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## **10.0 POLICY ON SEXUAL HARASSMENT AT WORKPLACE**

### **OBJECTIVE:**

Syrma believes in the right of all its employees to work with dignity, in a safe and secure environment. All persons working with the Group are expected to treat their co-workers with respect, dignity and in a professional manner. To this end, the objective of this policy is to provide all employees of Syrma with a safe work environment, free from sexual harassment.

Syrma had framed and adopted a policy on sexual harassment in accordance with the Vishaka Guidelines laid down by the Hon'ble Supreme Court of India. Pursuant to the enactment of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. This policy shall be required with immediate effect. The Company reserves the right to amend or update this Policy as required from time to time.

### **APPLICABILITY:**

This policy shall be applicable to Syrma including other units.

While the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 deals only with complaints of sexual harassment of women at the workplace, Syrma extends protection from sexual harassment to all of its employees (as defined below) irrespective of their gender. Therefore, while dealing with complaints other than from a woman under this Policy, reference to applicable law in this Policy shall mean principles similar to those applicable to women under the applicable law.

### **PROHIBITION OF SEXUAL HARASSMENT AT THE WORKPLACE:**

The Company does not tolerate sexual harassment at any of its workplaces (as defined in this Policy) and views any incident of sexual harassment at the workplace very seriously. Sexual harassment at any workplace of the Company is a misconduct, which will be dealt with by the Company in accordance with this Policy.

**WHAT IS SEXUAL HARASSMENT?**

Sexual harassment includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication):

- physical contact or advances; or
- a demand or request for sexual favours; or
- making sexually coloured remarks; or
- showing pornography; or
- any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

In addition, the following circumstances (amongst others) if it occurs or is present in connection with an act or behaviour of sexual harassment, may also amount to sexual harassment:

- implied / explicit promise of preferential treatment of the victim in his/her employment;
- implied / explicit threat of detrimental treatment of the victim in his/her employment;
- implied / explicit threat about the victim's present or future employment status;
- interference with the victim's work or creating an intimidating or offensive or hostile work environment for the victim; or
- humiliating treatment likely to affect the victim's health or safety.

This list is illustrative and not exhaustive. If you have any doubts as to whether any particular conduct or act amounts to sexual harassment, please contact Ms. Sathiyavathy, Advocate for clarifications.

**WHO IS AN EMPLOYEE?**

For the purposes of this Policy, all persons employed at any workplace of the Company for any work on a regular, temporary, ad hoc, or daily wage basis, either directly or by or through an agent (including a contractor), employed with or without the knowledge of the Company, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are express or implied are "employee(s)" of the Company, and includes a co-worker, a contract worker, probationer, trainee, apprentice or any person so employed at a workplace called by any other such name.

**WHAT IS THE WORKPLACE?**

For the purposes of this Policy, the workplace includes the following:

- all establishments, offices, administrative units or other premises from where the Company conducts its business;
- any site away from the Company's premises where any activity related to the Company's business is organized, or arranged for, by the Company; and
- any place visited by an employee arising out of or during the course of employment, including any transportation provided by the Company for undertaking such journey.

**COMMITTEE TO INVESTIGATE COMPLAINTS OF SEXUAL HARASSMENT:**

The Company has established internal complaints committee(s) for dealing with complaints of sexual harassment at the workplace in accordance with the requirements of applicable law. Reference to 'the Committee' in this Policy shall mean the particular committee nominated for the particular establishment/complaint.

The members of the Committee will hold office for the term as notified by the Company, which term shall not exceed three years from the date of their appointment. A woman member shall always be the presiding officer of the Committee and not less than half of the members of the Committee shall be women.

Details of the members of the Committee who will investigate a complaint of sexual harassment are given in Annexure 1.

However, if the complaint is against a member of the Committee or if the alleged harasser is in a position that is superior to the Chairperson of the Committee, to ensure a free and fair enquiry that is free from any real or perceived conflict of interest, the Committee receiving the complaint will escalate the complaint to Ms. Sathiyavathy, Advocate who will then entrust the investigation of the complaint to another appropriate committee nominated for this purpose, or in case the complaint is by a lady against the Managing Director of the Company, will forward the complaint to the Local Complaints Committee as per applicable law.

The Committee is authorized to investigate complaints of sexual harassment in the following instances:

- sexual harassment of an employee of the Company by another employee of the Company at any workplace of the Company; or
- sexual harassment of a third party customer, client, supplier or other business associate of the Company (i.e. someone who is not an employee) by an employee of the Company at any workplace of the Company.

If the complaint relates to alleged sexual harassment of an employee by a third party customer, client, supplier or other business associate of the Company (i.e. by someone who is not an employee for the purpose of this Policy), the complaint shall be referred to the HR Manager of the establishment for appropriate action. After discussion with the employee and a review of the circumstances, Management may take appropriate action against the said third party as it deems appropriate for the safety of the Company's employees. If the complainant employee so desires, the Management will also cause to initiate action under the Indian Penal Code or any other law for the time being in force in the workplace where the incident of sexual harassment took place.

#### **HOW TO LODGE A COMPLAINT WITH THE COMMITTEE:**

For details on how to bring a complaint to the attention of the Committee, please refer Annexure 2 of this Policy.

The complainant may submit a complaint of the alleged incident to the Committee, in writing, not later than three (3) months of the date of occurrence of the incident, and in case of a series of incidents, not later than three (3) months from the date of occurrence of the last incident. This time limit may further be extended for a further period of three (3) months by the Committee if the Committee is satisfied that the circumstances were such that it prevented the complainant from filing a complaint within the specified timeline.

The complaint should be in writing, signed by the complainant, and should contain the following details:

- the name of the complainant together with contact details of the complainant;
- the name of the alleged harasser (hereafter called the respondent in this Policy) and details (including contact details) of the respondent as available with the complainant;
- details of the alleged incident(s) of sexual harassment as may be reasonably necessary to enable the Committee to investigate the matter;
- evidence (if any) that the complainant would like to submit in support of his/her case; and
- witness (if any) who the complainant would like to produce in support of his/her case.

If a complainant is unable to make a complaint in writing for any reason, any member of the Committee who receives the complaint shall render all reasonable assistance to the complainant to reduce the complaint into writing and obtain the complainant's signature on the complaint that has been reduced to writing. If complainant is not literate, then it shall be the duty of the person before whom the oral complaint is made to reduce the same in writing, read out the complaint to the complainant in the language requested by the complainant and obtain the signature/ thumb impression of the complainant.

- The Committee will not investigate anonymous complaints.
- The Committee also will not investigate complaints received from a person other than the person who alleges that he/she has suffered sexual harassment except if the concerned person is unable to make the make the complaint in person on account of his/her physical incapacity, mental incapacity, death or any other reason. In such cases, the Committee will accept and investigate complaints received from such third persons who are permitted by law to file a complaint on behalf of the person who suffered sexual harassment.

**PROCEDURE TO BE FOLLOWED BY THE COMMITTEE:**

The following procedure shall be followed by the Committee while investigating all complaints.

- A. Before initiating an enquiry into the complaint, if the complainant so requests, the Committee will take steps to settle the matter between the complainant and the respondent through conciliation. If a settlement is arrived at pursuant to the conciliation, no further enquiry shall be conducted by the Committee. Instead, the Committee will record the settlement; forward the settlement to Ms. Sathiyavathy, Advocate for action as specified and provide a copy of the settlement to both the complainant and the respondent.
- B. If the complainant does not request a settlement through conciliation, or if no settlement is arrived at pursuant to conciliation, or if the complainant informs the Committee that the respondent has not complied with any of the terms or conditions of the settlement arrived at pursuant to conciliation, the complaint of sexual harassment will be investigated by the Committee as per the following procedure:
  - The Committee will initially proceed to determine whether the allegations made in the complaint makes out a case of sexual harassment at the workplace. The Committee may interview the complainant and such others as it deems necessary for the purpose of this arriving at this determination. In the event the allegations (assumed to be true for the purposes of this determination alone) do not make out a case of sexual harassment at the workplace, the Committee will record this finding and communicate the same to the complainant and to the Ms. Sathiyavathy, Advocate. No further investigation of the complaint shall be necessary thereafter. If however, the Committee determines that the allegations constitute an act of sexual harassment at the workplace, the Committee will proceed to inquire into the veracity of the allegations as follows.
  - To ensure freedom of expression and an atmosphere free of intimidation, both the complainant and the respondent will be interviewed separately to ascertain their respective contentions.

- In addition, the Committee will look at evidence (if any) submitted by either of the parties or otherwise that, in the opinion of the Committee, will assist it in determination of the facts of the matter. Documents submitted as evidence shall be signed for authentication by the person submitting the same.
- The Committee may also examine witnesses (if any) who, in the opinion of the Committee, will be able to shed light on the facts of the case. Such witnesses may be persons named by either of the parties or who the Committee identifies as relevant to the case. Any question which the complainant/ defendant may want to pose to the witnesses may be informed to the Committee and the Committee shall pose the same to the witnesses and record their response.
- Given the sensitive nature of a case of sexual harassment, the parties will not have a right to cross-examine each other or the witnesses of the other party unless the Committee is of the view that such cross-examination is necessary in the facts of a particular case.
- The examination of the complainant, respondent and / or witnesses may be delegated by the Committee to a sub-committee of the Committee.
- The examination of the complainant, respondent and / or witnesses may be undertaken by the Committee or the sub-committee, as the case may be:
  - in person, in which case the minutes of the proceedings will be reduced to writing and signed by the Committee / sub-committee; or
  - through video conference or other means of telecommunication, in which case the proceedings will be recorded or minutes reduced to writing and signed by the Committee / sub-committee.

Such recording or writing signed by the Committee / sub-committee shall be final and binding on all parties.

- The Committee may proceed ex parte (without any further notice) if the complainant or the respondent fails, without sufficient cause, to attend two consecutive hearings convened by the Committee.

- Neither the complainant nor the respondent will be allowed to bring a legal practitioner or other third party to represent them in the proceedings before the Committee.
- Subject to the foregoing provisions of this Policy, the Committee shall have power to regulate its own procedure, including quorum required for conducting each enquiry.
- The Committee shall conduct its enquiry in a timely manner and shall complete its enquiry not later than ninety (90) days from the date of receipt of the complaint.
- The Committee shall submit a written report containing its findings and recommendations to Ms. Sathiyavathy, Advocate of the Company as soon as possible, in any event not later than ten (10) days from the completion of the enquiry.
- A copy of the findings of the Committee shall be provided to the complainant and the respondent to enable them to make representation against the findings before the Committee. While sharing the report, the Committee may make such details as it deems necessary anonymous as may be required to protect the confidentiality of the persons involved in the inquiry.

#### **INTERIM MEASURES FOR PROTECTION OF COMPLAINANT:**

If during the pendency of the inquiry, the complainant (who is an employee of the Company) makes a written request to the Committee, the Committee may, recommend interim measures for the protection of the complainant as it deems appropriate, to the Management. These measures may include:

- Transfer of the complainant and / or the respondent to any other workplace;
- Granting leave to the complainant for a period up to of 3 months (over and above other entitled leave); and/or
- Restraining the respondent from undertaking any evaluation of the complainant's performance.

On receipt of any such recommendation, the Management shall implement the same and inform the Committee of the same.

#### **Confidentiality**

In the course of the inquiry into the complaint, the Committee shall limit disclosure of the details of the complaint to the extent practicable.



The identity and other details of the complainant, respondent and witnesses, all the details of the inquiry proceedings including the conciliation, the recommendations of the Committee and the action taken by the Management shall be kept confidential by the Company, the members of the Committee, the complainant, the respondent, the witnesses (if any) and any others who may have knowledge of the complaint or its investigation. This does not however prohibit the Management from disseminating information about justice secured to any victim of sexual harassment without disclosing any particulars calculated to lead to identification of the victim or the witnesses. Any person who violates the requirement for confidentiality may be subject to disciplinary action in accordance with the disciplinary rules applicable to such person.

**NO VICTIMISATION:**

An employee lodging a complaint under this Policy in good faith and any person who provides information or evidence as part of an inquiry pursuant to this Policy will be protected from any retaliation, reprisal or discrimination as a result thereof. Any unwarranted pressure, retaliatory or any other type of unethical behaviour by the respondent or any person on behalf of the respondent against the complainant or a witness may be reported to the Committee. Such complaints shall also be investigated by the Committee and the Committee may recommend appropriate disciplinary action if such complaint is found to be genuine.

**RECOMMENDATIONS OF THE COMMITTEE:**

- If the Committee finds that the allegations against the respondent have not been proved, the Committee shall recommend that no action is required to be taken.
- If the Committee finds the allegations against the respondent have been proved, the Committee shall recommend appropriate action (commensurate with the proven misconduct) against the respondent, which action may be up to and including termination. .
- If the Committee finds that the allegations against the respondent are malicious or that the complainant made the complaint knowing it to be false or if the complainant produces any forged or misleading document, the Committee shall, if malicious intent on the part of the complainant is established as part of the inquiry, recommend that appropriate disciplinary action be taken against the complainant, which action may include one or more of the disciplinary actions as permissible. Mere inability to

substantiate a complaint or provide adequate proof need not attract action against the complainant.

**MANAGEMENT ACTION:**

Ms. Sathiyavathy, Advocate shall consider the report and recommendations of the Committee. If Ms. Sathiyavathy, Advocate requires any further details or clarifications, he /she may call for such additional details or clarifications from the Committee. Ms. Sathiyavathy, Advocate shall act upon the recommendations of the Committee not later than sixty (60) days of receipt of the report of the Committee by him/her and send a report of the same to the Committee.

**OTHER REMEDIES:**

Any person who is a victim of sexual harassment may, in addition to the above, seek appropriate legal remedies as may be provided under the various laws for the time being in force and the Management will provide such assistance as may be requested by the victim in this regard.

**OTHER DUTIES OF THE COMMITTEE:**

The Committee shall keep records of all complaints received by it, including its report and any other relevant information related thereto for a period of atleast three years.

The Committee shall submit an annual report (in the format prescribed by law) for each calendar year to the Managing Director/CEO of the Company and the District Officer on or before 15th January of the succeeding year.

**ROLES AND RESPONSIBILITIES:**

Mr. Sathya Narayanan E S, GM-HR, has specific responsibility for overseeing the implementation of this Policy within the Company and for updating the Managing Director and the Board of the Company on the implementation of this Policy.

The HR Manager of each establishment / unit will be responsible to ensure that adequate systems are in place to ensure delivery of this Policy and compliance with statutory requirements within their establishments/units. The HR Manager of every establishment / unit of the Company shall take appropriate measures in this regard, including:

- Measures to provide a safe working environment at the workplace, free from sexual harassment;
- Provide such facilities as may be required by the Committee to investigate complaints;
- Assist the Committee in securing the attendance of the respondent and witnesses during the inquiry;
- Make available such information as may be required by the Committee for the purpose of the inquiry;
- Measures to ensure that any person who complains of sexual harassment or gives evidence in an enquiry into a case of alleged sexual harassment does not suffer retaliation, reprisal or discrimination as result of the same;
- Organise workshops, awareness programmes and orientation programmes for employees and members of the Committee;
- Cause to initiate action under the Indian Penal Code or any other law for the time being in force against the perpetrator and provide assistance to the employee, if the employee chooses to file a complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force;
- display such notices at the workplace as required by applicable law; and
- monitor timely submission of the annual report by the Committee.

The HR Manager of every establishment / unit of the Company shall submit an annual report to Ms. Sathiyavathy, Advocate detailing the measures taken during the previous year in furtherance of the above duty. Term of Office: Two Years