



POLICY ON PREVENTION OF SEXUAL HARASSMENT AT THE WORKPLACE

According to provisions of Companies Act, 2013 and
SEBI (LODR) Regulations, 2015

THE VICTORIA MILLS LIMITED
Victoria House, Pandurang Budhkar Marg, Lower Parel, Mumbai - 400013.
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POLICY ON PREVENTION OF SEXUAL HARASSMENT AT THE WORKPLACE

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. This policy **PREVENTION OF SEXUAL HARASSMENT AT THE WORKPLACE** has been formulated by the management of the company and has been approved by the Board of Directors.

DEFINITIONS:

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:-

“Complainant Employee”: Refers to 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 (hereinafter referred to as respondent’).

“ICC”- Internal Complaints Committee means the Internal Complaints Committee constituted by the company in accordance with the provisions of the Act for redressal of a Complaint.

“Respondent Employee”: Refers to any employee against whom the complaint for sexual harassment has been lodged.

“Workplace”- refers to premises, locations, establishments, enterprises, institutions, offices, branches or units established, owned, controlled by the company; and Places visited by the employees arising out of or during the course of employment including transportation provided by the Management of the establishment for undertaking the journey.

“Policy” or “This Policy” means policy on prevention of sexual harassment at the workplace.

“Company” means The Victoria Mills Limited.

SCOPE:

This policy extends to all employees of the Company and is deemed to be incorporated in the service conditions of all employees of the Company in India.



Sexual harassment would mean and include any of the following but not limited to,

- Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, or
- Physical Contact & advances; or
- A demand or request for sexual favours; or
- Sexually coloured remarks, including but not limited to vulgar / indecent jokes, letters, phone calls, text messages, e-mails, gestures etc.
- Showing pornography; or
- Any other unwelcome physical, verbal or non-verbal conduct of sexual nature; or
- Physical contact and advances such as touching, stalking, sounds which have explicit and for implicit sexual connotation/overtones, molestation
- Display of pictures, signs etc. with sexual nature/ connotation/ overtones in the work area and work related areas
- Verbal or non-verbal communication which offends the individuals sensibilities and affect her/his performance and has sexual connotation/overtone/ nature

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 may amount to sexual harassment:

- Implied or explicit promise of preferential treatment in her employment; or
- Implied or explicit threat of detrimental treatment in her employment; or
- Implied or explicit threat about her present or future employment status; or
- Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- Humiliating treatment likely to affect her health or safety.

INTERNAL COMPLAINTS COMMITTEE:

(Here in after referred to as ICC)– This is a Committee which is being constituted as per section 4 of the SHWW Act read with its Rules.

The ICC is to be formed at every office of the Company in India. The ICC shall comprise of the following members:

1. Mrs. Mamta Mangaldas - Chairperson/ Presiding Officer
2. Ms. Vidhya Srinivas - Member
3. Mr. B.D. Tari - Member
4. Mrs. Devyani Mangaldas - Person familiar with issues relating to Sexual Harassment



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 and shall include the following:

- a) Presiding Officer, who shall be a senior level woman employee at the concerned office.
- b) A minimum of two (2) members from those employees of the Company who preferably have experience in the field of social work or having legal knowledge; and
- c) One (1) member from any non-government organization or associations 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 the ICC shall be women.

- The members of the ICC shall be nominated by the Managing Director of the Company.
- The ICC shall be empowered to deal with Complaints in organization from the woman employees of Company.
- The members of the ICC including the Presiding Officer shall hold office for not more than three (3) years, after which a new person shall be nominated.

REDRESSAL MECHANISM

Complaints of Sexual Harassment:

- i. An Aggrieved Woman may make in writing, a Complaint of Sexual Harassment to the Internal Complaints Committee, within a period of three (3) months from the date of the incident and in case of series of incident, within a period of three (3) months from the date of last incident.
- ii. Where the Internal Complaints Committee is satisfied that the circumstances were such which prevented the Aggrieved Woman from filing a complaint within the said period of three months, the Internal Complaints Committee may extend the time limit beyond 3 months, by recording the reasons in writing.
- iii. Where the Aggrieved Woman is unable to make a Complaint on account of her physical incapacity, a Complaint may be filed by
 - a. Her relative or friend; or
 - b. Her co-worker; or
 - c. An officer of the National Commission for Women or State Commission for Women; or



d. Any person who has knowledge of the incident, with the written consent of the Aggrieved Woman.

iv. Where the Aggrieved Woman is unable to make a Complaint on account of her mental incapacity, a Complaint may be filed by –

a. Her relative or friend; or

b. A special educator; or

c. A qualified psychiatrist or psychologist; or

d. The guardian or authority under whose care she is receiving treatment or care; or

e. Any person who has knowledge 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;

v. Where the Aggrieved Woman for any other reason is unable to make a Complaint, a Complaint may be filed by a person who has knowledge of the incident, with her written consent;

vi. 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(s).

vii. A Complaint may also be made orally. If the Complaint is oral, member of the Internal Complaints Committee to whom the Complaint is made shall record the same in writing, in detail, and have the contents confirmed by the Complainant.

PROCEDURE FOR RESOLUTION, SETTLEMENT OR PROSECUTION:

A. Conciliation – The Internal Complaints Committee may, before initiating an inquiry, at the request of the Aggrieved Woman take steps to settle the matter between her and the Respondent. The conciliation shall not be on monetary settlement basis. The settlement terms shall be recorded in writing and forwarded to Company. Copies of the same shall be provided to the Aggrieved Woman and the Respondent. Where a settlement has been arrived at, no further inquiry shall be conducted by the Internal Complaints Committee.

OR

B. If the above is not possible, the Internal Complaints Committee shall proceed to make inquiry into the Complaint in such manner as prescribed hereunder:

(i) The Complainant or the person lodging a Complaint on behalf of the Complainant shall file, with the Internal Complaints Committee, 2 written copies of the



Complaint along with the supporting documents and names and addresses of witnesses.

- (ii)** On receipt of Complaint the Internal Complaints Committee shall within a period of 7(Seven) days send one of the copies of the Complaint to the Respondent.
- (iii)** The Respondent shall, within a period of 10 (Ten) days from the date of receipt of Complaint from the Internal Complaints Committee, file his reply to the Complaint along with his list of documents, names and addresses of witnesses.
- (iv)** The Internal Complaints Committee shall investigate the complaint and provide its report to Company as promptly as, no later than 90 working days from the date of the Complaint. Further, if the Aggrieved Woman informs the Internal Complaints Committee that any term or condition of a settlement arrived at under this policy has not been complied with by the Respondent, the Internal Complaints Committee shall proceed to make an enquiry into the Complaint.
- (v)** The Internal Complaints Committee shall follow principles of natural justice in all its proceedings and subject thereto, shall maintain confidentiality of the identity of the Complainant, and the witnesses, as also the contents of the Complaint. Where the Respondent is subject to any applicable service rules of Company, the proceedings of the Internal Complaints Committee shall be conducted, as far as practically possible, in accordance with such service rules, and to the extent provided therein and in accordance with applicable law.
- (vi)** A copy of the Complaint as recorded by the Internal Complaints Committee shall be given to the Respondent as well as the Complainant. The Respondent shall be required to submit her/his response to the Complaint as well as to indicate whether the Respondent wishes the Internal Complaints Committee to examine any witnesses or furnish any evidence. The Complainant shall also be required to indicate in writing whether the Complainant wishes the Internal Complaints Committee to examine any witnesses or furnish any additional evidence.
- (vii)** The Respondent shall not be permitted to compel the Complainant to be a witness, although the Complainant may choose to give evidence in relation to the alleged act of Sexual Harassment. In the event the Respondent wishes to question the Complainant, any such questions which the Respondent wishes to ask to the Complainant and the same shall be submitted to the Internal Complaints Committee in writing, and it shall provide them to the Complainant, with such edits as it deems necessary.



- (viii)** Upon receipt of the responses from the Respondent and the Complainant, the Internal Complaints Committee shall conduct a hearing at such venue or venues as are convenient to the Complainant, where both the Complainant and the Respondent shall be heard in person. The Internal Complaints Committee shall notify both the Respondent and Complainant (as well as the witnesses, if any) of the time and venue of each hearing. Any records of the proceedings of such or any other hearings or meetings of the Internal Complaints Committee shall be maintained strictly confidential.
 - (ix)** In the event the Respondent is not present in person at a hearing of the Internal Complaints Committee, the hearing shall be adjourned to a date not later than three (3) days from the date of the original hearing, to be held at a time and venue convenient to the Complainant. The hearing shall be conducted on such adjourned date irrespective of whether the Respondent is present or not. Provided that nothing contained herein shall preclude the Internal Complaints Committee from adjourning such hearing for a longer period subject to recording its reasons for such adjournment.
 - (x)** The Internal Complaints Committee shall be empowered to call upon such of the Employees who may have been witness to the incident(s) of Sexual Harassment and/or connected in any manner thereto.
 - (xi)** All Employees shall extend their fullest co-operation to the Internal Complaints Committee 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 Company. Such failure to co-operate or willful or deliberate giving of wrong or misleading information or withholding of information may also constitute misconduct under applicable policies and codes of conduct, etc. of Company.
 - (xii)** Company shall provide necessary facilities to the Internal Complaints Committee for dealing with the Complaint and conducting the inquiry. It shall assist in securing the attendance of the Respondent and witnesses before the Internal Complaints Committee and shall make available such information to the Internal Complaints Committee as it may require having regard to the Complaint.
- C.** Upon completion of the hearing, the Internal Complaints Committee shall prepare its written report which shall include a summary of the proceedings, the evidence adduced by the parties and the witnesses, and shall submit the same to Company. The said report shall further set out the Internal Complaints Committee's conclusions on whether an offence of Sexual Harassment, or any other violation of this Policy, has been committed or occurred, or whether the Complaint made by the Complainant is either false or



unproven, as also the reasons/ rationale for the Internal Complaints Committee's arriving at such conclusion. The said report shall further set out the Internal Complaints Committee's recommendations on the disciplinary action(s) to be taken against the Respondent or Complainant (as the case may be). All members of the Internal Complaints Committee shall sign the said report.

D. During the pendency of the inquiry, on a written request made by Complainant, the Internal Complaints Committee may recommend Company to:

- (i)** Grant leave to the Complainant up to a period of three months; or
- (ii)** Restrain the Respondent from reporting on the work performance of the Complainant or writing her confidential report, and assign the same to another officer.

E. Where the ICC arrives at a conclusion that the allegations against the Respondent have been proved, it shall recommend the following to Managing Director of the Company:

- (i)** To take action for sexual harassment as an act of misconduct in accordance with the rules/regulations of Company governing conduct and discipline' as applicable to the Respondent; and/or
- (ii)** To deduct such amounts from the salary or wages of the Respondent as may be considered appropriate to be paid to the Complainant as per this Policy.

In addition to the above, the recommendations to the Managing Director of the Company may also include one or more the following:

- Written apology;
- Warning;
- Reprimand or Censure;
- Withholding of promotion;
- Withholding of pay rise or increments;
- Termination of service of the Respondent.

The Director of the Company shall take action on the recommendations of the ICC within a period of sixty (60) days.

F. If the Managing Director of the Company is unable to deduct salary or wage of the Respondent for reasons such as his absence from duty or cessation of employment, he may direct the Respondent to pay the said amount of money to the Complainant directly.

If the Respondent fails to pay the amount referred to above, the ICC may forward the order for recovery of the said amount as an arrear of land revenue to the District Officer.



G. ICC shall keep in mind the following while deciding the amount to be paid to the Complainant:

- The mental trauma, pain, suffering and emotional distress caused to the Complainant;
- The loss in the Complainant's career opportunity due to the incident of sexual harassment;
- Medical expenses incurred by the Complainant;
- The income and financial status of the Respondent; and
- Feasibility of such payments in lump sum or installments.

Note: the leave granted to the aggrieved woman under this section shall be in addition to the leave she would be otherwise entitled to.

CONFIDENTIALITY

All parties involved in any Sexual Harassment matter must keep all aspects of the matter confidential. For some offences if the Complainant desires, the ICC will be under an obligation to report matters to the police/or file an FIR.

TIME PERIOD

The Internal Complaints Committee shall complete the inquiry within a period of Ninety (90) days from the date on which the Complaint is lodged.

APPEAL

It is important to understand that an act of Sexual Harassment may also be a criminal offence. Any person aggrieved from the recommendations made by the committee or non-implementation of such recommendations may prefer an appeal to the appellate authority as per the provisions of the Act.

RECORDS

A copy of the final report, notes of meetings and interviews, evidence and documentation relating to any action taken as a result of an investigation will be retained by the Internal Complaints Committee. These records should not be placed on personnel files unless the Complaint results in disciplinary action against one or more of the parties involved in the Complaint, in which case any appropriate records may be placed on the disciplined Employee's file.

MALICIOUS OR FALSE COMPLAINTS

If an Employee is found to have raised a malicious or false Complaint against another person in order to prejudice that person, the Complainant may also be subject to appropriate disciplinary action, which may include termination of employment, engagement or relationship with Company, as the case may be.



MISCELLANEOUS

Company shall in consultation with the ICC periodically review the provisions of this Policy and its implementation (taking into account practical problems, if any, faced by the ICC and/or Company in the implementation of this Policy). Company reserves the right to amend the provisions of this Policy, from time to time, as it deems fit, subject to applicable law.

This Policy will not prejudice any rights available under the Protection of Human Rights Act, 1993, The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 or any other legislation.