



HERANBA INDUSTRIES LIMITED

CIN: L24231GJ1992PLC017315

POLICY GUIDELINE AND PROCEDURE ON PREVENTION OF SEXUAL HARASSMENT OF WOMEN AT WORKPLACE

Approved on : May 30, 2023



COMMITMENT

Our Company believes that all employees of the Company have the right to be treated with dignity and respect. Our Company is committed to create a healthy working environment that enables employees to work without fear of prejudice, gender bias and a harassment free workplace to all employees without regard to race, caste, religion, color, marital status, gender, sexual orientation, age, nationality, ethnic origin or disability.

The Company is also committed to promoting a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity.

Sexual Harassment of Women at work place or other than work place is a grave offence and is punishable.

SCOPE

The Supreme Court has directed Companies to lay down guidelines and a forum for redressal of grievances related to sexual harassment. The Government of India has notified “The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act, 2013” along with the Rules on December 09, 2013.

This Act is to provide protection against sexual harassment of women at workplace and for prevention and redressal of complaints of sexual harassment and for matters connected therewith and incidental thereto. This Policy is framed in line with the Act and extends to all employees of the Company and is deemed to be incorporated in the service conditions of all employees of the Company.

The Workplace includes:

1. All offices or other premises where the Company’s business is conducted
2. All Company related activities performed at any other site away from the Company’s premises.

DEFINITIONS

‘Aggrieved Individual’ means an aggrieved woman in relation to a workplace, is a person of any age, whether an Employee or not, who alleges to have been subjected to any act of Sexual Harassment.

‘Company’ or **‘Heranba’** means Heranba Industries Limited.

‘Complaint’ means and includes any written complaint in the nature of Sexual Harassment made by an aggrieved person against any other employee within Heranba including its



subsidiaries, associates or any third party having business dealings with Heranba including its subsidiaries and associates.

‘Complainant’ means a Complainant is any Aggrieved woman (if the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise) who makes a complaint alleging Sexual Harassment under this Policy.

‘Employee’ means a person employed by the Company for any work on permanent, deputation, temporary, consultants, adhoc 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.

‘Sexual Harassment’ might 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:

1. Physical contact and advances, (e.g. pushing, grabbing, jostling, touching the body and / or attempts to do so);
2. Demands or requests for sexual favors, (e.g. unwanted sexual attention, forcing to spend time together);
3. Making sexually colored remarks (e.g. verbal sexual innuendos such as jokes, suggestions, or hints about sexual behavior, comments about physical appearance, offensive comments abusive language);
4. Showing pornography (e.g. Display, giving or sending of pornography in the form of pictures, books, magazines, postcards, photos, animation, sound recording, film, video, and video games done personally and/ or via documents, or by telephone, cell-phone messages, web site communication, or emails); or
5. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature (e.g. non-verbal communication such as staring, gestures of sexual nature, following the person, stalking, persistent visiting, telephoning, sending of cell-phone messages, or other invasions of personal privacy, spreading rumors about sexuality, gender and / or Character of a person).

In addition to above definition, if there are following circumstances along with or apart from, it shall amount to sexual harassment (creation of hostile work environment).



Hostile Work Environment will include the following:

- direct or indirect promise of preferential (special) treatment in employment;
- direct or indirect threat of detrimental (harmful / damaging) treatment in employment;
- direct or indirect threat about present or future employment status; or
- Creation of conditions and situations that interfere with work or creation of an intimidating or offensive or work environment;
- Humiliating treatment likely to affect health and / or safety of the Aggrieved Person.

‘Respondent’ means a person against whom the complainant/aggrieved individual has made a complaint.

‘Third Party’ includes any person not on the rolls of Heranba but interacts with the employees such as consultants, retainers, customers, vendors, suppliers, contract workers, trainees, or any outside visitor within or outside Heranba.

‘Workplace’ would mean and include the following but not limited to:

- Any premises, locations, establishments, enterprises, institutions, offices, branches, or units established, owned, controlled by Heranba and its subsidiaries and associates;
- Any external location visited by the Employee arising out of or during the course of employment including any mode of transportation provided by the company or use of public transport such as uber/ola etc., for undertaking a journey to and from the aforementioned locations.

RESPONSIBILITIES REGARDING SEXUAL HARASSMENT

At Heranba all employees are expected to uphold highest standard of ethical conduct at workplace and in all their interactions with business stakeholders. The employees have the following responsibility:

1. Treat each other with dignity and respect.
2. Follow the letter and spirit of law.
3. Refrain from unethical behavior that has sexual connotations (of sexual nature)
4. Refrain from creating hostile atmosphere at workplace via sexual harassment.
5. Report sexual harassment experienced and/or witnessed to appropriate authorities and abide by the complaint handling procedure of the Company.



INTERNAL COMPLAINTS COMMITTEE

The Company has instituted Internal Complaints Committee for redressal of sexual harassment complaint and for ensuring time bound treatment of complaint.

The Internal Complaint Committee shall comprise of following four members:

- Presiding Officer: A woman employed at a senior level in the organization or workplace.
- At least 2 members from amongst employees preferably committed to the cause of women and or having legal knowledge.
- One external member familiar with the issues relating to sexual harassment.
- At least one half of the total members are women.

The Internal Complaint Committee (ICC / Committee) is responsible for:

- Investigating every formal written complaint for sexual harassment.
- Taking appropriate remedial measures to respond to any complaints of sexual harassment.
- Discouraging and preventing employment related sexual harassment.

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

A. Informal Resolution:

When an incident of sexual harassment occurs, the victim of such conduct can communicate their disapproval and objections immediately to the harasser and request the harasser to behave decently. If the harassment does not stop or if the victim is not comfortable with addressing the harasser directly, the victim can bring their concern to the attention of the Internal Complaint Committee.

B. Complaints:

1. A woman with a harassment concern, who is not comfortable with the informal resolution, may make a formal complaint to the Presiding Officer of ICC.
2. The complaint shall have to be in writing and can be in the form of a letter, preferable within 20 days from the date of occurrence of alleged incident sent in a sealed envelope. The woman can also send the complaint through an email. The maximum period allowed for making the complaint is 3 months. The Committee can extend the time if it is satisfied that the circumstances were such which prevented the woman from filing the complaint. The woman 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.

3. The Presiding Officer of the Complaint Committee will proceed to determine whether the complaint falls under the purview of Sexual Harassment. In the event, the complaint does not fall under the purview of Sexual Harassment; the Presiding Officer will record this finding with reasons and communicate the same to the complainant.
4. If the Presiding Officer of the Committee determines that the complaint constitute an act of sexual harassment, she will proceed to investigate the complaint with the assistance of the Complaint Committee.
5. The Complaint committee shall send one of the copies received from the aggrieved woman to the respondent within a period of seven working days.
6. The Complaint Committee shall make an inquiry into complaint in accordance with the principles of natural justice.
7. Where both the parties are employees, the parties shall during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representations against the findings before the Committee.
8. The Internal Complaint Committee shall provide report of its findings to the Company within a period of ten days after completing the inquiry and such report shall be made available to the concerned parties.
9. Where the Committee arrives at the conclusion that the complaint against the respondent has not been proved, it shall recommend to the woman that no action is required to be taken by the employer.
10. Where the Committee arrives at the conclusion that the complaint against the respondent has been proved, it shall recommend the Company to:
 - a) Take action for sexual harassment as misconduct in accordance with provisions of service rules applicable to the respondent or where no such service rules is made, to take action including written apology, warning, reprimand, withholding of promotion, withholding of pay rise or increment, terminating the respondent from service or undergoing counseling session or carrying out community service.
 - b) Deduct from salary or wages of the respondent such sum to the aggrieved woman as the case may be, having regard to:
 - Mental trauma, Pain, Suffering and Emotional distress caused to the aggrieved woman.
 - Loss of Career opportunity due to incident of sexual harassment.
 - Medical expenses incurred by victim for physical or psychiatric treatment.

- The income and financial status of the respondent.
 - Feasibility of such payments in lump sum or in installments.
11. The Complaint Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the employer as soon as practically possible and in any case, not later than 100 days from the date of receipt of the complaint. The employer will ensure corrective action on the recommendations of the Complaints Committee and keep the complainant informed of the same.
 12. Corrective action may include any of the following:
 - a. Formal apology
 - b. Counseling
 - c. Written warning to the harasser and a copy of it maintained in the employee's file.
 - d. Change of work assignment / transfer for either the harasser or the victim.
 - e. Suspension or termination of services of the employee found guilty of the offence
 13. In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

FALSE AND MALICIOUS COMPLAINTS

The Company is strongly opposed to misuse of this Policy. Therefore both Aggrieved Person and the Respondent must be prepared to go through a fair process of inquiry by Complaint Committee.

In case Complaint Committee comes to a conclusion that complaint is found to be done and supported with malicious intent by the Aggrieved Person and witnesses respectively, done and supported knowing that it is false or if the Aggrieved Person and / or witnesses produced forged or misleading evidence/documents, Complaint Committee will recommend suitable action to the Management to prevent recurrence and others are deterred from raising complaints in bad faith. The Aggrieved Person and / or witnesses will be liable for appropriate disciplinary action by the Management.

However, mere inability to substantiate a complaint or provide adequate proof will not mean that the complaint is false. Malicious intent on the part of the complainant and witnesses shall be established after an enquiry by the Management as per the code of conduct of the Company before any action is recommended against them.



MANAGEMENT RESPONSIBILITIES

It is the responsibility of the management to:

- a) provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;
- b) display at any conspicuous place in the workplace the penal consequences of sexual harassments; and the order constituting Internal Complaint Committee (Complaint Committee);
- c) declare names and contact details of all members of Complaint Committee;
- d) organize workshops and awareness programs at regular intervals for sensitizing the employees with the provisions of the 2013 Act and orientation/capacity building programs for the members of Complaint Committee;
- e) provide necessary facilities to Complaint Committee for dealing with the complaint and conducting an inquiry;
- f) assist in securing the attendance of Respondent and witnesses before Complaint Committee and make available such information to Complaint Committee in context of the complaint;
- g) provide assistance and initiate action to the Aggrieved Person if they so choose to file a complaint against the Respondent in relation to the offence under the IPC or any other law for the time being in force;
- h) treat sexual harassment as misconduct under the code of conduct and initiate action for such misconduct;
- i) monitor the timely submission of annual reports by Complaint Committee to the Management; And
- j) On the recommendations of Complaint Committee and the HR/Legal department, the management will seek appropriate expert advice and arrange for help and support for the Aggrieved Person in the form of counseling and / or medical attention.

NO RETALIATION

There is zero tolerance to retaliation against the Aggrieved Person and all others who report such misconduct. Any act of retaliation should be reported to the Management. Appropriate steps will be taken to ensure that retaliation will not be done against any complainant or person who, in good faith, has participated in or provided information pertaining to incident/s of sexual harassment, regardless of whether the complaint was upheld. Individuals engaging in retaliatory conduct will be subject to disciplinary action by the Management.

CONFIDENTIALITY:



The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential. To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process 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 woman 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 disciplinary action.

CONCLUSION:

In conclusion, the Company reiterates its commitment to providing women, a workplace free from harassment/ discrimination and where every woman is treated with dignity and respect.
