

Vehant's Policy to Prevent Sexual Harassment at the Workplace

(1) Philosophy

Vehant as a Company respect the dignity of all employees working for the organisation, irrespective of their gender or hierarchy and we expect responsible conduct and behaviour on the part of all our employees across all levels. Providing for a safe and congenial work environment is an integral part of the Company's employment policy.

Through this gender neutral policy, we exhibit our commitment to providing enabling safe work conditions and a workplace that is gender sensitive recognizing role of every employee (regardless of gender) as an equal member and leader of change in their families, communities, workplace and society. Every member should be aware that Vehant Technologies Pvt. Ltd. is strongly opposed to sexual harassment and that such behaviour is prohibited both by law and by the company policy. It is the intention of Vehant Technologies Pvt. Ltd. to take all necessary action(s) required to prevent, correct and if necessary, discipline behaviour which violates this policy.

2. Scope and applicability

Vehant is cognizant that:

- a) Workplace Sexual Harassment is a form of gender discrimination which violates a person's fundamental right to equality and right to life, guaranteed under Article 14,15 and 21 of the constitution of India.
- b) The mandate of protection and prevention, delineated in the Sexual Harassment of Women at Workplace(Prevention, Prohibition and Redressal)Act, 2013(hereinafter referred to as the POSH Act) extends to all organizations which employ/work with men and women.
- c) Vehant's policy not only compliant with POSH Act and Rules 2013, but a step forward in recognizing and addressing vulnerabilities of all genders. It also cover varied situations through a wide definition of what constitutes "gender", "sexual

harassment", "workplace", "employee", who can be an "aggrieved person" and such other terms that are integral to the implementation of the policy and its objectives.

This Policy shall be applicable to all employees of Vehant and its subsidiary including its factory unit and it covers:

2.1 All members regardless of seniority or contractual status, that is permanent, short-term contract, and casual employees,

2.2 All Board members, executive and non-executive Directors, owners and shareholders,

2.3 All contractors and sub-contractors, trainees and summer trainees

2.4 All applicants for employment, and

2.5 All persons dealing with the company, clients, customers, suppliers, and with whom employees interact personally or by telephone, or by electronic communication, including written communication, web-sites and emails.

3.1. Definition- What Constitutes Sexual Harassment?

A. "sexual harassment" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication):—

I. Physical contact and advances; or

II. A demand or request for sexual favours; or

III. Sexually coloured remarks; or

IV. showing pornography, making or posting sexual pranks , sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other material any mode; or

V. Repeatedly asking to socialize during off-duty hours or continued expression of sexual interest against a person's wishes; or

VI. Eve teasing, physical confinement against one's will or any such act likely to intrude upon one's privacy; or

VII. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

B. The following circumstances, among other circumstances, if it occurs or is present in relation to connected with any act or behavior of sexual harassment may amount to sexual harassment:-

- I. Implied or explicit promise of preferential treatment in employment; or
- II. Implied or explicit threat of detrimental treatment in employment; or
- III. Implied or explicit threat about the present or future employment status; or
- IV. Interference with work or creating an intimidating or offensive or hostile work environment for the person; or
- V. Humiliating treatment affecting any person's health or safety.

3.2. What does Aggrieved Person mean?

An "aggrieved person" in relation to a workplace is a person (Women/men/third gender) or group of persons of any age, who -

(a) being an employee of the organization, alleges to have been subjected to any act of sexual harassment by another person associated with the organisation through an employment/service contract or partnership agreement.

(b) being an employee of the organization, alleges to have been subjected to any act of sexual harassment during the course of tasks carried out in furtherance of the employment/service contract, by another person not associated with the organization.

3.3 What does " Gender" means ?

Gender includes men, women and third gender and refers to the social attributes and opportunities associated with being male, female, third gender and non-binary as well as the relationships between and among them.

3.4 What constitute " Workplace" ?

Any place where working relationship and/or employer-employee relationship between the company and the person exists. This includes our premises (including transit houses & guest houses) and any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such a journey.

3.5 What does “ Employee” means?

An employee shall have the same meaning and import as assigned to it under Section 2(f) of the POSH Act, 2013 and is thus defined

as –

“a person employed at a workplace for any work on regular, 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, intern, volunteer or called by any other such name”

4. Internal Complaints Committee

Internal Complaints Committee hereinafter referred as “ICC” is the committee specially constituted to take up the cases of sexual harassment and other harassment and has been constituted under the provisions of section-4 of The Sexual Harassment of woman at workplace (Prevention, Prohibition & Redressal) Act, 2013 and rules thereof, if any.

Composition of ICC shall be as per Annexures 1 attached herewith.

5. Complaints of Sexual Harassment

To redress complaints of sexual harassment, ICC has been formed. Following is the procedure to lodge the complaints;

5.1 Any aggrieved person may make, in writing, a complaint of sexual harassment at workplace to the ICC, within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident.

Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of the ICC, as the case may be, shall render all reasonable assistance to the aggrieved person for making the complaint in writing.

Provided further that 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.

5.2 Where the aggrieved person is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, following can make complaint:

- A. Legal heir or relative;
- B. Co-worker;
- C. Qualified psychiatrist or psychologist;
- D. An officer of the National Commission for Women or State Women's Commission;
- E. Guardian or authority under whose care she is receiving treatment or care;
- F. Any person who has knowledge of incident with the written consent of complainant;
- G. In case of aggrieved person's death, any person who has knowledge of incident with the written consent of her legal heir.

5.3 The ICC may before initiating an inquiry and at the request of the aggrieved person take steps to settle the matter between her and the respondent through conciliation.

Provided that no monetary settlement shall be made as a basis of conciliation.

5.4 Where settlement has been arrived as per 5.3, the ICC, shall record the settlement so arrived and forward the same to the management to take action as specified in the recommendation. The ICC, shall provide the copies of the settlement as recorded to the aggrieved person and the respondent.

5.5 Where a settlement is arrived at under 5.3, no further inquiry shall be conducted by the ICC.

6. Procedure on the post receipt of complaint

6.1 Subject to the provisions of section 11 of the Act, at the time of filing the complaint, the complainant shall submit to the ICC, six copies of the complaint along with supporting documents and the names and addresses of the witnesses.

6.2 On receipt of the complaint, the ICC shall send one of the copies received from the aggrieved person under 6.1 to the respondent within a period of seven working days.

6.3 The respondent shall file his reply to the complaint along with his list of documents, names and addresses of witnesses, within a period not exceeding ten working days from the date of receipt of the documents specified under 6.1.

6.4 The ICC shall make inquiry into the complaint in accordance with the principles of natural justice.

6.5 The ICC shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the complainant or respondent fails, without sufficient cause, to present herself or himself for three consecutive hearings convened by the Presiding Officer, as the case may be.

Provided that such termination or ex-parte order may not be passed without giving a notice in writing, fifteen days in advance, to the party concerned.

6.6 The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the ICC.

6.7 In conducting the inquiry, a minimum of three Members of the Complaints Committee including the Presiding Officer shall be present.

6.8 The inquiry under sub-section (1) shall be completed within a period of ninety days.

6.9 For the purpose of making an inquiry by the ICC shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 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.

6.10 On the completion of an inquiry as per the policy and the Act, the ICC shall provide a report of its findings to the management within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties.

6.11 Where the ICC arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the management that no action is required to be taken in the matter.

6.12 The management shall act upon the recommendation within sixty days of its receipt by them.

7. General Guidelines for the inquiry Process

7.1 The inquiry Committee shall conduct the proceedings in a fair manner and shall provide reasonable opportunity to the complainant and the defendant for presenting and defending his/her case.

7.2 During the pendency of an inquiry on a written request made by the aggrieved person, the ICC may recommend to the management to—

- (a) transfer the aggrieved person or the respondent to any other workplace; or
- (b) grant leave to the aggrieved person up to a period of three months; or
- (c) grant such other relief to the aggrieved person as may be agreed.

The leave granted to the aggrieved person under this section shall be in addition to the leave she would be otherwise entitled.

7.3 The identity and addresses of the aggrieved person, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the ICC and the action taken by the management shall not be published, communicated or made known to the public, press and media in any manner.

7.4 Inquiry proceedings shall be confidential.

7.5 ICC should make efforts to ensure that the complainant(s), defendant(s) and the witnesses are not victimized or discriminated against at any time during or

after the inquiry process as a result of their respective roles in a particular case of complaint.

8. Withdrawal of complain

8.1 The complainant may withdraw his/her complaint in writing at any time during the inquiry procedure. However, ICC must ascertain the reasons for withdrawal of the complaint, record the same in writing and get it counter-signed by the complainant.

8.2 The complaints inquiry procedure shall, on such withdrawal, be terminated, save in instances in which the inquiry Committee is informed, knows, or has reason to believe, that the reasons for such withdrawal are the consequences or effect of coercion and intimidation exerted by the defendant(s), or any person on her/his behalf, on the complainant. In such an instance, the complaints inquiry proceedings shall continue in accordance with the procedure outlined in the policy.

9. Punishment

Any person to whom this policy is applicable as per clause -2 (Scope and applicability), found guilty of sexual harassment shall be liable for disciplinary action. The punishments listed below are only indicative and does not limit the ICC authorities from considering others as per the facts and sensitivity of matter.

- a) Warning, reprimand or censure
- b) Transfer
- c) Withholding one or more increment
- d) Suspension from the service for limited period of time
- e) Dismissal from the service
- f) Compulsory retirement etc.

10. Appeals

10.1 Any person aggrieved from the recommendations made by the ICC or non-implementation of such recommendations may prefer an appeal to the Board of Directors of the Company, even after that if the person is not satisfied

the person may approach to the court or tribunal in accordance with the applicable laws.

10.2 The appeal under 10.1 shall be preferred within a period of ninety days of the recommendations.

11. False Complaints/ Depositions

If the ICC finds no merit or false complaint, in any particular complaint / deposition, a show-cause notice shall be issued to the complainant / witness(es) / respondent. Upon the decision to issue a show-cause notice, the ICC shall issue it to the complainant / witness(es) / respondent and require the complainant / witness(es) / respondent to explain within five working days as to why disciplinary actions shall not be taken against him/her. Within 5 working days of the receipt of any explanation from the complainant/witness (es), the ICC shall consider the explanation and take the action as per the facts and sensivity of the matter.

12. Meetings

The ICC shall meet minimum one meeting in a financial year to review, discuss and to make the improvements in the working of committee and to make plans towards the awareness of the matter among the people of the organization.

Note: - Irrespective of this policy, The Sexual Harassment of woman at workplace (Prevention, Prohibition & Redressal) Act, 2013 read with rules made thereunder and Article 14,15 and 21 of constitution shall always prevail over this policy.

Annexure-1

ICC for the location of Noida, Greater Noida & Gagret .

- 1) Ms. Asmita Padwal - External Member**
- 2) Ms. Shreshtha Malik - Internal Member**
- 3) Dr. Renu Rameshan - Internal Member (Presiding Officer)**
- 4) Mr. Shailendra Singh - Internal Member**

Every member of the ICC shall hold office for a period not exceeding three years from the date of their nomination.