

Policy No.	NIBL/HR/03
Effective Date	01.06.2015
Revision No.	04
Revision Date	01.07.17
Revision Date	01.04.19
Revision Date	09.02.23
Revision Date	09.02.24

Preamble

Organizations need to ensure building a work culture where there is respect and dignity of every individual, female or male that comes to work and hence the need to ensure not only prohibition but prevention including an effective method of redressal of sexual harassment at the workplace, hence the need to have a policy on zero tolerance.

Hence NIBL adopts this policy to prevent, prohibit and punish sexual harassment at the workplace.
Punishment

Every one shall have a Right to be free from Sexual harassment and has a Right to Work in an environment free from any form of Sexual Harassment.

The NIBL 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 is a grave offence and is, therefore, punishable. No one shall be subjected to sexual harassment at NIBL.

1. Scope :

This Policy extends to all employees, whether regular, temporary, adhoc, of the Company at all locations

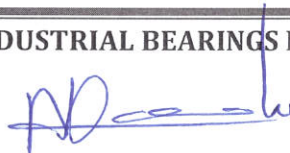
2. Objectives:

- 1) The Company firmly believes that every employee has a right to work in an environment free from harassment, intimidation or offensive behaviour and issues of harassment will be resolved without fear of reprisal.
- 2) To evolve a permanent mechanism for the prevention, prohibition and redress of sexual harassment of women within the jurisdiction of NIBL.
- 3) To actively promote a social, physical and psychological environment that will raise awareness about and deter acts of sexual harassment.
- 4) To ensure the implementation of the policy in letter and spirit by undertaking all necessary and reasonable steps including the constitution of appropriate Committees for purposes of gender sensitization and to conduct enquiries into complaints of sexual harassment.
- 5) To uphold the commitment of NIBL to provide an environment free of discrimination and violence especially against women.

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3. Effective Date:

It is deemed to be incorporated in the service conditions of all employees and comes into effect immediately.

4. Meaning of Sexual Harassment:

- 1) 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;
- 2) 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 individual's sensibilities and affect her/his performance;
- 3) Touching, Patting, Pinching, eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy;
- 4) Act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person belonging to the other sex;
- 5) Conduct of such an act at work place or outside in relation to an Employee of third party contract, or vice versa during the course of employment; and
- 6) Any unwelcome gesture by an employee having sexual overtones.

4.1 Sexually Oriented behaviour shall mean and include but not limited to the following:

Material that is sexual in nature, sexist, sexually explicit and so on and is displayed in the workplace, circulated, or put in someone's workspace or belongings, or on a computer, i-pad, mobile phone, i-phone, blackberry or on any other machine or on the internet or any other public display system or public place in the work premises.

- 1) Verbal abuse or comments that put down people because of their sex.
- 2) Comments about people's (women/men) bodies.

- 3) Tales of sexual exploits
- 4) Graphic descriptions pornography
- 5) Pressure for dates
- 6) Sexually explicit gestures
- 7) Unwelcome touching and hugging
- 8) Sexist and insulting remarks
- 9) Sexist jokes and cartoons
- 10) Displaying pornography in the workplace
- 11) Insisting that workers wear revealing clothing

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**POLICY FOR PREVENTION OF SEXUAL
HARRASMENT (POSH)**

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- 12) Inappropriate gifts
- 13) Discussion of one's partner's sexual life
- 14) Lewd and threatening letters
- 15) "Accidentally" brushing sexual parts of the body
- 16) Pressing or rubbing up against an aggrieved person
- 17) Indecent exposure
- 18) Subtle or overt pressure for sexual favours
- 19) Soliciting sexual services
- 20) Demanding sexual services
- 21) Sexual or physical contact, such as kissing or touching
- 22) Intrusive questions about sexual activity
- 23) Sexual assault
- 24) Repeated sexual invitations when the person invited has refused/ignored similar invitations
- 25) Coerced sexual intercourse (e.g., as a condition of employment or academic status)

"Sexual Harassment" should not be confused with simple friendly behaviour, if these are mutually desired and accepted. The difference between friendly behaviour and sexual harassment is that sexual harassment is an unwelcome act.

5. Prohibition of Sexual Harassment:

No employee shall engage in Sexual Harassment.

6. Rights and Responsibilities of Employees:

Any employee who feels that he or she has been sexually harassed should immediately report the matter to his or her senior. If that person is unavailable or the employee believes that it would be inappropriate to contact his or her senior, the employee should contact the HR or to the internal Complaint Committee or any member thereof.

Any senior or manager who becomes aware of any possible sexual harassment should immediately advise the HR, who will handle such matters in a lawful manner to ensure that such conduct does not continue. All complaints of sexual harassment will be investigated in as discreet and confidential a manner as possible. No person will be adversely affected in employment with the Company as a result of bringing in complaints of sexual harassment.

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7. Internal Complaint Committee:

7.1 A Committee has been constituted by the Management to consider and redress complaints of Sexual Harassment. The presiding officer and members of the committee are as follows:

Committee		
Sr. No	Name	Designation
1	Ms. Vandana Yadhav	Presiding Officer
2	Ms. Waikhari Shinde	Member
3	Ms. Supriya Sawant	Member
4	Mr. Samit Deshmukh	Member
5	Ms. Jidnyasa Naik	External Member

7.2 A quorum of 4 members is required to be present for the proceedings to take place. The quorum shall include the Presiding officer necessarily, and total number of women members shall not be less than 2 there in.

7.3 The Internal Complaints Committee will receive the complaints on sexual harassment; enquire into the complaints, conduct the enquiry and submit the findings on the complaint.

8. Complaint Procedure:


Any employee will have a right to lodge a complaint concerning sexual harassment against an employee.

- 1) Such a complaint needs to be in writing.
- 2) If the complaint is oral, the same needs to be in writing. The complainant, if desires could be facilitated in writing the complaint by an Internal Complaints Committee member.
- 3) The Complainant will be afforded confidentiality on the complaint by the Internal Complaints Committee members.
- 4) Immediately upon receipt of the Complaint, the Member of the Internal Complaints Committee to whom the Complaint is made shall communicate the same to the Chairperson of the Internal Complaints Committee.
- 5) Within a period of 7 working days from the date of such communication, the Chairperson shall convene a meeting of the Internal Complaints Committee.
- 6) The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential, except to use the same for discreet investigation.

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- 7) At the first meeting, the Committee members shall hear the Complainant and record his/her 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 shall meet and record the statement.
- 8) The Internal Complaints Committee shall examine the complaint and shall undertake investigation of the complaint after giving opportunities to the complainant to present his /her case and the respondent to give his/her version. The Internal Complaints Committee may examine witness from both the sides and also give opportunity of cross-examining of the witness. Documents if any produced by the parties may be taken on record. Neither the complainant nor the respondent is allowed to bring in any legal practitioner to represent them in their case at any stage before the Internal Complaints Committee. The Internal Complaints Committee on completion of the inquiry will submit its report to the complainant, respondent and the company management. The Internal Complaints Committee shall enquire into the complaint as prescribed under The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Rules made there under as in force from 9.12.2013.
- 9) 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 HR – Head. 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.
- 10) The Head – HR will direct appropriate action in accordance with the recommendation proposed by the Committee.
- 11) The Committee shall be governed by such rules as may be framed by the Supreme Court orders or any other legislation enacted later on.

9. Protection against Victimisation:

In the event complainant being an employee and the respondent being his/her manager, during the pendency of investigation and even after such investigation if the manager is found to be guilty, the respondent shall not act as Manager of the Complainant.

10. Consequence of Complaint being proved:

In the event allegations made in the complaint are proved against the respondent, it will be taken as proved misconduct and the competent authority may impose any of the punishment as envisaged in the policy on disciplinary process including dismissal.

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11. Consequence of false complaint:

In the event allegations made by the complaint are proved to be false then the competent authority may impose any of the punishment as envisaged in the policy on disciplinary process including dismissal.

12. Obligations of the Management:

The Management of the Company shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this Internal Complaints Committee constituted as above and shall implement the decisions in an expeditious manner.

13. Third Party Harassment:

In case of third party Sexual Harassment the Internal Complaints Committee will actively assist and provide all its resources to the complainant in pursuing the complaint.

14. Savings:

The proceedings under this policy shall not be stalled or postponed merely because the complainant is proceeding against the respondent under any other provision of civil or criminal law.

Approved By:**Devesh Sahney
(Managing Director)**

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