



JYOTI GLOBAL PLAST LIMITED

POLICY ON PREVENTION OF SEXUAL HARASSMENT

INTRODUCTION:

As a Company, we are committed to conducting and governing ourselves with ethics, transparency and accountability and to this, we have developed governance structures, practices and procedures that ensure that ethical conduct at all levels is promoted across our value chain. We are dedicated to ensure that the work environment at all our locations is conducive to fair, safe and harmonious relations, based on mutual trust and respect, between all the associates of the Company. Discrimination and harassment of any type is strictly prohibited. We wish to promote and maintain this culture to ensure that associates of the Company do not engage in practices that are abusive in any form or manner, whatsoever.

The Company aims to provide a safe working environment and prohibits any form of sexual harassment. Hence, any act of sexual harassment or related retaliation against or by any associate is unacceptable. This policy therefore, intends to prohibit such occurrences and also details procedures to follow when an associate believes that a violation of the policy has occurred within the ambit of all applicable regulations regarding Sexual Harassment.

1. POLICY:

- 1.1. Jyoti Global Plast Limited (herein after referred as “**the Company**”) is an equal employment opportunity company and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Company also believes that all employees of the Company, have the right to be treated with dignity.
- 1.2. Sexual harassment at the work place or other than work place is a grave offence and is, therefore, punishable.
- 1.3. The Ministry of Law and Justice, Government of India, has passed the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (**Act**) with the avowed object of providing protection/prevention against sexual harassment of women at the workplace. The Act further provides for the redressal of complaints of sexual harassment.
- 1.4. This policy is in compliance with the provisions of the Act. It is also in keeping with our commitment to the adoption of best practices.

2. APPLICABILITY

This policy will extend to all associates of the Company including those employed on regular, temporary, ad-hoc or daily wage basis, either directly or through an agent, including a contractor, whether for the remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied (hereinafter referred to as “Associates”).

The policy also extends to those who are not employees of the Company, such as customers, visitors, vendors, suppliers, contract worker, probationer, trainee, apprentice or called by any other such name, but are subjected to sexual harassment at the Premises (defined hereinafter) of the Company.

3. **SCOPE AND EFFECTIVE DATE:**

3.1. This Policy extends to all categories of employees of the Company, including permanent management and workmen, temporaries, consultants, trainees and employees on contract at their workplace or at client sites and is deemed to be incorporated in the service conditions of all stakeholders and comes into effect immediately.

3.2. Sexual harassment would mean and include any of the following (in addition to the meaning provided under section 2 (n) of the Act:

- (a) No woman shall be subjected to sexual harassment at any workplace.
- (b) The following circumstances, among other circumstances, if it occurs, or is present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment:
 - 1. implied or explicit promise of preferential treatment in her employment; or
 - 2. implied or explicit threat of detrimental treatment in her employment ; or
 - 3. implied or explicit threat about her present or future employment status; or
 - 4. interference with her work or creating an intimidating or offensive or hostile work environment for her; or
 - 5. humiliating treatment likely to affect her health or safety.
- (c) unwelcome sexual advances, requests or demand for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any company activity;
- (d) unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individuals' sensibilities and affect her/his performance;
- (e) eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy;
- (f) act or conduct by a person in authority which creates an environment at the workplace that is hostile or intimidating to a person belonging to the other sex;
- (g) conduct of such an act at workplace or outside in relation to stakeholders of the Company, or vice versa during the course of employment; and
- (h) any unwelcome gesture having sexual overtones.

3.3. "Workplace" includes:

- (a) All offices or other premises where the Company's business is conducted.
- (b) All company-related activities performed at any other site away from the Company's premises.

- (c) Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.
- (d) Any external location visited by Associates due to or during the course of their employment with the Company such as business locations of other Companies/entities, guest houses etc.
- (e) Any mode of transport provided by the Company (or a representative of the Company) for undertaking a journey to and from the aforementioned locations

4. INTERNAL COMPLAINTS COMMITTEE:

- 4.1. A Complaints Committee has been constituted by the Management to consider and redress complaints of Sexual Harassment. The Managing Director may constitute such other committees as may be required for the purposes of the Act at the various locations of the Company.
- 4.2. Initially, and till further notice, the Complaints Committee will comprise of the following members:
 - (a) Presiding Officer who shall be a woman employed at a senior level at workplace amongst the employees.
 - (b) At least two members from amongst employees preferably committed to the cause of woman or who have had experience in social work or have legal knowledge.
 - (c) One member from amongst NGO or associations committed to cause of woman or any professional or a person familiar with the issues relating to sexual harassment.

Out of the aforesaid members at least two members will be of the same gender as that of the Complainant, subject to at least one-half of the total members so nominated being women.

- 4.3. A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Presiding Officer and at least two other members, one of whom shall be a woman.
- 4.4. You may reach the Committee and report the matter to the below committee posh@jyotiglobalplast.com

5. REDRESSAL PROCESS:

- 5.1. Any employee (hereinafter, “**Complainant**”) who feels and is being sexually harassed directly or indirectly may submit a complaint of the alleged incident to any member of the Committee in writing with his/her signature within 10 days of occurrence of incident.
- 5.2. 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.
- 5.3. The Committee will hold a meeting with the Complainant within five working days of the receipt of the complaint.
- 5.4. At the first meeting, the Committee members shall hear the Complainant and record her/his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate his / her complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a lady officer for lady

employees involved and a male officer for male employees, involved shall meet and record the statement.

- 5.5. Thereafter, the person against whom complaint is made may be called for a deposition before the Committee and an opportunity will be given to him / her to give an explanation, where after, an enquiry shall be conducted and concluded.
- 5.6. In the event, the investigation leads that the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof in writing.
- 5.7. In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

6. ENQUIRY PROCESS:

- 6.1. The Committee shall immediately proceed with the Enquiry and communicate the same to the Complainant and person against whom complaint is made.
- 6.2. The Committee shall prepare and hand over the Statement of Allegation to the person against whom complaint is made and give him / her an opportunity to submit a written explanation if she / he so desires within 7 days of receipt of the same.
- 6.3. The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.
- 6.4. If the Complainant or the person against whom complaint is made desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es whom they propose to call.
- 6.5. If the Complainant desires to tender any documents by way of evidence before the Committee, she / he shall supply originals/copies of such documents. Similarly, if the person against whom complaint is made, desires to tender any documents in evidence before the Committee he / she shall supply originals/copies of such documents. Both shall affix his / her signature on the respective documents to certify these them.
- 6.6. The Committee shall call upon all witnesses mentioned by both the parties.
- 6.7. The Committee shall provide every reasonable opportunity to the Complainant and to the person against whom complaint is made, for putting forward and defending their respective cases.
- 6.8. The Committee shall complete the enquiry within reasonable period but not beyond three months and communicate its findings and its recommendations for action to the General Manager – HR. The report of the committee shall be treated as an enquiry report on the basis of which an erring employee can be awarded appropriate punishment straightaway.
- 6.9. The General Manager HR will direct appropriate action in accordance with the recommendation proposed by the Committee. The disciplinary action shall be commensurate with the nature of the gravity of the offence and shall include without limitation – Warning, written apology from offender, bond of good behavior, transfer, debarring from supervisory duties, denial of employee benefits like increments/promotion/salary correction, etc., cancellation of specific work Assignment, suspension, dismissal.
- 6.10. The Committee shall be governed by such rules as may be framed by the Supreme Court orders or any other legislation enacted later on.

7. DECISION AND ACTION

During the pendency of inquiry, on a written request made by the Aggrieved Associate, the Committee, may recommend to the Company to –

- a) transfer the Aggrieved Associate or the respondent to any other workplace; or
- b) grant leave to the Aggrieved Associate; or
- c) grant such other relief to the Aggrieved Associate as may be prescribed.

The leave granted to the Aggrieved Associate under this section shall be in addition to the leave he/she would be entitled to otherwise if the case is proved.

Once the investigation is completed, the Committee shall provide a report of its findings to the Company, within ten (10) days from the date of completion of the inquiry and such report shall be made available to the concerned parties. The Company shall act upon the recommendation of the Committee with sixty (60) days of receipt of the report of the Committee.

The Committee shall make a determination will be made regarding the validity of the harassment allegations. If it is determined that the harassment has not occurred, it shall recommend to the Company that no action is required to be taken in this matter. If it is determined that harassment has occurred; prompt, remedial action will be taken. The Committee will share the investigation details and the findings thereof with the appropriate functional Head HR and agree on the applicable disciplinary action. This may include some or all of the following:

- a. Restore any lost terms, conditions or benefits of employment to the Aggrieved Associate. Discipline the respondent. This discipline can include deduction from the salary or wages the amount to be paid to the Aggrieved Associate, demotion, suspension, and termination.

The disciplinary action will be carried out by the concerned HR department. Such disciplinary action may even include transfer, demotion or termination. All related documents will be maintained in the associate's folder, ensuring confidentiality.

8. PUNISHMENT FOR FALSE OR MALICIOUS COMPLAINT AND FALSE EVIDENCE

The person making the false representation and providing false or malicious complaint and false evidence shall be liable for punishment as prescribed under the Act.

9. OTHER POINTS TO BE CONSIDERED:

9.1. The Committee may recommend to the General Manager – HR action which may include transfer or any of the other appropriate disciplinary actions.

- 9.2. The management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.
- 9.3. Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the Company shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- 9.4. The Committee shall analyze and put up report on all complaints of this nature at the end of the year for submission to General Manager HR.
- 9.5. In case the Committee find the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police Complaint.

10. DETERMINATION OF COMPENSATION

For the purpose of determining the sums to be paid to the Aggrieved Associate, the Committee shall have to regard the following:

- the mental trauma, pain, suffering and emotional distress caused to the Aggrieved Associate; · the loss in the career opportunity due to the incident of sexual harassment; medical expenses incurred by the victim for physical or psychiatric treatment;
- the income and financial status of the respondent; and
- feasibility of such payment in lump sum or in installments

11. 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.

12. DUTIES OF THE EMPLOYER

The Company shall -

- 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;
- c. organize workshops and awareness programmes at regular intervals for sensitizing the Associates with the provisions of the Act and orientation programmes for the members of the Committee in the manner as may be prescribed;
- d. provide necessary facilities to the Committee for dealing with the complaint and conducting an inquiry;

- e. assist in securing the attendance of respondent and witnesses before the Committee; f. make available such information to the Committee as it may require having regard to the complaint made;
 - g. provide assistance to the Aggrieved Associate if he/she so chooses to file a complaint against the respondent in relation to the offence under the Indian Penal Code or any other law for the time being in force;
 - h. cause to initiate action, under the Indian Penal Code or any other law for the time being in force, against the perpetrator, or if the Aggrieved Associate so desires, where the perpetrator is not an Associate, in the workplace at which the incident of sexual harassment took place;
 - i. treat sexual harassment as a level 3 misconduct under the disciplinary policy of the Company and initiate action for such misconduct;
- monitor the timely submission of reports by the Committee.

13. ANNUAL REPORT

The Sexual Harassment (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter referred to as the PoSH Act) along with the Sexual Harassment (Prevention, Prohibition and Redressal) Rules, 2013 (hereinafter referred to as the PoSH Rules) imposes certain obligations on the employer of an organization with 10 or more employees, which includes the submission of an annual compliance report.

Section 21 of the Act makes it mandatory for the Internal Committee (IC) of the organization to prepare and submit an annual report to the employer and the district officer.

Rule 14 of the PoSH Rules states that the following details must be included in the annual report:

1. number of complaints of sexual harassment received by the IC in the year;
2. number of complaints disposed off during the year after due investigation;
3. number of cases pending for more than ninety days, if any;
4. number of workshops or awareness program that the organization conducted for awareness about and prevention of sexual harassment at the workplace; and
5. nature of action taken by the employer against each complaint in which the Respondent was found guilty.

14. 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.

15. 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 disciplinary action.
