

**JAIDEEP ISPAT AND ALLOYS PRIVATE  
LIMITED**

**POLICY FOR PREVENTION  
OF  
SEXUAL HARASSMENT  
(POSH) POLICY**

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### 1.0 Background

Jaideep Ispat and Alloys Private Limited (herein after referred to as the “Company”) is committed to provide equal opportunity and a harassment -free workplace notwithstanding race, caste, religion, colour, ancestry, marital status, gender, sexual orientation, age, nationality, region, ethnic origin or disability, as the case may be. Thus in order to create such a safe and conducive work environment, this Policy has been framed, in line with the provisions of the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” of India (hereinafter referred to as the “Act”) and existing rules framed thereunder namely the “Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 (hereinafter referred to as the “Rules”).

### 2.0 Purpose & Scope

Purpose of this policy is to provide protection against sexual harassment at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 derives its foundation from the articles and provisions of the Constitution of India and Human Rights by International Conventions and Instruments – Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) – which has been ratified on 25<sup>th</sup> June 1993 by the Government of India.

Article 11 of the CEDAW clarifies that equality to employment can be seriously impaired when women are subjected to gender specific violence, such a sexual harassment at work .

Similarly, various articles of the Constitution of India give rights to individuals such as - Article 14 & 15 of the Constitution of India embody the concept of equality and prohibits discrimination on the grounds of religion, race, caste, sex or place of birth or any of them.

Article 19 of the Constitution of India gives fundamental right to all citizens to practice any profession, or to carry out any occupation, trade or business. This right pre-supposes the availability of an enabling environment for women, which equitable, safe and secure in every aspect.

Article 21 of the Constitution of India gives the Right to life and personal liberty, includes the right to live with dignity and in case of women it means that they must be treated with due respect, decency and dignity at workplace.

This policy extends to all employees including individuals coming to the workplace for employment or for any other purpose whatsoever including but not limited to visitors, vendors, contractual resources, secondees and applies to any alleged act of sexual harassment against persons at workplace, whether the incident has occurred during or beyond office hours.

This policy does not prevent any aggrieved person from taking recourse to the law of the land.

### 3.0 Important Definitions

- (a) “Aggrieved Individual” means in relation to a workplace, a person, of any age, whether employed or not, who alleges to have been subject to any act of sexual harassment by the respondent and includes contractual, temporary employees and visitors.
- (b) “Complainant” is any aggrieved individual (including a representative as more fully described under Rule 6 of the said Rules, if the aggrieved individual is unable to make a complaint on account of his/her physical or mental incapacity or death or otherwise) who makes a complaint alleging Sexual Harassment under this Policy.
- (c) “Employee” as defined under the Act and means a person employed with the Company for any work on permanent, temporary, part-time, ad-hoc or daily wage basis, either directly or through an agent, including a contractor, who with or without the knowledge of the Principal employer (Management Committee), whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are expressed or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.
- (d) “Employer” means any person who is responsible for management, supervision and control of the workplace including appointment/removal/termination of employees and will include ‘Managing Director’, ‘Directors’ and ‘Those charged with governance’ and the ‘Management Committee’.
- (e) “Internal Committee” means and includes an Internal Complaints Committee (hereinafter referred to as the “Internal Committee (IC)”).
- (f) “Member” means a member of the IC.
- (g) “Presiding officer” means the presiding officer of the Internal Committee and shall be a woman employed at a senior level at the workplace amongst the employees.
- (h) “Respondent” means a person against whom a complaint of alleging sexual harassment has been made under this policy.

(i) “Parties” means collectively the complainant and the respondent.

(j) “Sexual Harassment” includes any one or more of the following unwelcome acts of behavior (whether directly or by implication):

A. Any unwelcome sexually determined behavior or pattern of conduct that would cause discomfort and/or humiliate a person at whom the behavior or conduct was directed namely-

(i) Physical contact and advances;

(ii) Demand or request for sexual favors ;

iii) making sexually coloured remarks or remarks of sexual nature about a person’s clothing or body;

(iv) Showing pornography;

(v) Any other unwelcome physical, visual, verbal or non-verbal conduct of sexual nature including but not limited to cat-call, wolf/finger whistle, vulgar/indecent jokes, letters, phone calls, text messages, e-mails, gestures etc.

Sexual harassment can involve a series of incidents or it can be a one-off occurrence.

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:-

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

(k) “Workplace” means establishments, enterprises, institutions, offices, branches, premises, locations or units established, owned, controlled by the Company or places visited by the employees out of or during the course of employment including accommodation, transportation provided by the employer (Management Committee) for undertaking such journey.

#### **4.0 Roles And Responsibilities**

1. Responsibilities of Individuals: It is the responsibility of all to respect the rights of others and to never encourage harassment. It can be done by:
  - a. Refusing to participate in any activity which constitutes harassment
  - b. Supporting the person to reject unwelcome behavior
  - c. Acting as a witness if the person being harassed decides to lodge a complaint

All are encouraged to advise others of behavior that is unwelcome. Often, some behaviors are not intentional. While this does not make it acceptable, it does give the person behaving inappropriately, the opportunity to modify or stop their offensive behavior.

2. Responsibilities of Departmental Heads and Those charged with governance: All Departmental Heads at Jaideep Ispat and Alloys Private Limited must ensure that nobody is subject to harassment and there is equal treatment. They must also ensure that all employees understand that harassment will not be tolerated; that complaints will be taken seriously; and that the complainant, respondent/s, or witnesses are not victimized in anyway.
3. Responsibilities of the Committee: The committee is responsible for:
  - Receiving complaints of sexual harassment at the workplace.
  - Initiating and conducting inquiry as per the established procedure.
  - Submitting findings and recommendations of inquiries.
  - Coordinating with the employer (Management Committee) in implementing appropriate action.
  - Maintaining strict confidentiality throughout the process as per established guidelines.
  - Submitting disclosure in annual reports in the prescribed format.

#### **5.0 PROCEDURES and GUIDELINES**

##### **5.1 COMPOSITION of INTERNAL COMPLAINTS COMMITTEE**

Pursuant to Chapter II, section 4 of the Act, an Internal Committee has been constituted to prevent sexual harassment and to receive and effectively deal with complaints pertaining to the same.

The Presiding Officer and every Member of the Internal Committee shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer (Management Committee).

Below is the list of members of the Internal Committee constituted by the Company:

<i>Serial No.</i>	<i>Name</i>	<i>Designation</i>
1	Mrs. Deepali Singh	Presiding Officer
2	Mr. Satyendra Singh	Member
3	Ms. Ekta Ojha	Member
4	Ms. Vaishali Gandhi	Member
4	Mr. C.B. Singh	Member
5	Mr. Abhishek Mahajan	Member having experience in the field of Compliance and Legal Work.
6	Ms. Aroona Acharya	External Member – Abheda Human Capital Solutions
7	Invitee - Jain Gautam and Company	External Consultant

- 5.1.1** Employer (Management Committee) will not form a part of the Internal Committee.
- 5.1.2** A quorum of 4 members is required to be present for the proceedings to take place. Composition to have Presiding Officer, at least two members (one of whom must be female) and the external member.
- 5.1.3** The Presiding Officer and every member of the Internal Committee shall hold office for such period, appointed, from the date of their nomination as may be specified by the employer.
- 5.1.4** Managing Director and General Manager and Those charged with governance may be consulted by the Internal Committee from time to time. Such consultation is purely discretionary.
- 5.1.5** The Member appointed from amongst the non - governmental organisations or associations shall be paid such fees or allowances for holding the proceedings of the Internal Committee, by the employer (Management Committee), as may be mutually agreed.

## 5.2 COMPLAINT OF SEXUAL HARRASMENT

### 5.2.1 Raising of complaint

In line with section 9 of Chapter IV of the PoSH Act, 2013:

1. Any aggrieved individual may make in writing (in prescribed form) a complaint of sexual harassment to the Human Resource (HR) Department (through respective Head of Department) and email on [: careforwomenmoira@gmail.com](mailto:careforwomenmoira@gmail.com) along with supportings (in prescribed form) (Help Line No: 8889914382), in prescribed form within a period of three (3) months from the date of incident and in case of more than one incident, within a period of three(3)months from the date of last incident. Complaints arising of incidents more than three (3) months old shall not be accepted.

Also, the aggrieved person has to appear in person to the presiding officer and submit the written complaint.

2. However, the IC may, for reasons to be recorded in writing, extend such time limit of filing complaint upto further 3 months, if it is satisfied that bonafide circumstances prevented the aggrieved individual from filing complaint within the time limit mentioned in point (1) herein above. The complaint should clearly mention name and available details of both the aggrieved person and the respondent. Anonymous or pseudonymous complaints will not be investigated.
3. Where the aggrieved individual is unable to make the complaint on account of her/his physical or mental incapacity or death or otherwise, his/her representative, as more fully described under Rule 6 of the said Rules, may make a complaint.
4. The HR Department will officially forward the complaint to the Presiding Officer of Internal Committee within seven (7) days from the date of making of the complaint.
5. The complainant shall submit copies of the complaint accompanied by available supporting documents/ evidences and relevant details concerning the alleged act of sexual harassment(s) including names and address of witnesses, if any which the complainant believes to be true and accurate.



### 5.3 REDRESSAL PROCESS<sup>1</sup>

#### 5.3.1 Conciliation

Pursuant to section 10 of Chapter IV of the PoSH Act, 2013, Before the Internal Committee initiates an inquiry, the complainant may request the Internal Committee to take steps to resolve the matter through conciliation provided no monetary settlement shall be made as basis of conciliation. If a settlement has been so arrived, the Internal Committee shall record the same and forward the same to the employer (Management Committee) and provide copies of the settlement to the aggrieved individual and the respondent. In such cases, no further inquiry shall be conducted by the Internal Committee.

[1. Please refer Annexure-1 for the Grievance Redressal Process Flow.\]](#)

#### 5.3.2 Inquiry

In the light of Chapter V - Inquiry and Complaint of the PoSH Act, 2013:

1. In case where a settlement is not feasible or could not be arrived at through conciliation (ref clause 5.3.1 above), the Internal Committee will conduct an inquiry into the complaint. Additionally an inquiry may also be initiated if the aggrieved person informs the Internal Committee that any terms of settlement (ref clause 5.3.1 above) has not been complied with by the respondent.
2. The Internal Committee within 7 (seven) working days of receiving the complaint shall forward one copy thereof to the respondent for obtaining a response.
3. The respondent within 10 (ten) working days of receiving the complaint shall file his/her reply to the complaint along with list of supporting documents, names and addresses of witnesses.
4. The Internal Committee shall consider the reply from the respondent and initiate an inquiry. The complainant or the respondent to the complaint shall not be allowed to bring any legal practitioner to represent them at any stage of the proceedings before the Internal Committee. Internal Committee shall hear both the complainant and the respondent on date(s) intimated to them in advance and the principles of natural justice will be followed accordingly.
5. In the event of failure to attend personal hearing before Internal Committee by the complainant or the respondent on three consecutive dates (intimated in advance) without sufficient cause, the Internal Committee shall have the right to terminate the inquiry proceedings or give an ex-parte decision. However, the Internal Committee shall serve a notice in writing to the party (ies), 15 (fifteen) days in advance, before such termination or the ex-parte order.
6. The inquiry process shall be completed maximum within the period of 90 (ninety) days from the date of receipt of the complaint.
7. The Internal Committee within 10 (ten) days from the date of completion of inquiry shall provide a report of

its findings and recommendation(s) to the Managing Director, Directors and Management Committee and such report and recommendation(s) shall also be forthwith made available to the complainant(s) and respondent(s).

8.

Where the conduct of Sexual Harassment amounts to a specific offence under the Indian Penal Code (45 of 1860) or under any other law; it shall be the duty of Internal Committee to immediately inform the complainant of his/her right to initiate action in accordance with law with the appropriate authority, and to give advice and guidance regarding the same. Any such action or proceedings initiated shall be in addition to proceedings initiated and /or any action taken under this Policy.

- [2. Please refer Annexure-2 for Section of the Indian Penal Code \(IPC\) - Sexual Harassment and Punishment for Sexual Harassment.](#)

### **5.3.3 Interim relief**

During pendency of the inquiry, on a written request made by the complainant, the committee may recommend to the employer (Management Committee) to:

- Transfer the aggrieved individual or the respondent to any other workplace; or
- Grant leave to the aggrieved individual of maximum 3 months, in addition to the leave he/she would be otherwise entitled; or
- Grant such other relief to the aggrieved individual as may found to be appropriate; or
- Restrain the respondent from reporting on the work performance of the complainant.

Once the recommendation of interim relief are implemented, Managing Director shall inform the committee regarding the same.

### **5.3.4 Prohibition on disclosure of information**

This policy and the law prohibits any person including Internal Committee Members from publishing, communicating or making known to the public, press and media in any manner, contents of the complaint, the identity and addresses of the aggrieved person, respondent and witnesses, any information relating to conciliation and inquiry proceedings, or recommendations of the Internal Committee during the proceedings under the provisions of the Act. Any violation thereto shall also be subject to applicable disciplinary actions. Further Managing Director sanctions as per provisions of the Act and Rules.

### 5.3.5 Harassment by individuals outside this policy

If an aggrieved individual brings to the notice of the Internal Committee any instances of sexual harassment where the respondent is not an employee or other individuals covered under this policy, the Management or any person delegated by the Management shall provide assistance to the aggrieved individual, if such aggrieved individual so chooses, to file a complaint with the Internal Committee of the respondent's employer (Management Committee) or under the IPC or any other law for the time being in force, as may be appropriate.

### 5.3.6 Protection to Complainant

The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action. The Company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue and/or produces any forged or misleading document) will be subject to applicable disciplinary action.

### 5.3.7 Appeal

Any person aggrieved by the recommendation of Internal Committee may prefer an appeal under the relevant provisions of the Act and Rules.

### 5.3.8 Disciplinary Proceedings

Pursuant to written recommendation of Managing Director on the basis of report and findings of Internal Committee and subject to the final outcome of the appeal proceedings, if any, (ref. clause 5.3.7 above) necessary disciplinary proceedings may be initiated against the respondent.

### 5.3.9 Savings and Repeal

Prevention of Sexual Harassment Policy (V1.0 dated December 9, 2013) hereby stands substituted with this Policy with effect from August 2023. All existing inquiry proceedings and/or appeals initiated under the withdrawn policy will be deemed to have been made under this Policy and same shall continue accordingly.

### 5.3.10 Malicious Allegations

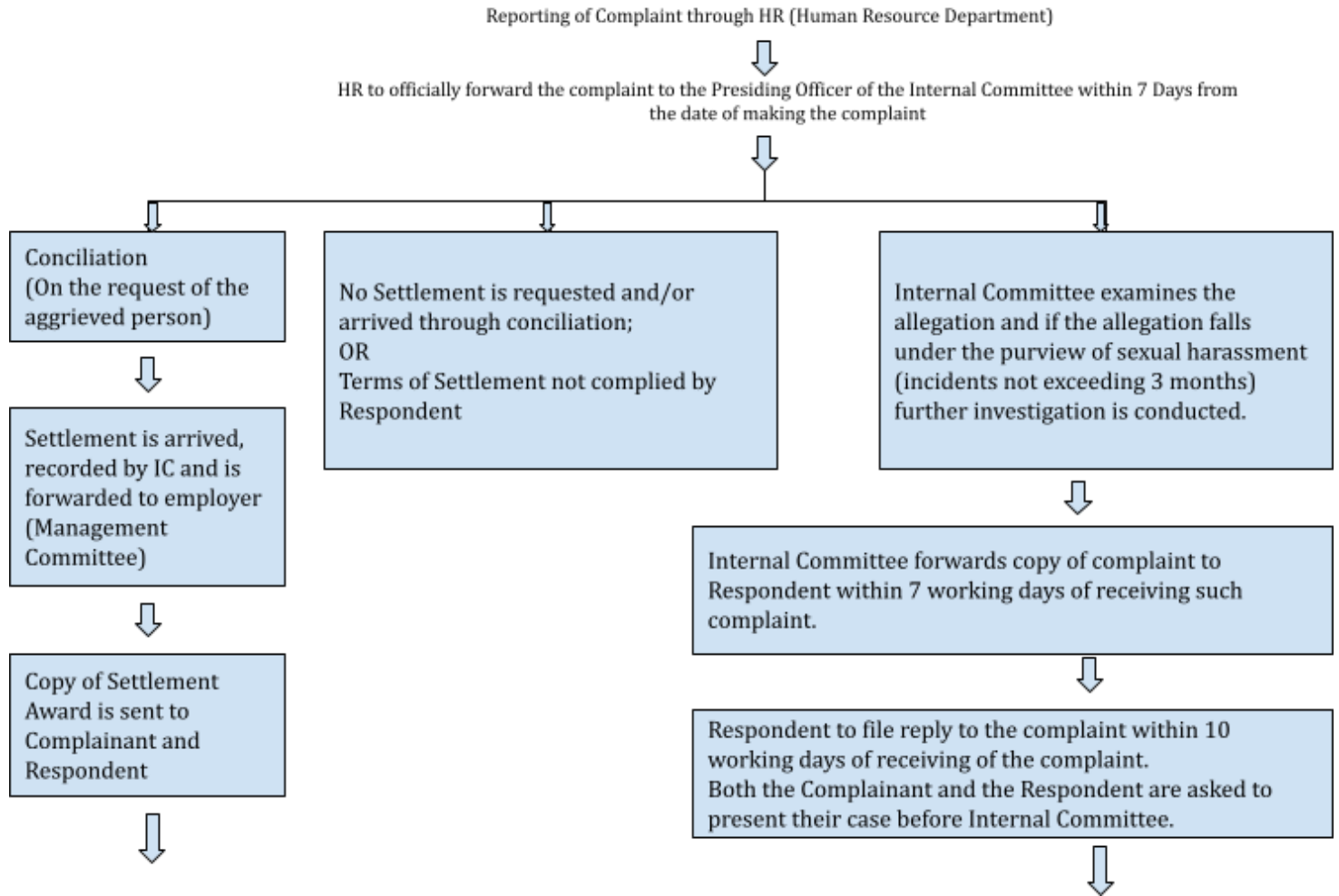
Where the committee arrives at the conclusion that the allegation against the respondent is malicious or the aggrieved individual or any other person making the complaint has made the complaint knowing it to be false or the aggrieved individual or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer (Management Committee) to take action against the individual

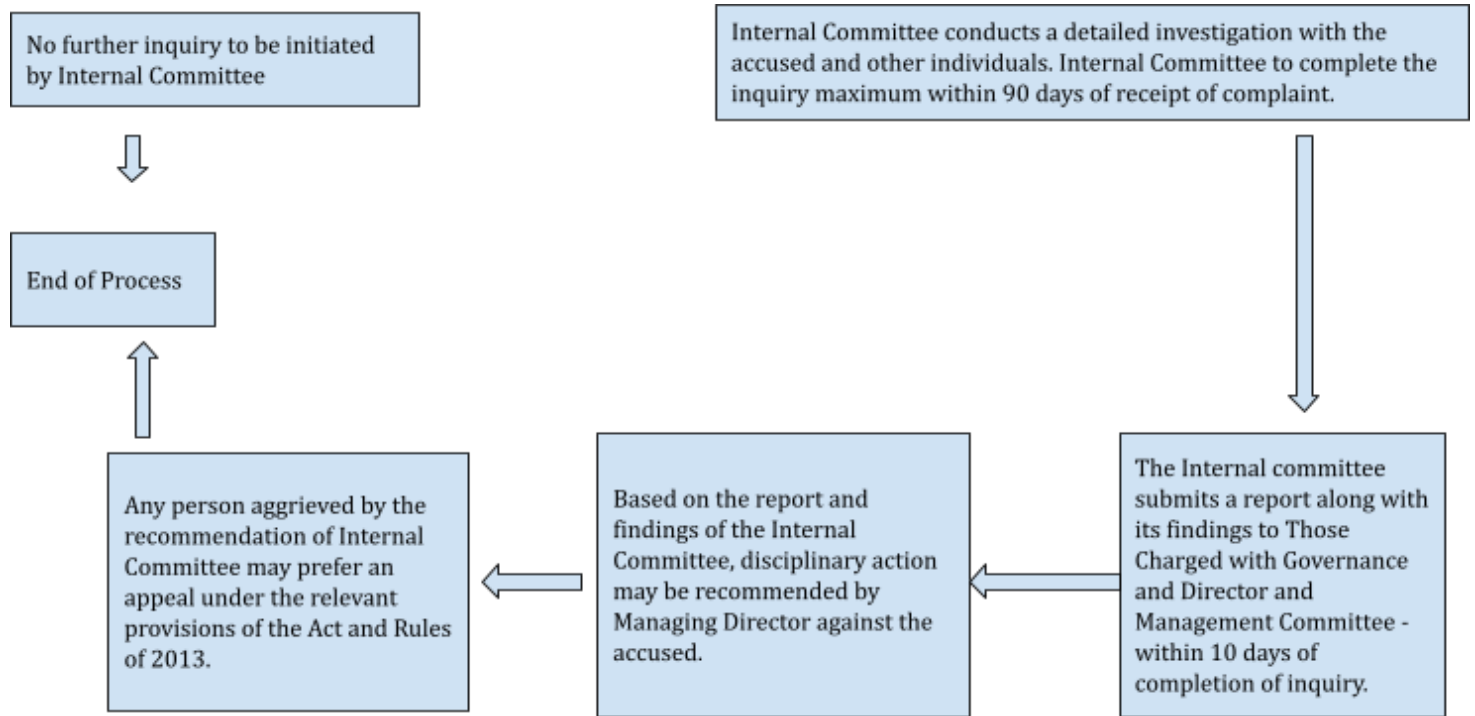
or the person making the complaint.

The action recommended should be similar to the ones proposed for the respondent in case of substantiated complaints.

While deciding malicious intent, the committee should consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

**Annexure-I - Grievance Redressal Process Flow**





**Annexure-II - Sections of the Indian Penal Code (IPC) – Sexual Harassment and Punishment for Sexual Harassment**

Under the Indian Penal Code, the newly introduced Section (Section 354A) which deals with Sexual Harassment has made this a 'cognizable offense' i.e. a person charged with Sexual Harassment may be arrested without a warrant.

1. A man committing any of the following acts:

- (i) physical contact and advances involving unwelcome and explicit sexual overtures;or
- (ii) a demand or request for sexual favors;or
- (iii) showing pornography against the will of a woman;or
- (iv) making sexually coloured remarks,

shall be guilty of the offence of sexual harassment.

2. Any man who commits the offence specified in clause (i) or clause (ii) or clause (iii) above, shall be punished with rigorous imprisonment which may extend to three years,or with fine,or with both.

3. Any man who commits the offence specified in clause (iv) above shall be punished with imprisonment of either description (i.e. either simple or rigorous) for a term which may extend to one year, or with fine, or with both.

In addition to Section 354A set out above, acts of Sexual Harassment may also constitute other offenses under IPC including Section 354 (assault or criminal force to woman with intent to outrage her modesty), Section 354C (Voyeurism), Section 354D (Stalking), Section 375 and 376 (Rape) and Section 509 (word, gesture or act intended to insult the modesty of a woman) of the IPC.

**Annexure III**

The Sexual Harassment of Women At Workplace (Prevention, Prohibition and Redressal) Act, 2013

**Annexure IV**

The Sexual Harassment of Women At Workplace (Prevention, Prohibition and Redressal) Rules, 2013

**For, Jaideep Ispat and Alloys Private Limited**

*SD/-*

**Abhishek Mahajan**

**Company Secretary**

**A32961**

Place: Indore

Date:01.06.2024

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