

KRBL LIMITED

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POLICY ON PREVENTION OF SEXUAL HARASSMENT AT THE WORKPLACE

1.. PHILOSOPHY:

KRBL Limited ("Company"), a company duly incorporated under the Companies act, 1956 and having its registered office at 5190, Lahori Gate, Delhi, India 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. Sexual harassment at the work place or other than work place if involving employees is a grave offence and is, therefore, punishable.

2.. OBJECTIVE / PURPOSE:

2.1.. This policy has been framed with a view to:

2.1.1. Promote a workplace based on equality & respect.

2.1.2. Provide a safe and congenial work environment.

2.1.3. Create awareness & sensitization about sexual harassment at the workplace.

2.1.4. Prevent sexual harassment.

2.1.5. Provide formal and informal mechanism for redressal in case of complaint of sexual harassment at the workplace.

2.2.. Define the implications and outcome of sexual harassment.

2.3.. Ensure protection against retaliation to complainants, witnesses, committee members and other employees involved in prevention and complaint resolution.

3.. SCOPE AND EFFECTIVE DATE:

3.1.. This Policy extends to all employees of the Company and its subsidiaries including any associate engaged on fixed term contract, short term engagement, temporary, apprentice, trainees, summer trainees, contract persons and visitors on our premises. It shall also include any unwelcome behavior of a sexual nature mentioned in the policy by any Vendor/Supplier/Contractor including their agents, supervisors, managers and their employees to any of our employees on our premises. This Policy shall come into effect immediately. No anonymous complaints will be entertained.



4.. **DEFINITIONS:**

4.1.. **Sexual Harassment:** Sexual harassment includes such unwelcome sexually determined behavior (whether direct or by implication) such as:

4.1.1. Physical contact and sexual advances;

4.1.2. Demand or request for sexual favors;

4.1.3. Making Sexually - coloured remarks;

4.1.4. Showing pornography; and

4.1.5. Any other unwelcome physical, verbal or non-verbal or written conduct of a sexual nature.

4.1.6. "Unwelcome sexually determined behavior" includes but is not limited to:

- (a) Subjecting another person to an unwelcome act of physical intimacy including grabbing, brushing, touching, including sexual flirtations, advances or propositions.
- (b) Making any unwelcome remark with sexual connotations like sexually explicit, remarks, cracking jokes or using sentences with sexual connotations or making sexist remarks etc.
- (c) Showing any sexually explicit visual material in the form of pictures / cartoons / pin-ups/ calendars / screen-savers on computers / any offensive written or electronic material /including pornography.
- (d) Engaging in any other unwelcome conduct of a sexual nature, verbal or even nonverbal, staring to make the other person uncomfortable, making offensive gestures, etc.
- (e) Sending unwelcome communication of a sexual nature, through e-mail, letter, mobile technology or any other form of written or electronic communication, exhibiting conduct of a sexual nature.
- (f) Making an unwelcome demand or request whether directly or by implication for sexual favors and/or making it a condition of employment / payment of wages / increments/promotion / preferential treatment / threat to detrimental treatment in employment /threat to current or future employment status or similar act.



- (g) Where a Supervisor requests sexual favors from a junior (or any other person) in exchange for actual or promised job benefits such as favorable reviews, increase in salary, promotions, increased benefits or preferential treatment.
- (h) Implied or explicit threat of detrimental treatment in her employment or about her present or future employment status.
- (i) Where a boss or other senior person intrudes into the private life of employees or persistently asks them out.
- (j) Where any employee(s) make(s) sexual epithet, jokes, written or oral references to sexual conduct, and/or gossip regarding one's sex life, comments on an individual's body, comments about an individual's sexual activity, deficiencies or prowess in an attempt to humiliate or make another person uncomfortable.
- (k) Behavior which creates an environment that is intimidating, hostile, offensive, humiliating for women employee.

4.2.. Workplace:

Any place where working relationship and/or employer-employee relationship between the company and the person exists. This includes our premises (including transit houses & guesthouses) and any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such a journey.

4.3.. Aggrieved Woman:

In relation to workplace, a woman of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the Respondent.

4.4.. Respondent:

Against whom the Aggrieved Woman has made a complaint.



5.. INTERNAL COMPLAINTS COMMITTEE:

- 5.1.. The Internal Complaint Committee ("**ICC**") shall consist of:-
- 5.1.1. A Presiding Officer who shall be a woman employed at senior level.
- 5.1.2. Not less than two Members from amongst the Employees preferably committed to the cause of women.
- 5.1.3. One Member from an NGO or association committed to the cause of women or person familiar with the issues relating to the Sexual Harassment.
- 5.1.4. At least one half of the total Members nominated for the ICC shall be women.
- 5.2.. The tenure of the committee shall be 3 years and the names of the committee members shall be announced by the Head – HR & Admin. The Head – HR & Admin shall be the authority for disciplinary actions on issues relating to sexual harassment at the workplace.

6.. GRIEVANCE REDRESSAL MACHINERY:

- 6.1.. Any Aggrieved Woman who feels that she is being sexually harassed, directly or indirectly, may submit a Complaint of the alleged incident, either herself or through any other person on her behalf, to any member of the ICC in writing with her signature within a period of three (3) months of occurrence of incident, and in case of a series of incidents, within a period of three (3) months from the date of the last incident. The ICC may, after recording its reasons in writing, extend the said time limit by such period not exceeding three (3) months if it is satisfied with the circumstances that led to preventing the Aggrieved Woman from making the Complaint within three (3) months.
- 6.2.. In case of any difficulty in filing the Complaint in writing, the Presiding Officer/Member of the ICC shall provide reasonable assistance to the Complainant to file a written Complaint.
- 6.3.. A Complaint may also be made by a legal heir or any of the persons specified under sub section (2) of Section 9 of the Act read with Rule 6 of the Rules, where the Complainant is unable to do so, on account of any kind of incapacity.
- 6.4.. The Internal Committee will maintain a record of the Complaints received by it and keep the contents confidential, except to use the same for inquiry.
- 6.5.. Aggrieved Woman must file six copies of the Complaint along with supporting documents and names and addresses of her witnesses.



- 6.6.. On receipt of the complaint, the ICC will decide whether the allegations (assuming them to be true only for the purpose of this determination) made in the complaint fall under the purview of the Act. In case the complaint is not maintainable, the ICC will dismiss the complaint by giving reasons in writing.
- 6.7.. In case the ICC arrives at the conclusion that the complaint is prima facie maintainable, ICC shall forward one copy of the Complaint to the Respondent within seven (7) working days.
- 6.8.. Given that this policy highlights a preventive focus, there is a need to distinguish between an informal process of redressal i.e. conciliation and formal process of redressal.
- 7.. PROCEDURE FOR INFORMAL GRIEVANCE REDRESSAL:**
- 7.1.. Informal processes normally involve an intermediary means for resolving a problem.
- 7.2.. Benefits of an informal process are:
- 7.2.1. It is consistent with the preventive approach.
- 7.2.2. It helps to diffuse a minor incident without diluting as also escalating the problem.
- 7.2.3. Often people just want unwelcome behavior to stop without drawing undue attention; an informal process makes this option more possible.
- 7.2.4. It involves employees to share in the responsibility of eliminating unwelcome behavior at work.
- 7.2.5. A sense of restraint and responsibility on the part of all concerned is critical for the effective functioning of these guidelines.
- 7.3.. The preventive / informal process that can be adopted is as follows:
- 7.3.1. Convey to the person who is the cause of distress that his actions, words, behavior is unwelcome and is unpleasant and convey that in no uncertain terms such behavior is appreciated and acceptable and that action will be taken against him if such action is repeated.
- 7.3.2. In case that person continues the harassment, at the request of the Aggrieved Woman, the ICC, shall, prior to initiating an inquiry, take steps to settle the matter between the Aggrieved Woman and the Respondent through conciliation. In case both parties reach a settlement, the ICC shall record the terms of any such settlement reached between the Complainant and the Respondent, and forward the same to the management/employer to take action as recommended.
- 7.3.3. If the Respondent fails to comply with the terms and conditions of the Settlement Agreement agreed between the parties, the Complainant may inform the ICC of the same for further action, as provided under the Act.



8.. PROCEDURE FOR FORMAL GRIEVANCE REDRESSAL:

- 8.1.. In the event of the complaint not being resolved through informal mechanism, then it would need to be escalated to the formal process of redressal by the Internal Complaint Committee for redressal.
- 8.2.. Inquiry and Action
 - 8.2.1. In case the conciliation fails or the Aggrieved Woman does not request for conciliation or the Respondent fails to comply with the terms and conditions of the settlement agreement agreed between the parties, the ICC shall commence inquiry forthwith.
 - 8.2.2. The Respondent must file his/her response to the Complaint along with supporting documents and names and addresses of witnesses, within ten (10) days of receiving the Complaint copy from the ICC. A copy of the said response shall be provided to the Aggrieved Woman/Complainant forthwith.
 - 8.2.3. The ICC will make an inquiry into the Complaint in accordance with the principles of natural justice.
 - 8.2.4. During the pendency of an inquiry, the ICC may, on the request made by the Aggrieved Woman, grant interim relief in accordance with the provision of Section 12 of the Act.
 - 8.2.5. The ICC shall, while conducting inquiry, will call upon both the parties separately, listen, look at proof (if any), verify documents produced by the parties, allow the parties to produce witnesses and to put forth their say.
 - 8.2.6. The ICC will give both the Aggrieved Woman and the Respondent an opportunity of being heard at the time of inquiry, and will make available to both of them, a copy of its findings enabling them to make representation in respect of such findings, before the ICC.
 - 8.2.7. The ICC may terminate the inquiry proceedings or decide ex-parte on the Complaint, if the Aggrieved Woman or the Respondent does not, without sufficient cause, present himself/herself for three consecutive hearings convened by the ICC.
 - 8.2.8. The quorum for convening a meeting of the ICC for the purpose of any inquiry shall be three (3) members of the ICC, including the Presiding Officer.
 - 8.2.9. The ICC shall complete the inquiry within a period of ninety days and communicate its findings and its recommendations for action to the Company's management in a report, within ten (10) working days of completing the inquiry.
 - 8.2.10. A copy of the report shall also be made available to the Aggrieved Woman and the Respondent.
 - 8.2.11. The report of the ICC shall be treated as a final report on the basis of which the Respondent can be awarded appropriate punishment straightaway within sixty days



of its receipt. In the event the ICC concludes that allegations of Sexual Harassment have been established, it shall in its report to the Company, recommend the action to be taken against the Respondent Company and/or deduct such sum as it considers appropriate from the salary/wages of the Respondent to be paid to the Aggrieved Woman or her heirs (in case of her death) or any other act in accordance with the provision of the Act.

- 8.2.12. While arriving at the appropriate compensation sum to be paid to the Aggrieved Woman, the ICC shall have regard to the considerations set out in Section 15 of the Act. The Company's Management will take appropriate action in accordance with the recommendation proposed by the ICC.
- 8.3.. In case, the ICC finds the degree of offence to be coverable under the Indian Penal Code, then this fact shall be mentioned in its report and if required appropriate action shall be initiated by the Management or on the request of the Aggrieved Woman, for making a Police complaint.
- 8.4.. In the event, the Complaint does not fall under the purview of Sexual Harassment or the allegations are not established, the ICC shall recommend to the Company that no action is required to be taken and close the enquiry by recording reasons in writing.
- 8.5.. None of the parties can be represented by a lawyer during the proceedings.
- 8.6.. The ICC shall be governed by the Act and the Rules.
- 8.7.. Pursuant to a finding of Sexual Harassment by the Committee against Respondent, the Committee may initiate any one or more of the following actions:
 - 8.7.1. Issue a verbal warning
 - 8.7.2. Issue a warning in writing
 - 8.7.3. Issue a suspension
 - 8.7.4. Deprived of increment or promotion
 - 8.7.5. To deduct, notwithstanding anything in the service rules applicable, from the salary or wages of the Respondent the sum as it may consider appropriate to be paid to the Aggrieved Woman
 - 8.7.6. Order dismissal depending upon the severity & sensitivity of the incident
 - 8.7.7. Financial Penalty (In accordance with the mental, physical trauma, loss of career opportunity, medical expenses) in lump sum or in installments.



9.. FALSE COMPLAINT AND EVIDENCE

- 9.1.. In case the Internal Complaints Committee on conclusion of the inquiry finds that the allegation was malicious or the Aggrieved Woman has made the complaint knowing it to be false, or has produced any forged / misleading document, it will recommend action to be taken by Head-HR& Admin against the woman who has made the complaint. In all such cases the malicious intent on the part of the woman must be established before any action is recommended.
- 9.2.. A mere inability or insufficiency to substantiate a Complaint shall not be considered as grounds for taking action as false or malicious complaint.

10.. CONFIDENTIALITY

- 10.1.. Any and all persons entrusted with the duty to handle or deal with a Complaint, inquiry or any recommendation or action to be taken under the Act, Rules and this Anti-Sexual Harassment Policy shall not disclose the name, address, identity or any other particulars that can in any way reveal the identity of the Complainant and the witnesses or the Respondent to the public or media.
- 10.2.. In case of any violation, the concerned person shall be liable for penalty in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist, in such manner as may be prescribed by law.

11.. GUIDELINES FOR MEMBERS OF GRIEVANCE REDRESSAL MACHINERY:

- 11.1.. Believe in the reality of the complaint lodged.
- 11.2.. Empathize with the complainant. Do not function like an officer investigating a criminal case.
- 11.3.. Remember that it may be difficult for an employee to talk about anything 'sexual'. Hence there can be a long time interval between the harassment and the actual complaint.
- 11.4.. Handle complaints in a confidential manner.
- 11.5.. Submit annual report on sexual harassment cases, if any and actions taken to address the same, to the Head – HR & Admin.
- 11.6.. Maintain all the data related to sexual harassment cases in the Company.
- 11.7.. Provide safety for the complainant and his / her supporters, if such a need be felt and that the committee can recommend action against persons indulging in intimidation of the complainant or witness to a complaint.



- 11.8.. Discard pre-determined notions of how an accused should look or behave or dress.
- 11.9.. Do not insist on detailed description of harassment. This could increase the Aggrieved Woman's trauma.
- 11.10.. Most sexual crimes are committed in private; hence there may not be any eye-witnesses.
- 11.11.. Since this is a human rights issue, balance of probabilities is a sufficient measure of proof.
- 11.12.. Help the complainant regain his / her self-respect.
- 11.13.. Make 'discreet' enquiries as to whether other employees have experienced similar problems.
- 11.14.. Document results of any sexual harassment complaint or investigation. Not only the results, but also document any corrective action that the employee or supervisor was asked to take.
- 11.15.. Inform all employees that it is their obligation to report sexual harassment that they either experience or witness.
- 11.16.. The inability to substantiate a complaint or provide adequate proof need not attract action against the woman.

12.. MECHANISMS TO STRENGTHEN IMPLEMENTATION OF POLICY

- 12.1.. Communication of policy.
- 12.2.. Display constitution of Internal Complaints Committee.
- 12.3.. Making it a part of the Induction.
- 12.4.. Inclusion of the number of cases reported and resolved in the Annual Report.

CONSTITUTION OF INTERNAL COMPLAINT COMMITTEE

- 13.. Names of the members of the Internal Complaint Committee, along with their contact details are provided in the order constituting the ICC displayed at conspicuous place at the Workplace. The Company will periodically update the list of names and contact details of the members.

