



RACL Geartech Limited

POLICY NAME	Prevention of Sexual Harassment Policy
POLICY NO.	03
VERSION	04
DATE OF ISSUE	01 st April 2014
REVISED ON	06 th August 2024

INTRODUCTION

In accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and vide notification dated 9th December 2013, Ministry of Women and Child Development have introduced Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013. In the light of above the Company has framed a policy for Prevention of Sexual Harassment at Workplace and adopted the same w.e.f. 01.04.2014. The policy has been made by incorporating the rules and procedures as mandated in the said notification.

The objective of the policy is to provide its women employees, a workplace, free from sexual harassment and to ensure women employees are treated with dignity and respect.

I. COMMITMENT:

Our Company is committed to provide a work environment that ensures every woman employee is treated with dignity and respect and afforded equitable treatment. The Company is also committed to promote a work environment that is conducive to the professional growth of its women employees and encourages equality of opportunity. The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its women employees are not subjected to any form of sexual harassment.

II. SCOPE:

This policy applies to all categories of employees of the Company at its workplace or at client sites. The Company will not tolerate sexual harassment, if engaged in by clients or by suppliers or any other business associates. The workplace includes:

1. All offices or other premises where the Company's business is conducted.
2. All company-related activities performed at any other site away from the Company's premises.
3. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.
4. Any place visited by the employee arising out or during the course of employment including transportation provided by the employer.

III. DEFINITION:

1. Sexual Harassment:

"Sexual Harassment" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:-

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- i. Physical contact and advances; or
- ii. A demand or request for sexual favors; or
- iii. Making sexually coloured remarks; or
- iv. Showing pornography; or
- v. Any other unwelcome physical, verbal or non-verbal conduct of sexual 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:-

- (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 her present or future employment status; or
- (iv) interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- (v) humiliating treatment likely to affect her health or safety.

2. "Aggrieved woman" means –

In relation to a workplace, a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent;

3. "Employee" means–

Employee means 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 or called by any other such name.

IV. RESPONSIBILITIES REGARDING SEXUAL HARASSMENT:

All employees of the Company have a personal responsibility to ensure that their behavior is not contrary to this policy. All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

V. COMPLAINT MECHANISM:

Whether or not such conduct constitutes an offence under law or a breach of the service rules, an appropriate complaint mechanism in the form of "Internal Complaints Committee" has been created in the Company for time-bound redressal of the complaint made by the victim.

VI. INTERNAL COMPLAINTS COMMITTEE:

The Company has constituted an Internal Complaints Committee for redressal of sexual harassment complaint (made by the victim) and for ensuring time bound treatment of such complaints. In accordance with the sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the Internal Complaints Committee will comprise of the

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following:

1. **Presiding Officer** - Shall be a woman employed at a senior level at workplace amongst the employees.
2. **Two members**- Shall be amongst employees preferably committed to the cause of women related issues.
3. **One Member** - amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.

The Internal Complaints Committee is responsible for:

- Investigating every formal written complaint of sexual harassment.
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment.
- Discouraging and preventing employment-related sexual harassment.

In a situation,

1. wherein a complaint is made by any member of the ICC, she will not be a participant of the inquiry procedure.
2. wherein a complaint is made by the presiding officer, she will not be a participant of the inquiry procedure and another member from the committee will be appointed as the presiding office to handle the particular case. No external member can be the presiding office in such a scenario.
3. wherein a specific case or a circumstance occurs, ICC may invite special member(s) including Chairman of the company, for the proceedings of the committee.

VII. PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT:

The Company is committed to providing a supportive environment in which the concerns of sexual harassment shall be resolved as follows:

A. Informal Resolution Options

1. When an incident of sexual harassment occurs, the victim of such conduct can communicate her disapproval and objections immediately to the harasser and request the harasser to behave decently.
2. If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, she can bring her concern to the attention of the Internal Complaints Committee for redressal of her grievances. The Internal Complaints Committee will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter.

B. Complaints:

1. Any employee with a harassment concern, who is not comfortable with the informal resolution options or has exhausted such options, may make a formal complaint to the

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Presiding officer of the Internal Complaints Committee constituted by the Management.

In case:

(i) 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 Women’s Commission; or
- (d) any person who has knowledge of the incident, with the written consent of the aggrieved woman;

(ii) 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 of the incident 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;

(iii) where the aggrieved woman for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with her written consent;

(iv) 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.

2. The complainant shall submit 6(six) copies of the Complaint to the Internal Complaints Committee along with supporting documents and the names and addresses of the witnesses in writing and can be in form of a letter, preferably within 3months from the date of occurrence of the alleged incident, sent in a sealed envelope. Alternately, the employee can send complaint through an email. The employee is required to disclose her name, department, division and location she is working in, to enable the Chairperson to contact her and take the matter forward.

3. The Complaint Committee shall send 1(one) of the copies received from the aggrieved woman to the accused (respondent) within a period of 7 working days.

4. The Accused (respondent) shall file his reply to the Complaint along with supporting documents and the names and addresses of the witnesses, within a period not exceeding 10 working days from the date of receipt of the documents.

5. The Complaint committee have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the Aggrieved (complainant) or Accused (respondent) fails, without sufficient cause, to present herself or himself for 3 consecutive hearings convened by the Chairperson, as the case may be, provided that such termination or ex-parteorder may not be passed without giving a notice in writing, 15 days in advance, to the party

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concerned. In conducting the inquiry, a minimum of 3 Members of the Complaints Committee including the chairperson, as the case may be, shall be present.

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 Complaints Committee.
7. The Internal Complaints Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Employer as soon as practically possible and in any case, not later than 10 days from the date of completion of inquiry. The Employer shall act upon the recommendation within 60 days of its receipt by him.
8. The Complaint's Committee report will also be made available to concerned parties.
9. Investigation or inquiry of the complaint shall be completed within 90 (ninety) days from the date of complaint.
10. Relief to the complainant during the pendency of inquiry:
 - (i) During the pendency of an inquiry, on a written request made by the aggrieved woman, the Internal Committee, may recommend to the employer to-
 - (a) Transfer the aggrieved woman or the respondent to any other workplace; or
 - (b) Grant leave to the aggrieved woman up to a period of 3 (three) months; or
 - (c) Grant such other relief to the aggrieved woman as may be prescribed.
 - (ii) The leave granted to the aggrieved woman under this section shall be in addition to the leave she would be otherwise entitled.
 - (iii) On the recommendation of the internal Committee under point (i), the employer shall implement the recommendations made under point (i) and send the report of such implementation to the Internal Committee.

VIII. MANNER OF TAKING ACTION AGAINST THE RESPONDENT:

Where the Complaints Committee arrives at the conclusion that the allegation against the respondents been proved, it shall recommend to the employer to take action which may include the following:

- a. Written apology;
- b. Warning;
- c. Reprimand or Censure;
- d. Withholding of Promotion;
- e. Withholding of pay rise or increments; or
- f. Terminating the respondent from service; or
- g. Undergoing a counselling session or carrying out community service.
- h. Deduct from the salary or wages of the respondent an appropriate sum to be paid to the aggrieved women or to her legal heirs.

Provided that in case the employer is unable to make such deduction from the salary of the

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respondent due to his being absent from duty or cessation of employment, it may direct to the respondent to pay such sum to the aggrieved woman. The said sum will be determined based on the severity of the complaint and shall have regard to the provisions of the applicable act.

Provided Further that where the aggrieved woman informs the Internal Committee, that any term or condition of the settlement arrived, has not been complied with by the respondent, the Internal Committee shall proceed to make an inquiry into the complaint or forward the complaint to the police.

IX. PUNISHMENT FOR FALSE OR MALICIOUS COMPLAINT AND FALSE EVIDENCE:

Where the Internal Complaints Committee arrives at a conclusion that the allegation against the respondent is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the employer to take action in accordance with the provisions of the Act, which may include the following:

- a. Written apology;
- b. Warning;
- c. Reprimand or Censure;
- d. Withholding of Promotion;
- e. Withholding of pay rise or increments; or
- f. Terminating the respondent from service; or
- g. Undergoing a counselling session or carrying out community service.

X. CONFIDENTIALITY:

The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential. To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout any investigatory process to the extent practicable and appropriate under the circumstances.

XI. ACCESS TO REPORTS AND DOCUMENTS:

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

XII. PROTECTION TO COMPLAINANT / VICTIM:

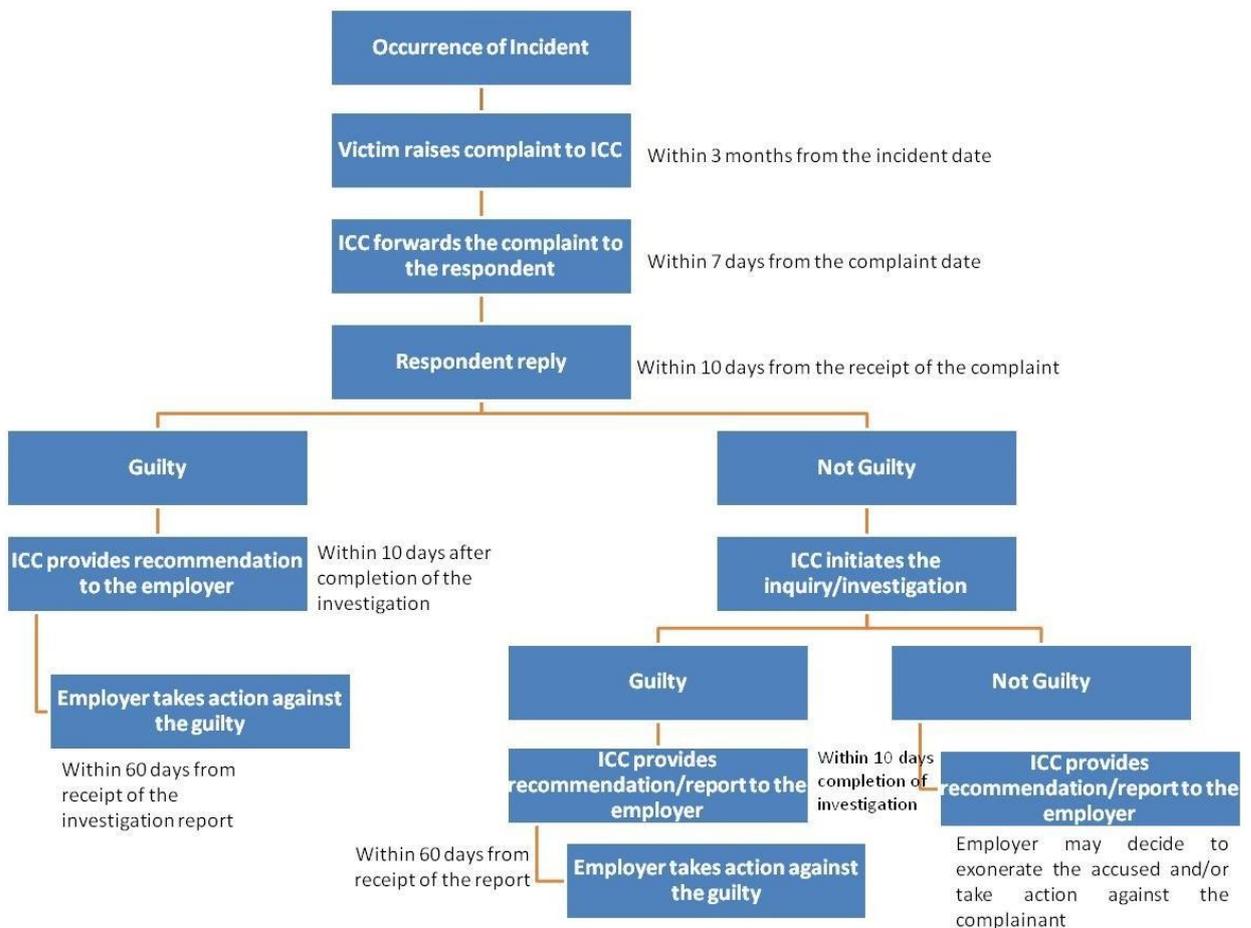
The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action. The Company will ensure that victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment. However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

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XIII. CONCLUSION:

In conclusion, the Company reiterates its commitment to ensure women employees are treated with due respect, decency and dignity and thus providing an environment which is equitable, safe and secure in every aspect.

Sexual Harassment Complaint Procedure



Note : ICC - Internal Complaints Committee

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Note: Any person aggrieved from the recommendations made under the provisions of the act or non-implementation of such recommendations, within 90 days of the recommendations may prefer an appeal to the court or tribunal or appellate authority as per the provisions of the act.

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Internal Complaints Committee for POSH

Sl. No.	Name	Designation	Valid from
1.	Mrs. Narinder Paul Kaur	Presiding Officer	27.05.2024
2.	Mr. Ritesh Arora	Member	27.05.2024
3.	Ms. Priyanka Saini	Member	27.05.2024
4.	Mrs. Kamaldeep Oberoi	External Member	27.05.2024
5.	Ms. Priyanka Saini	Member	27.05.2024
6.	Ms. Narmada	Member	27.05.2024

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