



## Prohibition and Prevention of Sexual Harassment

**Objective:** Arcil believes in treating all employees with fairness and respect irrespective of their gender, religion, caste or community. Arcil invests in providing employees a safe, secure and congenial work environment, so that they can deliver their best without any inhibitions.

The Company strongly believes that every employee has the right to work with dignity and strongly condemns any form of Harassment including Sexual Harassment. The company in furtherance of this objective of prohibiting any form of Sexual Harassment at the Workplace shall comply with the provisions of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (the "Act")" and rules thereafter.

In accordance with the said provision of law, this policy on Prevention of Sexual Harassment at work place has been implemented at Arcil.

The policy has been framed incorporating the provisions of the Act and the Rules therein, with the prime objective of preventing, prohibiting and redressing an incident of sexual harassment occurring at the workplace.

**Definition of Sexual Harassment:** Sexual Harassment will include any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:

1. Physical contact and advances; or
2. Demand or request for sexual favors; or
3. Making any sexually coloured remarks; or
4. Showing pornography; or
5. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

The following circumstances, among other circumstances, if it occurs or is present or in relation to or connected with any act or behavior of sexual harassment may amount to 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 the present or future her employment status;
- IV. Interference with her work or creates an intimidating or offensive or hostile work environment for her; or
- V. Humiliating treatment likely to affect her health and safety

**Applicability of the Sexual Harassment Policy:**

1. All employees of the Company are expected to maintain a productive work environment that is free from sexual harassment
2. No employee is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal or willingness to submit to sexual advances will affect employee's terms or conditions of employment
3. Any employee who believes that a manager's, other employee's, or staff member's actions or words constitute sexual harassment has a responsibility to reprimand the act and report the situation to their seniors / HR as soon as possible
4. Any complaint of sexual harassment received will be investigated promptly and in an impartial and confidential manner. It is obligatory for all employees to cooperate in the process of investigation
5. Any employee who is found to have violated the sexual harassment policy in any way or having made a false complaint will be subject to appropriate disciplinary action including termination
6. The Company prohibits any form of retaliation against employees for bringing bona fide complaints or providing information about sexual harassment. However, if on investigation of a complaint shows that the complaint or information given during the course of investigation by the complainant or any witness was false; the individual who provided the false information including the complainant will be subject to disciplinary action including termination
7. Where the conduct of employee would constitute an offence under the Indian Penal Code or any other law, the Company shall initiate necessary legal action in accordance with The sexual harassment of Women at work place (Prevention, prohibition and redressal), Act, 2013 (herein after referred as the Act) after conducting a preliminary enquiry in to the matter

**Internal Committee:** The Company has a centralized internal committee at its Corporate Office Arcil, 10th Floor, The Ruby, Senapati Bapat Marg, Dadar (W) - 400029 to address any complaints of sexual harassment.

The Complaints committee comprises of members as nominated and approved by the Company. The Organization may from time to time as it deems fit/make



necessary alteration/change the composition of the Internal Committee. The details of members of the Complaints committee are provided below:

Name	Role
Ms. Rupa Miranda	Presiding Officer
Mr. Anup Mittal	Member
Mr. Sumit Manchanda	Member
Ms. Ravikala Kamath	External Member

**Complaints Mechanism:**

- The Complainant (to be referred to as Aggrieved person) is required to make a written complaint of sexual harassment at workplace addressed to the 'Internal Committee' on the email [posh@arcil.co.in](mailto:posh@arcil.co.in) (herein after referred as the Committee) within three months from the date of incident and in case of series of incidents within three months from the date of last incident
- In exceptional cases, where the Committee is satisfied that the circumstances were such which prevented the aggrieved person from filing the complaint within the said period, can condone the delay up to three months
- On receipt of the complaint, a preliminary discussion may be held with the aggrieved to understand details of the complaint and assess whether the complaint falls within the purview of Prevention of Sexual Harassment at the workplace policy of the company. The preliminary discussion is also to help the aggrieved know the procedures involved in the inquiry. Only on satisfaction that a due case is made out, the committee shall proceed further with the complaint
- Once the complaint is established, the Employer may decide to have a nominated committee (from the available list of Committee members as mentioned above) or entire committee as the case may be to look into the matter
- While identifying the committee members utmost care would be taken by the Employer to ensure that the Committee member is not from the same function as that of the Complainant or the Respondent to avoid any conflict of interest scenarios
- The Employer will issue a mandate to the identified Committee members and will request them to look into the complaint
- The Employer may also depute an official from HR team who may brief the Committee members about the complaint, coordinate meetings and support in other requirements that the Committee may have during the process of the enquiry

- The Committee may seek assistance of the investigation team/any officer of the Company to investigate the matter, collect evidences in accordance with the allegations made in the Complaint, assists them etc. during the course of enquiry.
- The appointed person shall be required to follow the directions given by the Committee. The appointed person shall also be required to submit his / her report to the Committee giving an update on the assignment given, assignment completed etc.

**Inquiry Process:**

- At the time of filing the complaint and before the commencement of the enquiry, the aggrieved is required to submit 6 copies of the complaint to the Committee. The complaint should also contain details of incidents, name and details of the person against whom complaint has been made, list of witnesses and evidence in support of the complaint.
- On receipt of the above mentioned complaint and related evidences, the Committee shall send a copy of the complaint and related evidences to the person against whom the allegation has been made (herein after referred as the Respondent) within 7 working days of receipt of such complaint, asking to furnish their written explanation against the allegation made by the aggrieved.
- The Respondent is required to reply to the Committee along with supporting documents and list of witnesses, names and addresses and other relevant details within 10 working days from the date of receipt of the copy of the complaint from the committee.
- On receipt of the reply from the Respondent, the Committee will schedule an enquiry in to the matter within 7 working days. Accordingly the Committee will communicate to both the concerned parties on the following:
  - a) Date of hearing
  - b) Time of hearing
  - c) Venue of hearing
  - d) Name and details of the Committee members.
- The committee shall make inquiry into the complaint in accordance with the principles of natural justice.
- During the course of the inquiry, the Committee shall have the right to cross question parties concerned on behalf of either the aggrieved and/or respondent in order to establish details of the case he committee shall also have a right to conduct an investigation from necessary persons to know the depth of the complaints or incidents or facts related to the same.

- The Committee shall have the right to terminate the inquiry proceedings or to give an ex parte decision on the complaint if, the aggrieved or the respondent fails, without sufficient cause, to present themselves for three consecutive hearings convened by the Chairperson.
- The Committee will issue a 15 days' notice to the defaulting party intimating them that on expiry of the 15 days, the matter will be proceeded ex-parte
- Neither party shall be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the Committee.
- An endeavor shall be made by the Committee to complete the inquiry within the stipulated time frame of 90 days from the date of initiation of the inquiry. However if it is not possible to complete the inquiry within the stipulated time frame due to unforeseen events and the same extends beyond 90 days, the committee shall with valid reasons intimate the management and the period shall be entitled to extension of time.
- Committee will have powers of a Civil Court as provided under the Act and hence can summon any employee/witnesses, require production of documents etc.

**Confidentiality:** All details of the enquiry process need to be kept completely confidential and parties concerned i.e. including the aggrieved and responded are bound to adhere to the same and any lapse to this clause may be held against them

**Interim Relief by the Committee:** During the pendency of enquiry, the Committee, on a written request made by the aggrieved person, may recommend to the employer the following interim relief;

- a) Transfer Aggrieved Person or Respondent to any other workplace
- b) Grant leave to the aggrieved person up to three months in addition to the leave which would otherwise be entitled or
- c) Grant such other relief at the aggrieved person as may be prescribed.

The Committee is required to forward its interim recommendation to the employer and the employer is required to comply with the same within 7 working days and forward its report on the implementation of the recommendation forthwith to the Committee.

**Inquiry Report:** On completion of an inquiry the Committee shall provide a report of its findings to the employer within 10 working days from the date of completion and also



make available such report to the concerned parties. The committee will in the report recommend necessary action, to the employer, basis the conclusion of the report.

**Disciplinary Action:**

- Based on the investigations and findings of the Committee and its report, disciplinary action may be initiated by HR as recommended by the committee which may include termination of employment, If the Respondent is found guilty of Sexual Harassment as per definition stated above, or such action would be initiated as recommended by the Committee in accordance with the Act and Service Rules of the Company
- The Committee can also recommend deduction of an appropriate amount from the salary of the guilty person such sum as it may consider necessary to be paid to the aggrieved as the case may be
- In case of failure of the respondent to pay the said sum, the Committee shall forward the order for recovery of the sum as an arrear of land revenue to the concerned district officer

**Punishment for false or malicious complaint and false evidence:**

Where the Committee arrives at the conclusion that the allegation against the respondent is malicious or the aggrieved person has made the complaint knowing it to be false or the aggrieved person has produced any forged or misleading documents, it may recommend to the employer to take action against the aggrieved person in accordance with the company's service rules which may also include termination of services.

Where the internal committee arrive at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading documents, it may recommend the employer to take action as the aggrieved person in accordance with the company's service rules which may also include termination of service.

**Review of the Sexual Harassment Policy:** The Sexual Harassment Policy will be reviewed once annually or at such intervals as and when required by the Company.

The Company reserves its right to modify the provision of the Policy any time without any notice in consultation. The employees are advised to read the applicable laws and rules on the subject and get themselves well versed with the law of the land