

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT THE WORKPLACE

I Objectives

Indoco Remedies Limited (Indoco) is committed to creating and maintaining an atmosphere in which the employees can work together, without fear of sexual harassment, exploitation or intimidation. Further Indoco believes in creating and sustaining an empowered and enabling work environment on the principles of inclusiveness and respect for all stakeholders. Every employee should be aware that Indoco is strongly opposed to sexual harassment and that such behaviour is prohibited both by the law and as a Group policy.

This policy has been framed in accordance with the provisions of the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and redressal) Act, 2013. 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.

II Definitions:

- a. **“Company”** means Indoco Remedies Limited.
- b. **“Employee”** means a person employed at a workplace for any work on regular, temporary, *ad hoc* or daily wages 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. **“Aggrieved Person”** means a person in relation to work place whether employed or not, who alleges to have been subject to any act of sexual harassment by the Respondent.
- d. **“Respondent”** means a person against whom the aggrieved person has made a complaint.
- e. **“Internal Complaints Committee”** means a committee constituted by Company as per this Policy.
- f) **“Sexual harassment”** includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication):
 - i) Physical contact and advances; or
 - ii) A demand or request for sexual favours; or
 - iii) Making sexually coloured remarks; or
 - iv) Showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or sexually offensive pictures, cartoons or other material through email, or message;
 - v) Eve teasing, innuendos and taunts, physical confinement against one’s will or any such act likely to intrude upon one’s privacy; or
 - vi) Persistent watching, following, or;
 - vii) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

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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 behaviour of sexual harassment:

- a) Implied or explicit promise of preferential treatment in your employment; or
- b) Implied or explicit threat of detrimental treatment in your employment; or
- c) Implied or explicit threat about your present or future employment status;
- d) Interference with your work or creating an intimidating or offensive or hostile work environment for you; or
- e) Humiliating treatment likely to affect your health or safety.

It is important to note that whether harassment has occurred or not, does not depend on the intention of the people but on the experience of the aggrieved person.

III Internal Complaints Committee (ICC)

- a) Every complaint received shall be forwarded to Internal Complaint Committee (ICC) formed under the policy for redressal. The investigation shall be carried out by ICC constituted for this purpose.
- b) The ICC shall comprise of at least 4 members. It will be constituted of members as nominated by the Managing Director and Jt. Managing Director of the Company and made up of the following:
 - i) A woman employee employed at a senior level amongst the employees shall act as Presiding officer of the committee.
 - ii) Not less than 2 members from amongst employees preferably committed to the cause of women OR who have had experience in social work OR have legal knowledge.
 - iii) One member shall be from amongst Non-governmental organizations OR associations committed to the cause of women OR a person familiar with the issues relating to sexual harassment. The member appointed from such non-government organization or association shall be paid the prescribed fees or allowance holding the proceedings of the ICC.

The Members of the ICC are mentioned in the **Annexure**.

- c) At least half the total members of the Committee have to be women. The Presiding Officer and every member of ICC shall hold office for such period, not exceeding three years, from the date of their nomination
- d) During an inquiry, a minimum of 3 members including the Presiding Officer shall be present.
- e) The ICC is responsible for:
 - Receiving complaints of sexual harassment at workplace
 - Initiating and conducting inquiry as per the established procedure
 - Submitting findings and recommendations of the inquiry
 - Coordinating with the employer in implementing appropriate action
 - Maintaining strict confidentiality throughout the process as per established guidelines
 - Submitting annual reports in prescribed format

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IV Complaint Redressal Mechanism

The complaint of Sexual Harassment made by any Employee shall be taken up with utmost seriousness by the Company.

- a) If the Aggrieved employee believes that he/she has been subjected to sexual harassment, he/she or person authorized on his/her behalf should file a complaint with the Members of the ICC in writing.
- b) As per the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the complaint must be lodged within 3 months from the date of incident or from the date of the last incident.
- c) If a complaint cannot be made in writing, the Presiding officer or any Member of the ICC shall render all reasonable assistance to the person for filing the complaint in writing.
- d) If the Aggrieved person is unable to file the complaint on account of his/her incapacity, the following may do so on her behalf:
 - Legal heir
 - Co-worker,
 - Any person having knowledge of the incident
- e) The ICC will promptly investigate any allegation made in a free and fair manner
- f) This investigation may include private interviews with the Aggrieved Employee, the person alleged to have committed the offence and witnesses, if any. All notes from the investigation are kept strictly confidential.
- g) Once the complaint is received, before initiating the inquiry ICC may take steps to conciliate the complaint between the Aggrieved Employee and the Respondent. This is only if requested by the Aggrieved Employee
- h) Resolution through conciliation happens within 2 weeks of receipt of complaint.
- i) The committee initiates formal inquiry in the following cases:
 - Conciliation not requested by Aggrieved Employee
 - Conciliation has not resulted in any settlement
 - Aggrieved Employee tells the committee that terms of conciliation were not complied with
- j) Aggrieved Employee should submit six self-attested copies the complaint along with supporting documents and names of the witnesses
- k) Upon receiving the complaint, the ICC sends 1 copy to the Respondent within 7 working days with supporting documents and names of witnesses
- l) Respondent is expected to reply with all supporting documents within 10 working days
- m) The ICC shall have the right to terminate the inquiry or give *ex parte* decision on the complaint, if the Aggrieved Employee or Respondent fails to present himself/herself for 3 consecutive hearings convened by the Presiding Officer.

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- n) Parties shall not be allowed to bring any legal practitioner to represent them.
- o) Completion of the inquiry will be done within 90 days from the date on which the inquiry commenced.
- p) During the inquiry the ICC may recommend the Employer to:
 - Transfer the Aggrieved Employee or Respondent
 - Grant leave to the Aggrieved person for maximum of 3 months
 - Prevent Respondent from assessing Aggrieved Employee's work performance
 - Grant other relief as may be deemed appropriate
- q) Post completion of inquiry the Report will be submitted to the Company within 10 days
- r) In case the complaint is substantiated the ICC may recommend action for the misconduct. Action may include counselling, censure, written warning, written apology, suspension, withholding of increments, community service, termination, or any other action that the Management deems fit.
- s) In case the ICC comes to a conclusion that the allegation was made with malicious intent or the aggrieved person or any other person making the complaint on behalf of the aggrieved person produced false or forged or misleading documents to prove his/her case, the ICC may recommend action to be taken against the person who has made the complaint, including termination of service. In such a case, malicious intent has to be established after an inquiry, before any action is recommended. A mere inability to substantiate a complaint or provide adequate proof would not attract action as provided herein. A similar recommendation 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.

It is to be noted that this statement is not intended to discourage employees from coming forward with any complaints. The Company recognizes and expects that some claims may be difficult to prove or support, or may not in fact be found to raise to the level of seriousness deemed necessary to constitute Sexual Harassment. These types of complaints will not be considered to be false accusations

- t) The Company will act upon the recommendations within 60 days
- u) Appeal against the decision is allowed within 90 days of the date of recommendation

V Awareness:

1. All the Employees, Agents, Customers, Vendors, Partners and Visitors shall have access to this Policy at any given point of time and clarification related to this Policy shall be addressed by the HR team.
2. A brief shall be given to all existing employees regarding the features of this Policy immediately on formulation of the Policy and to new employees in the Company during their initial Induction.
3. The Company shall comply with all other details as set out under Section 19 of the Act to ensure that all employees are provided with the safe working environment at the workplace.

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4. The Company shall display the notice showing the name of the Internal Complaints Committee members at its every establishment at a conspicuous place.

VI. Miscellaneous:

1. If any Employee wants to inform the ICC about any incident of sexual harassment within the Company that he/she is aware of, they can do so by sharing the details of the Employee being subjected to sexual harassment and the Employee responsible for it.
2. The Company may make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary to do so as long as it complies with the Act. Any such alterations or amendment or rescinding will be intimated to the employee.
3. Nothing contained in these rules shall operate in derogation of any law for the time being in force or to the prejudice of any right of any Employee under any other Rules or Law.
4. The ICC shall prepare an Annual Report with the following details and shall submit the same to the Company to include in its Annual Report:
 - a. Number of complaints of sexual harassment received during the year;
 - b. Number of complaints disposed of during the year;
 - c. Number of cases pending for more than 90 days;
 - d. Number of workshops or awareness program against sexual harassment carried out;
 - e. Nature of action taken by the employer.
5. The above Annual Report and the MIS should be prepared by the HR Department and shall be submitted before the end of a financial year to the Senior Management of the Company.

VII Conclusion:

Complaints relating to Sexual Harassment shall be handled and investigations will be conducted under the principles of natural justice, basis of fundamental fairness, in an impartial and confidential manner so as to protect the identity of all viz., the person bringing the charge, potential witnesses, and the person accused of improper behaviour.

All efforts shall be taken to ensure objectivity and thoroughness throughout the process of investigation.

The identity and address of the aggrieved person, respondent and witnesses must not be published or disclosed to the public or media.

The decision of the Company shall be final and binding on all. However, the same is without prejudice to any recourse that the Company or the individual concerned may have against the Respondent and it shall not limit or restrict the rights of the Complainant and/or the Company to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.

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ANNEXURE

Location	Sr. No	Name of Member	Member	Email ID
Mumbai Rabale Patalganga	1	Dr. Kavita Inamdar	Presiding officer	kavita.inamdar@indoco.com
	2	Mr. Rajan B Saawant	Member	rajan@indoco.com
	3	Mr. Nilesh Bhole	Member	nilesh.bhole@indoco.com
	4	Ms. Sharon Fernandes	Member	sharon@indoco.com
	5	Ms. Sujatha Nair	Member	sujathan@indoco.com
	6	Ms. Runali Mhatre	Member	runali.mhatre@indoco.com
	7	Ms. Anjali Shah	External	advitya_1@rediffmail.com
Waluj	1	Ms. Monali Garad	Presiding officer	monali.garad@indoco.com
	2	Ms. Mangal Chavan	Member	mangalc@indoco.com
	3	Mr. Nitin Datar	Member	ncdatar@indoco.com
	4	Mr. Nilesh Nalat	Member	nilesh.nalat@indoco.com
	5	Ms. Anjali Shah	External	advitya_1@rediffmail.com
Goa	1	Ms. Sonali Sardesai	Presiding officer	sonalis@indoco.com
	2	Ms. Shradha Raikar	Member	shradha.raikar@indoco.com
	3	Ms. Sonali Alwe	Member	sonali.alve@indoco.com
	4	Ms. Jyoti Naik	Member	aishwarya.karekar@indoco.com
	5	Ms. Vaishali Naik	Member	aishwarya.karekar@indoco.com
	6	Mr. Narendra Sawant	Member	narendra.sawant@indoco.com
	7	Mr. Amol Seth	Member	amol.shet@indoco.com
	8	Mr. Sujay Dessai	Member	sujay.dessai@indoco.com
	9	Dr. Asha Vernekar	External	asha@fidrindia.org
Baddi	1	Ms. Sushma More	Presiding officer	sushmam@indoco.com
	2	Ms. Mamta Rani	Member	mamta.rani@indoco.com
	3	Ms. Nidhi Verma	Member	nidhi.verma@indoco.com
	4	Ms. Anamika Gupta	Member	nidhi.verma@indoco.com
	5	Mr. Sarin Padhi	Member	sarinkumar.padhi@indoco.com
	6	Mr. Manoj Kumar	Member	manoj.kumar@indoco.com
	7	Ms. Anjali Shah	External Member	advitya_1@rediffmail.com
Hyderabad	1	Ms. Vijaylaxmi	Presiding officer	vadde.vijayalaxmi@anacipher.com
	2	Ms. Geethamadhuri Beeram	Member	geethamadhuri.beeram@anacipher.com
	3	Mr. Chirag Khatri	Member	chirag.khatri@anacipher.com
	4	Mr. K Prasad	Member	prasad.k@anacipher.com
	5	Mr. Sheshank Reddy Gaelapati	Member	sheshank.g@anacipher.com
	6	Mrs. Vishalakshi Atla	Member	vishalakshi.a@anacipher.com
		Ms. Anjali Shah	External	advitya_1@rediffmail.com



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