



# PRITI

**Priti International Limited**

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## **PRITI INTERNATIONAL LIMITED**

### **POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE**

#### **PRITI INTERNATIONAL LIMITED**

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### **Background:**

The Board of Directors (“**Board**”) of **Priti International Limited (“Company”)**, in its meeting dated **March 25, 2023**, has adopted this Policy on Prevention of Sexual Harassment at Workplace, pursuant to the provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and The Companies Act, 2013, in supersession of all the previous policies of the Company in this regard.

This Policy shall be effective from the date of its approval by the Board, that is, from March 25, 2023.

### **Commitment:**

**Priti International Limited** is committed to provide a work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment.

**Priti International Limited** (hereafter referred to as the “**Company**”) is also committed to promote a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity.

The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees (men or women) are not subjected to any form of harassment.

### **Policy Objectives:**

Right to Equality is a fundamental right which also includes the right to work with dignity. The Company is committed to provide a work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment.

The Company is also committed to promote a work environment that is conducive to the professional growth of its women employees and encourages equality of opportunity.

This policy defines the guidelines and process to be followed in order to provide protection against harassment of women at workplace and for redressal of complaints of sexual harassment.

### **Policy Details:**

#### **1. Scope & Applicability**

This policy applies to all categories of employees of the Company as defined in Clause 2 of the Policy. The Company will also not tolerate sexual harassment, if engaged in by clients or by suppliers/vendors/contractors including their agents, supervisors, managers and their employees or any other business associates. For purposes hereof, in case of a sexual harassment matter that may be reported to the Company or which the Company may come to know on its own course involving a supplier/vendor/contractor or any of their employee(s)/personnel, then the Company

shall be empowered to take action against the supplier/vendor/contractor or their employee(s)/ personnel (as the case may be), including but not limited to severance of the relationship between the Company and supplier/vendor/contractor, as the Company may deem to be fit and proper. It is hereby clarified that the aforementioned is without prejudice to any rights that the Aggrieved Woman (as defined hereinafter) and the Company may have under the applicable law.

## **2. Key Definitions**

- i. **“Aggrieved Woman”** means in relation to a workplace, a woman, of any age whether employed or not, who is alleged to have been subjected to any act of sexual harassment by the respondent.
- ii. **“Employee”** means a person employed at a workplace for any work on regular/full-time, 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.
- iii. **“Employer”** means in relation to:
  - a) any organization, department, office, branch, head of that organization, department, office, branch as the case may be;
  - b) any workplace, any person responsible for the management, supervision and control of the workplace.

For the purposes of this definition, “management” includes the person or board or committee responsible for formulation and administration of policies for such organization and in the present case, would refer to the HR department of the employer.

- iv. **“Internal Complaints Committee”** (ICC) means the committee constituted under the policy.
- v. **“Member”** means a Member of the Internal Complaints Committee.
- vi. **“Presiding Officer”** means the Presiding Officer of the Internal Complaints Committee.
- vii. **“Respondent”** means a person against whom the aggrieved woman has made a complaint for sexual harassment.
- viii. **“Sexual Harassment”** includes any unwelcome sexually oriented behavior (whether explicit or implicit) such as:
  - Verbal, non-verbal, or physical conduct such as remarks, phone calls, SMS, MMS or e-mail, gestures, stalking sounds or display of a derogatory nature, physical contact and advances considered unwelcome;

- Demanding /requesting sexual favors - these include subtle or blatant pressures or requests for any type of sexual favors by an implied or stated promise of preferential treatment or negative consequence concerning an employee's employment status;
- Uttering sexually colored remarks - these include verbal abuse or sharing of jokes, verbal or electronic that are of a sexual nature;
- Showing pornography material;
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;
- Implied or explicit promise of preferential treatment to a woman in her Employment;
- Implied or explicit threat of detrimental treatment to woman in her employment; or
- Implied or explicit threat to a woman about her present or future employment status or
- Interference with a woman's work or creating an intimidating or offensive or hostile work environment for her; or
- Humiliating treatment to a woman which is likely to affect her health or safety

**ix. "Workplace" means**

- (a) Any private sector organization carrying on commercial activity or financial activities including but not limited to production, supply, sale, distribution;
- (b) Any premises, location, office, warehouse, guest house, stores owned, taken on lease by or grant of license to, the Company;
- (c) hospitals or nursing homes;
- (d) 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;
- (e) A dwelling place or a house.

### **3. Complaint Mechanism**

Complaints under this policy shall be lodged with any member of **the Internal Complaints Committee** ("ICC"). The ICC shall comprise the following members namely;

1. **Presiding officer** (Senior level Woman Employee)
2. **Member** (Woman Employee)
3. **Member**
4. **One Member** associated with an NGO or association committed to the cause of women or a person familiar with issues relating to sexual harassment.

at least one-half of the total Members of committee shall be women.

The current structure of the ICC has been given under **Annexure – I**

The Presiding Officer and every member of the ICC shall hold office for a period not exceeding 3 years, from the date of their nomination OR minimum one – third members of the ICC are to be changed or shall be liable for rotation after completion of their Tenure i.e., every 3rd year.

The Presiding Officer and / or any member of the ICC shall be removed or replaced in accordance with the provisions of the Act.

All complaints should be sent to presiding officer of the ICC. If the complaint is initially sent by e-mail, it may be followed up by a written complaint.

This policy requires complainants to give their names, as anonymous complaints do not hold credibility. Appropriate measures will be taken to ensure confidentiality. Even investigation will be carried out in a manner conducive to such confidentiality.

#### **4. Procedures for resolution, settlement or prosecution of acts of sexual harassment**

Given that this policy highlights a preventive focus, there is a need to distinguish between an **informal and formal process**.

##### **I. Process for Informal Complaint Redressal**

Informal processes normally involve an intermediary means for resolving a problem. Under an informal process, an attempt would be made to understand the problem and if by involving an intermediary or through means of conciliation, if a problem could be resolved or counseled, then the said process would be adopted. In the case of a complaint received, the Presiding officer of the ICC shall depute a personnel/officer of the location/Company as the point of first contact for anyone seeking informal support/intervention to stop unwelcome behavior.

Decision as regards adoption/implementation of informal redressal means would depend on a case-to-case basis.

The guidelines on informal complaint redressal mechanism that can be adopted are given in **Annexure II**.

##### **II. Process for Formal Complaint Redressal**

In the event of the complaint not being resolved through informal mechanism, then it would need to be escalated to the Internal Complaint Committee for redressal.

Every complaint made under this policy shall be sent to the presiding officer of the ICC. In the event the complaint is made against any member of the ICC; then such member shall cease to be a member of the ICC with immediate effect and a new member may be nominated by the other members of the ICC for dealing with that particular complaint.

Depending on the type and severity of the reported incident as assessed by the ICC and after examining/assessing all information; and after hearing the aggrieved women and the respondent, appropriate decisions will be taken by the ICC whether or not to investigate into the complaint.

If the ICC considers that an investigation is necessary, it will be initiated promptly. The guidelines on complaint redressal mechanism are given in **Annexure III**.

Those found guilty will be liable for appropriate disciplinary action. Disciplinary actions under this policy may range from oral/written warnings to extension of probation, demotion and even termination from the service.

### **III. Protection against retaliation**

No one is expected to retaliate in any way against anyone for complaining under this policy or for cooperating in the investigation, or for having to face the disciplinary action taken by the Company.

If anyone feels that she is facing retaliation in the nature of intimidation/ pressure to withdraw the complaint or receiving threats against reporting, testifying or otherwise participating in the investigation, she may report the matter to any member of the ICC. Immediate steps would be taken by ICC to prevent the same.

An act of retaliation directly or indirectly is treated as an act of harassment/violation and appropriate disciplinary action shall be taken under this policy.

### **IV. Confidentiality**

The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.

It is the duty of all employees and members of ICC to ensure that all complaints and proceedings made under this policy and the information pertaining to it are kept confidential. All incidents/grievances/proceedings reported under this policy shall be treated sensitively and with confidentiality.

### **V. Complaints Made with a Malicious Intent**

This policy has been evolved as a tool to ensure that in the interest of justice and fair play, our employees have a forum to approach in the event of instances of sexual harassment.

However, if on investigation it is revealed that the complaint was made with a malicious intent and with the motive of maligning the concerned individual/ tarnishing his/her image in the company and to settle personal/professional scores, strict action will be taken against the complainant.

The Committee may also take suo-moto action, if any incident of harassment is brought to its attention, without any formal complaint being made in this regard

## **VI. General**

All employees of the Company have the responsibility to contribute to a mature and respectful work environment. In particular, everyone is expected to ensure that women at work don't face any harassment. All employees of the Company have a personal responsibility to ensure that their behavior is not contrary to this policy.

### **5. Duties of Employer**

- a. The employer shall prominently display this policy at the workplace to create awareness of the rights of Employees;
- b. Prominently display notices in various places spreading awareness about the issue of "Sexual Harassment at the Workplace" and giving information for the redressal mechanism that has been put in place and encouraging women to file their grievances;
- c. Organize workshops for employees and members of ICC;
- d. Declare and prominently display the names and contact persons of all the members of ICC;
- e. Widely publicize that the Sexual Harassment is an offence under applicable law;
- f. Treat sexual harassment as misconduct under service rules;
- g. Monitor timely submission of reports by ICC;
- h. The ICC shall in each calendar year submit an annual report and submit the same to the employer and the District Officer with the following details:
  - i) Number of complaints received in the year
  - ii) Number of complaints disposed off during the year
  - iii) Number of cases pending for more than 90 days
  - iv) Number of awareness workshops carried out
  - v) Nature of action taken by the employer / district officer

### **6. Breach of Policy**

Breach of this policy will be treated in conjunction with the Company Code of Conduct.

### **7. Review of the Policy**

The adequacy of this Policy shall be reviewed and reassessed by the Board periodically based on the changes that may be brought about due to any regulatory amendments or otherwise.

### **8. Amendments to the Policy**

Any amendment in the Policy shall be approved by the Board. The Board shall have the right to withdraw and / or amend any part of this Policy or the entire Policy, at any time, as it deems fit, or from time to time, and the decision of the Board in this respect shall be final and binding.

Any subsequent amendment / modification in the regulatory provisions in this regard shall automatically apply to this Policy.

## **9. Communication**

This Policy shall be uploaded on the website of the Company.

Any questions and clarifications relating to this Policy should be addressed to the Company Secretary at [cs.pritiinternationaltd@gmail.com](mailto:cs.pritiinternationaltd@gmail.com)

## **10. Interpretation**

In any circumstance where the terms of this Policy are inconsistent with any existing or newly enacted law, rule, regulation or standard governing the Company, the said law, rule, regulation or standard will take precedence over this Policy.



## **Annexure I**

Members of Internal Compliant Committee (ICC)

| <b>Sr. No.</b> | <b>Name</b>        | <b>Designation in the Company</b> | <b>Designation in the Committee</b> |
|----------------|--------------------|-----------------------------------|-------------------------------------|
| 1.             | Mrs. Priti Lohiya  | Managing Director                 | Presiding officer                   |
| 2.             | Mr. Ritesh Lohiya  | Chief Financial Officer           | Member                              |
| 3.             | Ms. Rashi Shrimal  | Company Secretary                 | Member                              |
| 4.             | Ms. Tamanna Kumari | Independent Director              | Member                              |

## **Annexure II**

### **Guidelines on Informal complaint redressal mechanism**

1. Convey to respondent who is the cause of distress, about what that person's actions, words, behavior is doing and convey in no uncertain terms that such behavior is not appreciated.
2. The second step would be to approach someone within the Company – preferably the Departmental Head/ Woman representative of the location who would then try and counsel / talk it over with a view towards closing the matter amicably.
3. In any case all such incidents along with the resolution, in writing, needs to be reported to the Departmental Head, who will then provide a short report to the Internal Complaints Committee and the matter will be closed.
4. However, in the event of it not being resolved, then it would need to be escalated to the Internal Complaints Committee by the Departmental Head within 30 days of communication of the informal complaint.

## **Annexure III**

### **Guidelines on Formal complaint redressal mechanism**

#### **General Guidelines**

Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to ICC giving details of the sexual harassment meted out to her within a period of 3 months from the date of incident and in case of a series of incidents, within a period of 3 months from the date of last incident, which may be extended for a further period of 3 months, if circumstances warrant such extension in the opinion of the ICC:

- a. The Presiding Officer or any Member of the ICC can render reasonable assistance to the aggrieved woman for making complaint in writing, in case they are unable to do so.
- b. On receipt of complaint, the ICC shall decide the place and time for hearing the complaint and shall intimate the date, time and place of hearing to the Complainant and Respondent. The ICC shall follow principles of Natural Justice as well as applicable policies of the Company (if any) and the provisions of Section 11 of the Act while handling such complaints.
- c. ICC on receipt of such written complaint, may, if require ask the aggrieved woman to furnish additional information about the alleged harassment.
- d. The Complainant or person authorized on their behalf as per above provision shall make a complaint to the ICC through following mode:
  - Copy of complaint(s) in six number of sets as prescribed under Rule 7 (1) along with supporting documents and names and location of witness shall be sent to ICC;
  - On receipt of such complaint, ICC shall provide a copy along with supporting documents of such complaints to the Respondent within 7 working days;
  - Respondent shall file reply within 10 working days of receipt of the complaint along with list of supporting documents and indicate through the response/reply whether the Respondent wishes to examine any witnesses or furnish any evidence;
  - ICC shall investigate in detail into the matter of the complaint. Upon receipt of the responses from the Respondent and the aggrieved woman, the ICC shall conduct a hearing where both the aggrieved woman and the Respondent shall be heard in person on the date falling four (4) business days after the receipt of reply from the Respondent;
  - The ICC shall have the right to call the person against whom the complaint is made or any other witnesses as when necessary;

- ICC shall have the right to terminate the enquiry or give ex-parte decision on the complaint, if the Respondent or aggrieved woman remains absent for 3 consecutive hearings, without sufficient cause; Such termination or ex-parte order shall be passed only after giving a notice, in writing, of fifteen days in advance, to the Respondent or aggrieved woman;
- The ICC must complete its investigation within a period of 90 days from the date of receipt of the complaint;
- The parties shall not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings before the ICC;
- For conducting the enquiry, the quorum of the ICC shall be of 3 members including the presiding officer.
- The ICC may before initiating an inquiry, and at the aggrieved woman's request, attempt to settle the matter through conciliation. However, ICC shall ensure that:
  - i) Monetary settlement will not be made as a basis of conciliation.
  - ii) Where a settlement has been arrived, the settlement terms shall be signed by both the parties and shall be provided with a copy of it.
- Where, a settlement is arrived as mentioned hereinabove, no further enquiry shall be conducted by the ICC.
- The ICC may during such investigation exercise the power of a civil court under the Code of Civil Procedure 1908, vested in it, in respect of:
  - Summoning and enforcing the attendance of any person and examining him under oath;
  - requiring discovery and production of documents;
  - any other prescribed matter.
- During such enquiry, upon written request by the aggrieved woman, the ICC may at its discretion recommend:
  - to transfer the aggrieved woman or the respondent to any other workplace;
  - grant leave to the aggrieved woman of up to three months which is in addition to leave to which she is otherwise entitled;
  - restrain the Respondent from reporting on the work performance of the aggrieved woman.

Provided, the aggrieved woman has to tender justified reason for such transfer or leave, such as threat to work in the workplace.

### **Actions to be taken after submission of Inquiry Report**

- ICC, within 7 days of completing the inquiry shall draft a report and forward the same to Management for its consideration.
- Upon review of the report by the Management, the report shall be made available to the Aggrieved Woman as well as the Respondent. In the event it is concluded from the Report and further explanations (if any) that an offence of Sexual Harassment and a violation of this Policy has occurred (for reasons to be recorded in writing thereon), the Management shall decide upon the appropriate disciplinary action (as it deems fit and proper) and forward a copy of the Report and its conclusions to the Respondent and the aggrieved woman.
- The Management shall implement the decision within 7 days from the date of decision.
- It will be ensured that victims or witness are not victimised or discriminated against. All Employees shall extend fullest co-operation to the ICC and any failure to co-operate, or the giving of wrong or misleading information, or withholding information shall be a violation of this Policy and shall be dealt with appropriately by the Company.

### **Mala fide Complaint**

In the event that a complaint is found to be mala fide/ false, the inquiry panel may recommend disciplinary action against the complainant.

### **Appeal**

Either the Complainant or the Respondent or both; when aggrieved with the report of the ICC, may appeal the same to the appropriate authority, as specified by law, within a period of ninety days from the receipt of the copy of the Report of ICC and its conclusions to the Respondent and the aggrieved woman.

### **Conclusion**

The Company reiterates its commitment to providing its women employees, a workplace free from harassment/ discrimination, equal opportunity without fear prejudice, gender bias and sexual harassment.