aggrieved woman or to her legal heirs, as it may determine.

- 4) Such action will be taken within 60 days of the receipt of report.

ACTION FOR FALSE AND MALICIOUS COMPLAINTS:

Any complaint of sexual harassment shall be taken up with utmost seriousness by the Company. However, there shall be zero tolerance for any false and malicious complaint.

Except in cases where service rule exists, if the ICC comes to a conclusion that the allegation was made with malicious intent or the aggrieved woman or any other person making the complaint on behalf of the aggrieved woman produced false or forged or misleading documents to prove its case, the ICC may recommend the Employer to take action against the complainant who has made the complaint as per this Policy. A similar recommendation to the Employer for taking action would be recommended against any witness whom the ICC concludes, that he/she has given false evidence or produced forged or misleading documents.

RESPONSIBILITIES AND DUTIES OF THE EMPLOYER:

The responsibilities and duties of the Employer are as under:

- a. Provide a safe working environment.
- b. Formulate and widely disseminate an internal policy or charter declaring prohibition, prevention and redressal of sexual harassment at the workplace.
- c. Display conspicuously at the workplace, the penal consequences of indulging in acts that may constitute sexual harassment and the composition of the ICC.
- d. Declare the names and contacts details of all members of the ICC
- e. Organise workshops and awareness programmes at regular intervals for sensitizing employees on the issues and implications of workplace sexual harassment and organising orientation programmes for members of the ICC.
- f. Provide necessary facilities to the ICC for dealing with the complaint and conducting an inquiry
- g. Cause to initiate under the Indian Penal Code, 1860
- h. Provide assistance to the aggrieved woman if she so desires to file a complaint in relation to the offence under the IPC or any other law for the time being in force
- i. Treat sexual harassment as a misconduct under the service rules and initiate action for misconduct

- j. Monitor the timely submission of reports by the ICC.

CONFIDENTIALITY:

The contents of the complaint, the identity and addresses of the aggrieved staff member, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee and the action taken by company shall not be published, communicated or made known to the public, press and media in any manner. All complaints / grievances of sexual harassment will be taken seriously, will be held in strict confidence and will be investigated promptly in an impartial manner. For the purpose of completing the investigation, key witnesses or other stakeholders may be required to be taken into confidence at the strict discretion of the Internal Committee.

AMENDMENTS:

The Board of Directors may subject to the applicable laws amend any provision amend, substitute and replace this policy from time to time, within the stipulated requirements under the Act.
