



POLICY ON PREVENTION OF SEXUAL HARASSMENT AT THE WORKPLACE

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1. PREFACE

KRBL Limited (hereinafter referred to as “**the Company**” or “**KRBL**”) is committed to provide equal opportunity and a harassment free workplace irrespective of race, caste, religion, colour, ancestry, marital status, gender, sexual orientation, age, nationality, ethnic origin or disability, as the case may be. Thus, in order to create such a safe and conducive work environment, this policy has been framed in accordance with the provisions of the **Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013** and Rules framed thereunder (hereinafter referred to as the “**the POSH Act**”).

Accordingly, 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. PURPOSE

- a. The purpose of this policy is to protect and prevent sexual harassment of women in the workplace and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.
- b. To set forth the expectations of conduct and mutual respect at the workplace with a focus on prevention of sexual harassment, its prohibition and the redressal mechanism if these expectations are not met or violated.
- c. To ensure compliance with the, Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and other applicable laws if any.

KRBL, as employer, sees itself as a responsible party for ensuring the above. An illustrative list of duties of the employer is attached as **Annexure-A** to this policy.

3. SCOPE OF THE POLICY

This Policy is applicable to all employees of KRBL Limited and its subsidiaries/ companies under the same Employer and is deemed to be incorporated in the service conditions of all employees and comes into effect immediately. It extends to all workplaces environments, including physical offices, units, virtual spaces, business travel and any location associated with work duties.

In the event any of the subsidiary/company under the same Employer has a separate POSH Policy as may be required as per the applicable local laws, the same shall prevail over this Policy with respect to such subsidiary/company under the same Employer.

4. DEFINITIONS

- a. “**Aggrieved Person**” in relation to workplace, means a Person of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
- b. “**Employee**” means a person employed at a 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.

- c. **“Employer”** means a person responsible for management, supervision and control of the workplace. The employer may authorize any individual or department to exercise its powers in relation to the performance of various functions, roles, or decision-making processes.
- d. **“Respondent”** means a person against whom the aggrieved Person has made a complaint and who is or has been the employee of the Company.
- e. **“Sexual Harassment”**

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

- physical contact or sexual advances; or
- demand or request for sexual favors; or
- making sexually colored remarks; or
- showing pornography; or
- any other unwelcome physical, verbal or non-verbal or written conduct of a sexual nature.

Note;

Unwelcome physical, verbal or non-verbal or written conduct of a sexual nature includes but is not limited to:

- making any unwelcome remark with sexual connotations like sexually explicit, remarks, cracking jokes or using sentences with sexual connotations or making sexist remarks etc.; or
- 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; or
- engaging in any other unwelcome conduct of a sexual nature, verbal or even non-verbal, staring to make the other person uncomfortable, making offensive gestures, etc.; or
- sending unwelcome communication of a sexual nature, through e-mail, letter, texting or any other form of written or electronic communication, exhibiting conduct of a sexual nature; or
- 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; or
- where a boss or other senior person intrudes into the private life of employees or persistently asks them out; or
- behavior which creates an environment that is intimidating, hostile, offensive, humiliating for women employee; or
- the following circumstances if it occurs or is present in relation to any sexually determined act or behavior amount to sexual harassment;

- Implied or explicit promise of preferential treatment in employment;
- Implied or explicit threat of detrimental treatment in employment;
- Implied or explicit threat about the present or future employment status;

f. **Workplace** includes establishments, enterprises, institutions, offices, branches, premises, locations or units, owned, controlled by the Company or 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.

What Does Not Amount to Sexual Harassment

The following situations do not amount to sexual harassment:

- i. **Mutual Consent:** Any form of interaction or conduct between the individuals that is mutual, consensual, welcome, appreciated and/or reciprocated and is within professional norms and the KRBL Code of Conduct, it may not amount to sexual harassment. Any welcome behaviour that is based on mutual attraction, respect and/or friendship is not sexual harassment.
- ii. **Managerial Actions:** Legitimate supervisory actions such as work-related instructions, performance evaluations, assigning tasks, feedback or disciplinary action conducted in a professional manners for performance-related purpose are not considered Sexual harassment.

However, even in the case of formerly welcome behaviour, once un-welcomeness or discomfort is expressed, the same behaviour may amount to sexual harassment.

5. INTERNAL COMPLAINT COMMITTEE (“ICC”)

POSH Act requires every employer of a workplace shall, by an order in writing, constitute a Committee to be known as the “**Internal Complaints Committee**”. Provided that where the offices or administrative units of the workplace are located at different places or divisional or sub-divisional level, the Internal Committee shall be constituted at all administrative units or offices.

In compliance with the above and pursuant to this Policy, a designated and independent committee known as **Internal Complaints Committee** will be set up for the purposes of dealing with sexual harassment complaints. This Committee will be Chaired by a Person at senior level at each location (where available) – to constitute the Internal Complaints Committee. The Composition of the Internal Committee shall be as follows:

- a. a Presiding Officer who shall be a Person employed at a senior level at workplace from amongst the employees:

Provided that in case a senior level Person employee is not available, the Presiding Officer shall be nominated from other offices or administrative units of the workplace.

Provided further that in case the other offices or administrative units of the workplace do not have a senior level Person employee, the Presiding Officer shall be nominated from any other workplace of the same employer or other department or organisation;

- b.** not less than two Members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge;
- c.** one member from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment:

Provided that at least one-half of the total Members so nominated shall be women.

- d.** 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. For the purpose of facilitation conciliation the presiding officer may authorize one or more member of the ICC to initiate and settle the proceedings.

Your Company has a duly constituted a separate Internal Complaint Committee for the Head Office and at Unit Levels. The details of members of Committee and their contact details are available in the HRMS portal and are also displayed at the notice boards/ prominent places.

6. COMPLAINT MECHANISM

- a.** In case of any issues of sexual harassment, whether existing or perceived, either explicit or implied, the complainant is required to report the matter within a period of 3 months from the date of incident and in case of more than one incident, within a period of 3 months from the date of last incident, to any of the following without any order of preference -
 - i. Write to any Member of ICC at their designated e-Mail ID or by post;
 - ii. Write to the HR representative or approach for guidance/ support on raising the issue
 - iii. Inform the Supervisor (in case the complaint is not against him/ her).
 - iv. Write to the ICC at the designated e-mail ID or at cs@krblindia.com

Irrespective of the channel of communication, all reported matters shall be duly forwarded to the Internal Committee within 3 days and not later than 7 days from the date of Complaint. The ICC may, for the reasons to be recorded in writing, extend the period of 3 months if deemed appropriate.

- b.** Where a complaint cannot be made in writing, the Presiding Office or any Member of the ICC, shall render all reasonable assistance to the Complainant for making the complaint in writing.
- c.** Where the aggrieved is unable to make a complaint due to her physical or mental incapacity or death or otherwise, her legal heir may make a complaint under this policy.
- d.** The complaint should include necessary facts, documentary evidences and details of witnesses, as available for a thorough and unbiased inquiry into the matter.

7. RESOLUTION MECHANISM

a. CONCILIATION

While an aggrieved person has a right to raise a sexual harassment issue and get the matter investigated till its resolution, if for any reason, the aggrieved individual decides to withdraw the complaint/requests for settlement, the same shall be considered in accordance with the provisions of the law and dealt with as follows:

- i. ICC may before initiating an investigation and at the request of the Complainant may take steps to settle the matter between such Complainant and the Respondent through conciliation.
- ii. No monetary settlement shall be made as a basis of conciliation;
- iii. Where a settlement has been arrived at, ICC shall record the settlement so arrived and forward the same along with recommended action to Employer that no further investigation shall be conducted.
- iv. ICC shall provide copies of the settlement as recorded by the committee to the Complainant and the Respondent.

Guidelines to be adhered, if the Complainant wishes to resolve the matter through Conciliation:

- i. 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.
- ii. Both parties should prepare and share any necessary documents or evidence that may aid in the conciliation process, ensuring transparency and clarity.
- iii. Both parties shall adhere to clear guidelines for the conciliation meetings, including confidentiality, respect, and the scope of discussions, to create a safe environment for open communication.
- iv. ICC will ensure that if the Respondent fails to comply with the terms and conditions of the Settlement Agreement agreed between the parties, the Complainant may inform the Employer of the same for further action, as provided under the Act and the Employer shall take necessary action.
- v. Internal Complaints Committee is authorised to conduct independent investigation, in case the terms and conditions of the settlement has not been complied with by the respondent.

b. INQUIRY

In case the conciliation fails or the Complainant 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 the inquiry forthwith.

Issues raised under this policy shall be referred for inquiry at the instance of ICC and shall be dealt as per the standard operating procedure as developed by the ICC in line with the applicable law, in the following manner:

- i. The Respondent must file his/ her response to the ICC 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 Complainant forthwith.
- ii. During the pendency of an inquiry, the ICC may, on the request made by the aggrieved Complainant:
 - grant leave to the aggrieved complainant up to a period of three months; or
 - transfer the aggrieved Complainant or the Respondent to any other workplace
 - grant such other relief to the aggrieved Person as the ICC deems fit.
- iii. The ICC shall, while conducting the 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.
- iv. The ICC shall provide both the parties, an opportunity of being heard, and will make available to both of them, a copy of its findings enabling them to make written representation in respect of such findings, before the ICC.
- v. The ICC may in case of failure on the part of the respondent to respond to the complaint or make himself/ herself available for the hearing, the ICC in its discretion may terminate the inquiry in favour of the aggrieved Complainant, after giving 15 days' notice to the parties concerned.
- vi. The parties shall not engage a lawyer to represent their case in proceedings before the ICC.
- vii. At the recommendation of the ICC, choice of location and additional witnesses as per the requirements of the victim and respondent may be considered.
- viii. The ICC shall complete the inquiry within a period of ninety days from the day of receipt of Complaint and communicate its findings and its recommendations for action to the Employer in form of a report, within ten (10) working days of completing the inquiry. A copy of the said report shall also be made available to the aggrieved Complainant and the Respondent.

For the purpose of Inquiry under this policy, the ICC shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (5 of 1908) when trying a suit in respect of the following matters, namely:—

- i. summoning and enforcing the attendance of any person and examining him on oath;
- ii. requiring the discovery and production of documents; and
- iii. any other matter which may be prescribed.

c. INQUIRY REPORT

- i. ICC shall submit its inquiry report to the Employer within a period of ten (10) days from the completion of Inquiry in consideration of the following;
 - Nature of evidence in support of allegation;
 - Leading circumstances culminating into sexual harassment;
 - Discrepancies, if any, in the allegations and the submission made by the victim and his/ her witnesses;
 - Grounds for review or counter allegations/ evidences from the accused.

In case the ICC arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to ICC that no action is required to be taken against the Respondent.

In case the ICC arrives at the conclusion that the allegations against the respondent has been proved, it

shall recommend to the Employer to take action for sexual harassment in accordance with the Policies and applicable codes of the Company; and this may include but not limited to:

- Counselling
- Censure or reprimand
- Apology to be rendered by the respondent
- Written warning
- Suspension
- Termination
- Monetary penalty (the company is authorized to make requisite recoveries from the remuneration payable to the respondent)

The Employer shall act upon the recommendations of ICC within sixty days of receipt of final inquiry report.

While arriving at the appropriate compensation sum to be paid to the Aggrieved Person, the ICC shall have regard to the considerations set out in Section 15 of the Act. The Company's Employer will be required to take appropriate action in accordance with the recommendation proposed by the ICC.

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 Employer or on the request of the Aggrieved Person, for making a Police complaint.

A brief summary of Complaint Resolution mechanism is also reproduced below **Annexure-B** for the ready reference.

8. REVISION AND APPEALS;

The decision/ recommendations of the ICC is final and shall not be open to any review or appeal, unless additional evidences not considered by ICC are brought on record or fresh instances emanating from past sexual harassment complaint have arisen.

The ICC in such cases may order a fresh inquiry and the matter will be re-opened and pursued as an independent inquiry without prejudice to the previous findings.

9. FALSE COMPLAINT AND EVIDENCE

- i. In case, the ICC on conclusion of the inquiry finds that the allegation was malicious or the Complainant has made the complaint knowing it to be false, or has produced any forged/ misleading document, it will recommend action to be taken by Employer against the Complainant who has made the complaint. In all such cases the malicious intent on the part of the Person must be established before any action is recommended.
- ii. A mere inability or insufficiency to substantiate a Complaint shall not be considered as grounds for taking action as false or malicious complaint.
- iii. Any malicious intent on part of the complainant shall be established after an inquiry in accordance with the procedure prescribed, before any action is recommended.

- iv. Where the ICC arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the Employer of the witness to take action in accordance with the provisions of the service rules applicable to the said witness.

10. CONFIDENTIALITY

- i. 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.
- ii. 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. REVIEW

The policy shall be reviewed periodically to ensure that it is up to date per the industry standards, regulatory norms, company policies, and any factors which may affect or be affected by the policy.

Annexure-A

DUTIES OF EMPLOYER

1. Providing a safe workplace

Employers must ensure that the workplace is free from harassment and intimidation.

2. Displaying consequences

Employers must display the consequences of sexual harassment in prominent places in the workplace.

3. Organizing awareness programs

Employers must regularly organize programs/training sessions to educate employees about the POSH Act.

4. Establishing an Internal Committee

Employers must establish an internal committee to investigate complaints of sexual harassment.

5. Providing Necessary Infrastructure/ Facilities

Employer must provide the internal committee with the necessary facilities and information to conduct inquiries.

6. Assisting the Complainant

Employers must provide necessary assistance the complainant in filing a complaint, either with the internal committee or with the authorities as may be required.

7. Unbiased Inquiry and Resolution

Employer and the duly constituted Internal Committee should ensure to render a bias free inquiry and resolution.

8. Promoting gender sensitivity

Employers must promote a workplace that is gender-sensitive and free of bias.

9. Timely submission of annual report.

Employer must ensure the timely submission of mandatory annual report to the Employer and the District Officers.

Annexure-B

BRIEF SUMMARY OF DISPUTES/COMPLAINT RESOLUTION MECHANISM

Particulars	Timelines	Remarks
Filing of written complaint	Within three months of the date of incident.	Written complaint along with supporting documents and names and addresses of witnesses to be provided. Timeline is extendable for a maximum of 3 months at the discretion of the ICC.
Forwarding complaint copy to Respondent	Seven working days from receipt of the complaint	Complaint copy received from Complainant to be forwarded by ICC to Respondent.
Filing of reply by the Respondent	Ten working days from the receipt of the copy of complaint	Reply of the complaint along with a list of supporting documents and names and addresses of witnesses to be provided to ICC.
Notice prior to termination of inquiry of passing of exparte order	Fifteen days in advance	Notice to be given by ICC to concerned party.
Completion of Inquiry	Within ninety days from the date of receipt of complaint.	-
Submission of Inquiry report	Within ten days from date of completion of inquiry	ICC shall provide a report of its findings to Employer and to the Complainant and the Respondent as well.
Action by the Employer	Within sixty days of report by Employer	-