

DHANUKA AGRITECH LIMITED
Effective from 2nd February, 2022

POLICY AGAINST SEXUAL HARASSMENT OF WOMEN AT THE WORKPLACE

PREAMBLE:

Sexual harassment is not only a serious misconduct but criminal offence also, which can destroy human dignity and freedom. In an effort to promote the well-being of all women employees at the workplace, this Policy envisages as under: -

- (a) It shall be the duty of the Management of the Establishment to prevent or deter the commission of any act of sexual harassment of women at the workplace.
- (b) Sexual Harassment of women will be considered as misconduct and action will be taken based on the findings of the enquiry in this context.
- (c) The definition of sexual harassment of women will be as defined in section 2(n) of SHWW Act as represented below: -

“Sexual Harassment of women” includes any one or more of the following unwelcome acts or behavior (whether directly or by implication), namely: -

- (i) Physical contact and advances; or
 - (ii) A demand or request for sexual favours; or
 - (iii) Making sexually coloured remarks; or
 - (iv) Showing pornography; or
 - (v) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- (d) The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment: -
- (i) Implied or explicit promise of preferential treatment in her employment; or
 - (ii) Implied or explicit threat of detrimental treatment in her employment; or
 - (iii) Implied or explicit threat about her present or future employment status; or
 - (iv) Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
 - (v) Humiliating treatment likely to affect her health or safety.


A circular blue ink stamp of Dhanuka Agritech Limited is located at the bottom right. The text "DHANUKA AGRITECH LIMITED" is written around the perimeter of the circle, with a small star at the top.

OBJECTIVE:

This policy has been formulated keeping in view the provisions under "The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013" (hereinafter referred to as SHWW Act) and its Rules. The said policy is to define the guidelines and the process to be followed in order to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment in addition to the matters connected therewith or incidental thereto.

For any doubt or further clarification, reference be made to the SHWW Act and Rules.

APPLICABILITY:

This policy is known as Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 & the Rules (hereinafter referred to as Policy) and is **applicable to all employees of Dhanuka Agritech Limited deployed at all the workplaces of Dhanuka Agritech Limited which inter-alia includes; Registered Office; Corporate Office; any of the Manufacturing Premise(s)/ unit(s); or any of the Branch office(s) or Depot(s) situated anywhere in the country who are either:**

- (a) on the rolls of the establishment; or
- (b) engaged through the Contractor(s) having service agreement with the establishment or as enumerated in clause (f) of Section 2 of the SHWW Act.

ABBREVIATIONS:

In this Policy document, unless there is anything repugnant to the subject or context thereof, the words and expressions as stated below shall have the following meanings: -

(i) Complainant Employee (CE):

Complainant Employee (CE) means any Woman Employee [as per Section 2(a) of SHWW Act] who has lodged a complaint of sexual harassment at workplace and has been subjected to any act of sexual harassment by another employee 'RE' (herein after referred to as 'Respondent').

Comments: The complainant need not necessarily be an employee, it can even be a visitor, guest etc of the organization.



(ii) ICC:

Internal Complaints Committee.

Management:

Management means Company's Managing Director / Director / Manager or such other officer or officers / nominee or nominees as may be authorized in this behalf by the Managing Director / Director and notified on the Notice Board of the Establishment.

(iii) Respondent Employee (RE):

Respondent Employee (RE) means any employee against whom the complaint for sexual harassment has been lodged.

(iv) Workplace:

Workplace means the places referred in clause 2(o) of the SHWW Act and inter-alia includes every and all offices, branches and Depots located anywhere in India. It also includes any place visited by the employees arising out of or during the course of employment including transportation provided by the Management of the establishment for undertaking such journey.

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INTERNAL COMPLAINTS COMMITTEE (ICC)*:

A Committee being constituted as per Section 4 of the SHWW Act read with its Rules.
The ICC will

Comprise of the following:

- (i) Ms. Anju Sharma (Presiding Officer)
(The presiding Officer shall be a woman employed at a senior position / workplace from amongst employee)
- (ii) Mr. Sudhir Sharma (Member)
- (iii) Ms. Puja Gogia (Member)
(The member would be from amongst employees preferably committed to the cause of woman or who have had experience in social work or have legal knowledge)
- (iv) Ms. Isha Thakur (Member)
(The above member would be from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues related to sexual harassment.)

(Practicing lawyer having knowledge of civil, criminal laws may be member(s) of ICC.

Provided that at least half of the total members so nominated shall be women.)

Every Member of the ICC shall hold office for a period not exceeding three years, from the date of their nomination as may be specified by the Management.

ICC would be strictly governed by Section 4 of SHWW Act.

*Constitution revised w.e.f. 30th October 2021

PROCEDURE FOR FILING A COMPLAINT:

- (a) The complaint should be made by an aggrieved woman within a period of three months from the date of occurrence of incident and in case of a series of incidents, within a period of three months from the date of last incident. The complaint by an aggrieved woman employee shall be made to ICC in writing and be sent either by post or given in person to the ICC of the establishment or any officer authorized by ICC in writing.



- (b) The ICC may, for the reasons to be recorded in writing, extend the time-limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the woman from filing a complaint within the said period. Where the woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir may make a complaint under this section.

Where the aggrieved woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by: -

1. her relative or friend; or
2. her co-worker; or
3. an officer or the National Commission for Women or State Women's Commission; or
4. any person who has knowledge of the incident, with the written consent of the aggrieved woman;

Where the aggrieved woman is unable to make a complaint on account of her mental incapacity, a complaint may be filed by: -

- (i) her relative or friend; or
- (ii) a special educator; or
- (iii) a qualified psychiatrist or psychologist; or
- (iv) the guardian or authority under whose care she is receiving treatment or care; or
- (v) any person who has knowledge of the incident jointly with her relative or friend or a special educator or qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care.

Notes:

- (i) Where the aggrieved woman for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with her written consent.
- (ii) Where the aggrieved woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.

PROCEDURE TO BE FOLLOWED BY ICC ON RECEIPT OF COMPLAINT:

- (a) The ICC would go through the details of the complaint and evaluate if there is a prima facie case or not. While doing that ICC will keep in mind that the Complainant / woman is not subjected to enquiry more than once. However, if the complaint complexity

requires that the Complainant / woman is to be called for more than once for inquiry, then utmost sensitivity should be displayed and adequate precaution would be taken to ensure that there is no loss or dignity to the CE.

- (b) The ICC will initiate a detailed inquiry as deemed fit.
- (c) The ICC may, before initiating an inquiry and at the request of the Complainant / woman, take steps to settle the matter between her and the **RE** by referring it to the Head of HR for conciliation. The HR representative would then try and counsel/talk it over with a view towards closing the matter amicably within 30 days from date of receipt of complaint, provided that no monetary settlement shall be made as a basis of conciliation. Where a settlement has been arrived during conciliation, the HR Head shall record the settlement, provide a short report to the ICC and the matter will be closed. The copies of the settlement as recorded during conciliation shall be provided to both the parties.
- (d) However, if the terms arrived during the conciliation are not complied with by the **RE**, the ICC shall proceed to make an enquiry into the complaint or as the case may be forward the complaint to the police. The ICC shall after completing the enquiry, submit its recommendations to the Management with recommendations of the penalty to be imposed.
- (e) In case no settlement is arrived at, the ICC shall proceed to make enquiry into the complaint in accordance with the provisions of the service rules applicable to the respondent. Where no such rules exist, in such manner as may be prescribed or in case of a domestic worker, the Local Committee, the Local Committee shall, if prima facie case exists, forward the complaint to the police, within a period of seven days for registering the case under section 509 of the Indian Penal Code (45 of 1860), and any other relevant provisions of the said Code where applicable.
- (f) The Committee, while investigating the complaint referred to it, 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. Both the parties during the course of enquiry would be given an opportunity of being heard.
- (g) During the pendency of an inquiry, on a written request made by the aggrieved woman, the committee may recommend to the HR, to:
 - i. Transfer the aggrieved woman or person accused to any other location of work.
 - ii. Grant leave to the aggrieved woman up to the period of 3 months (over and above the entitled leave).
 - iii. Grant such other relief to the aggrieved woman as may be prescribed at the end of the investigation, the ICC shall make a report The findings of the report shall



be made available to the RE and CE within 10 working days from the date of completion of inquiry.

- (h) The submission of the recommendations by the ICC to the Management shall be completed within a period of ninety days (90) from the date of receipt of the complaint by the ICC.
- (i) The HR/ Personnel/ Administrative Department will extend full cooperation in facilitating to conduct the proceedings by the ICC.

Important:

For the purpose of making an enquiry under-section (1), the Internal Committee 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: -

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of documents; and
- (c) any other matter which may be prescribed.

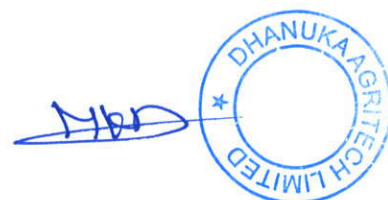
GUIDELINES TO BE KEPT IN MIND BY ICC WHILE RECOMMENDING ACTION:

- (a) To conduct the enquiry as per the Principles of natural justice and in a strictly confidential manner. The Internal Complaints Committee will protect the identity of all individuals involved during the process, including the aggrieved woman and respondent and contents of complaints and enquiry proceedings.
- (b) In cases where the ICC has recommended to Management for compensation to be made to the Complainant /Woman, then said amount shall be deducted from the salary of the RE and paid to the Complainant /Woman or her legal heir(s).
- (c) In case the RE fails to pay the sum referred as above, the ICC may forward the order for recovery of the sum as an arrear of land revenue to the concerned District Officer.
- (d) Where the ICC arrives at conclusion that the allegation against the RE is malicious or the Complainant /Woman has made the complaint knowing it to be false or the Complainant/ Woman has produced forged or misleading documents, it may recommend to the Management of the establishment to take action against the Complainant /Woman as stipulated by Section 14 of the SHWW Act.
- (e) Where the ICC arrives at a conclusion that during the enquiry any witness has given false

evidence or produced any forged or misleading document, it may recommend to the Management to take appropriate action against such witness(s).

EMPLOYER (MANAGEMENT OF THE ESTABLISHMENT) TO ENSURE:

- (a) That in case there is a complaint against any of the ICC members, Management will have to reconstitute the ICC. In all such cases the guidelines as defined in the above clauses would be inclusive of the time taken to reconstitute the said committee.
- (b) The Management will provide assistance to the Complainant / Woman if she so chooses to file a police complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force.
- (c) The Management will also initiate action under the Indian Penal Code or any other law for the time being in force, against a perpetrator, where the perpetrator is not an employee of the establishment and there is complaint of Sexual Harassment against the said perpetrator in the workplace where the harassment took place.
- (d) The ICC will submit an annual report to the Management outlined in the SHWW act and it is the responsibility of the Management to ensure that the said annual report is also filed with the District Officer as per the format applicable.
- (e) The Management will direct HR/ Personnel/ Administrative Department to ensure to display at conspicuous places the guidelines as given in section 19(b) of the SHWW Act.
- (f) The Management will direct and monitor the HR/ Personnel/ Administrative Department to create awareness amongst employee's material on sexual harassment in the following manner: -
 - (i) Training-cum-Awareness session for employees (men and women)
 - (ii) Training-cum-Awareness session for ICC members.
 - (iii) Training-cum-Awareness session for Human Resource teams and Senior Management.
- (g) The Management will assist in ensuring the attendance of the RE and witnesses before the ICC as the case may be.
- (h) The Management will monitor timely submission of reports. For this, the Management will conduct periodic update meetings with the ICC and HR/ Personnel/ Administrative Department to ensure that the said policy is being implemented in letter and spirit.



APPEAL BY THE AGGRIEVED PERSON:

A person aggrieved from the recommendations made by the ICC enquiring into the allegations against the respondent or if he allegations are not proved , or when the ICC arrived at a conclusion that the charges are proved and recommends action against RE or deduction from his salary, or the ICC arrived at a conclusion that during the enquiry, that CE or any witness has given false evidence or produced any forged or misleading documents or when the persons entrusted with the duty to handle or deal with the complaint, the enquiry or recommendations makes known the contents of the complaint and the enquiry proceeding, or non-implementation of such recommendations may prefer an appeal to the court or tribunal in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist then, without prejudice to provisions contained in any other law for the time being in force, the person aggrieved may prefer an appeal to the Management of the Company.

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CONTACT FOR MAKING COMPLAINT

Write an email to- icc@dhanuka.com or write

To
Presiding Officer
Internal Complaint Committee
Dhanuka Agritech Limited
Global Gateway Tower,
Near Guru Dronacharya
Metro Station, MG Road
Gurugram-122002

Please write Complaint under POSH as subject.

Jitin Sadana
Company Secretary & Compliance Officer



Addendum to:

POLICY AGAINST SEXUAL HARASSMENT OF WOMEN AT THE WORKPLACE

Revised Constitution of Internal Complaint Committee w.e.f. 23rd May, 2022 as approved by the Board of Directors in their meeting held on 23rd May, 2022

Ms. Abhilasha Singh- Presiding Officer
Mr. Sudhir Sharma-Member
Ms. Puja Gogia-Member
Ms. Isha Thakur-Member (External)

A blue ink signature of Mahendra Kumar Dhanuka.

Mahendra Kumar Dhanuka
Managing Director



2nd Addendum

POLICY AGAINST SEXUAL HARASSMENT OF WOMEN AT THE WORKPLACE

Revised Constitution of Internal Complaint Committee w.e.f. 1st November, 2022 as approved by the Board of Directors in their meeting held on 1st November, 2022

Ms. Swati Chaudhary- Presiding Officer
Mr. Abhishek Bijoy- Member
Ms. Anita Mehta-Member
Ms. Vaishali Rastogi-Member (External)

A blue ink signature of Mahendra Kumar Dhanuka.

Mahendra Kumar Dhanuka
Managing Director

A blue ink signature of Anita Mehta.