

Nagarjuna Agrichem Limited

Hyderabad

Policy on Sexual Harassment of Associates

Introduction:

Sexual Harassment usually and in general affects all women in some form or the other. Lewd remarks, touching, wolf-whistles, staring looks are part of any woman's life, so much so that it is dismissed as normal. Working women are no exception. In fact, working women most commonly face the backlash, particularly women taking new roles, which belong to male domains within patriarchy. Sexual Harassment is a form of violence in everyday life and is discriminatory and exploitative creating an atmosphere of threat and terror.

Sexual harassment is the expression of male power over women that sustain patriarchal relations in our male dominant society. It is practiced to remind women of their vulnerability and subjugated status. These patriarchal values and attitudes of both men and women pose the greatest challenge in resolution and prevention of sexual harassment.

Combating sexual harassment involves developing understanding of what is sexual harassment and change of attitudes in all be it Associates, colleagues, friends, administrators, employers or the law makers.

Sexual Harassment: The Background Law;

Sexual harassment is also a form of human rights violation, and is an infringement on their life and liberty as defined in the Constitution of India. Such behavior is seen to transgress common dignity, gender equality, and fundamental rights. Sexual harassment is also contrary to anti discrimination laws of the land.

It was for the first time the Supreme Court recognized the Sexual Harassment as human rights violation and gender based systemic discrimination that affects women's Right to Life and Livelihood and establishing that sexual harassment violates a woman's rights in the workplace and is thus not just a matter of personal injury.

The apex Court has laid down mandatory guidelines, commonly known as Vishaka Guidelines, defined sexual harassment as well as provided guidelines for Employers to redress and prevent sexual harassment at workplace. It also advised the Central Government / State Government to consider suitable measures including legislations to ensure that the guidelines laid-down under this judgment are also observed by the Employers in private sector.

Given the above, and keeping in view the Constitutional Rights and various Human Rights conventions, the Parliament promulgated an Act namely “The Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013” in order to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto.

1.0. Policy:

- 1.1. The Nagarjuna Agrichem Limited (NACL) is an equal employment opportunity Company and is committed to creating a healthy working environment that enables its Associates to work without fear of prejudice, gender bias and sexual harassment. The Company also believes that all Associates of the Company have the right to be treated with dignity. Sexual harassment at the work place or other than work place if involving Associates is a grave offence and is therefore, punishable.
- 1.2. The Supreme Court has also directed Companies to lay-down guidelines and a forum for redressal of grievances related to sexual harassment in Vishaka & Others vs. State of Rajasthan & others (AIR 1997 SC 3011).

2.0 Scope and Effective Date:

- 2.1 This Policy applies to all categories of Associates of the Company, including permanent, management and workmen, temporary, trainees and Associates on contract at its workplaces or at client sites. The Company will not tolerate sexual harassment, if engaged in by agents or by suppliers or any other Business Associates.

2.2 The work place includes:

- a) All Offices / Factories or other premises where the Company's Business is conducted.
- b) All Company-related activities performed at any other site away from the Company's premises or factory premises.
- c) Any social, business or other functions where the conduct or Comments may have an adverse impact on the workplace or workplace relations.

2.3 Extending to all Associates, this Policy is deemed to be incorporated in the service conditions of all Associates and comes into effect immediately.

3. Definitions:

3.1 "Sexual Harassment" is any unwelcome sexually determined behavior, such as; physical contact and advances; a demand or request for sexual favours; whether verbal, textual, graphic, electronic or by any other action, sexually colored remarks, showing pornography; and any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

- a) This includes verbal, non-verbal or physical conduct such as obnoxious comments or utterances, innuendo, taunts, remarks or jokes, letters, phone calls, SMS or emails, gestures, social media (like Facebook, Twitter etc.) showing pornography, stalking, sounds or display of a nature with sexual overtures. It also includes a demand or request for sexual favours in return for with a promise of work related favours such as performance appraisals, promotions, transfers, salary increases and employment or any other form of reward or recognition.
- b) Acts of sexual behavior which may arise out of coercion ranging from pressure for personal favours to sexual favour as a 'quid-pro-quo' (Means Something for something; that which a party receives [or is promised] in return for something he/she does, gives or promises) intrusion into the private lives, etc. or that which may lead to hostile working condition may also be considered as a form of sexual harassment.

- c) The definition of sexual harassment shall include any harassment caused to female or male Associates. It would also include harassment caused to or by either gender.

3.2 The following are some Basic Definitions for reference:

- a) **Complainant:** The person reporting an incident of sexual harassment;
- b) **Victim:** The person subjected to sexual harassment.
- c) **Alleged Harasser:** The person who is alleged/reported to have committed an act of sexual harassment.

4.0 Responsibilities regarding Sexual Harassment:

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

5.0 If you are (anyone is) being harassed:

- 5.1 Tell the alleged harasser that his/her behavior is unwelcome and ask him/her to stop.
- 5.2 Keep a record of incidents like dates, times, locations, possible witness, what happened, your response etc. It is not mandatory to have a record of events to file a complaint, but a record can strengthen your case and help you remember the details over time, in case the complaint is not filed immediately.
- 5.3 File a complaint as soon as possible. If, after asking the accused to stop his/her behavior, the harassment continues, report the abuse to the Complaints Committee formed for this purpose.

6.0 Complaint Redressal Committee(s):

- 6.1 In accordance with Supreme Court Guidelines, a Core Complaints Committee (CCC) and such number of Complaints Committees, as required to manage the process of enquiry of sexual harassment complaints in the Organisation will be formed.
- 6.2 The CCC shall be in charge of dealing with the complaints emanated from Corporate Office, Corporate R & D Center and Marketing & Sales Offices and shall operate from the Corporate Office. Likewise, the Complaint Committees located at Srikakulam Factory and Ethakota factory shall be in charge of dealing with the complaints emanated from the respective factories.
- 6.3 The CCC shall comprise of at least 5 members viz; Head - HPD (ex-officio), Head - Legal (ex-officio), One(1) Senior Level (Woman) Associate, Two(2) Independent Members (Social Women Workers/Outsiders). The Senior Level Women Associate shall be the Chairperson of the Committee.

The CCC is hereby constituted with the following members:

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| a. Ms. D Sita Lakshmi – Dy. Manager-Proc'ment | Chairperson |
| b. Ms. Geeta Goti – HR Consultant | Member |
| c. Ms. Priya Iyengar – Advocate & Arbitrator | Member |
| d. Head-Corporate HPD (S. Chandra Sekhar) | Member (Ex-officio) |
| e. Head-Legal (Satish Kumar Subudhi) | Member (Ex-officio) |

- 6.3 A quorum of Three (3) members is required to be present for the proceedings of the meetings to take place. The quorum shall include the Chairperson and at least two other members (out of which one should be Woman).
- 6.4 The CCC shall appoint the Complaint Committees or Sub Complaint Committees for the enquiry or investigation on the sexual harassment complaint(s) from time to time.
- 6.5 The CCC shall appoint more Complaint Committees as and when it deem necessary or where the female Associates exceed 10 in numbers in locations/work place/area offices, and appoints complaint committee

members wherever if necessary. There shall be two Complaint Committees, one each for Srikakulam Factory and Ethakota Factory.

- 6.6 The Complaint Committee or Sub Committee shall work under the supervision, guidance and instructions of CCC and they should follow the “Terms of Reference”, if any, laid down by CCC. All the complaints received by such Committee shall immediately be brought to the notice of CCC.
- 6.7 Change in the constitution of the Complaints Committee, whenever necessary, shall be made as expeditiously as early possible.
- 6.8 All the vacancies arising due to resignation / death / removal etc. in CCC shall need to be filled up immediately, that is in any case within 15 days of the date of the vacancy of such office, by the surviving members of the CCC. In case of such vacancies arisen in any of the Complaint Committees, the same shall be filled up by CCC within the said 15 days.

7.0 Redressal Process:

- 7.1 Any Associates with a harassment concern may make a formal complaint to the Chairperson of the CCC (in case of CO/HO, Corporate R&D Centre and Marketing & Sales Offices) or the Complaint Committee of the concerned factory constituted for this purpose.
- 7.2 The complaint shall have to be in writing and can be in form of a letter, preferably within Ten (10) days from the date of occurrence of the alleged incident, sent in a sealed envelope. Alternately, the Associates can send complaint through a designated e-mail of the Chairperson.
- 7.3 The Associate is required to disclose her/his name, department, division and location she is working in, to enable the Chairperson to contact her/him and take the matter forward.
- 7.4 The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.
- 7.5 The Committee will hold a meeting with the Complainant within Five (5) days of the receipt of the complaint, but no later than a fortnight in any case.

- 7.6 At the first meeting, the Committee members shall hear the Complainant and record her/his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material etc., to substantiate her/his complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a lady Officer for lady Associate involved and a male Officer for male Associate, involved shall meet and record the statement.
- 7.7. Thereafter, the person against whom complaint is made may be called for a deposition before the Committee and an opportunity will be given to him/her to give an explanation, where after, an “Enquiry” shall be conducted and concluded.
- 7.8 In the event, the complaint does not fall under the purview of sexual harassment or the complaint does not mean an offence of sexual harassment, the same would be dropped after recording the reasons thereof and communicate the same to the Complainant.
- 7.9 In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Committee / Management.

8.0 Enquiry Process:

- 8.1 The Committee shall immediately proceed with the Enquiry and communicate the same to the Complainant and person against whom complaint is made.
- 8.2 The Committee shall prepare and handover the statement of allegation to the person against whom the complaint is made and give him/her an opportunity to submit a written explanation if she/he so desires within Seven(7) days of receipt of the same.
- 8.3 The Complainant shall be provided with a copy of the written explanation submitted by the alleged harasser person.
- 8.4 If the Complainant or the person against whom complaint is made desires any witness(es) to be called, they shall communicate in writing to the Committee the names of witness(es) whom they propose to call.

- 8.5 If the Complainant desires to tender any documents by way of evidence before the Committee, she/he shall supply originals of such documents. Similarly, if the alleged harasser person desires to tender any documents in evidence before the Committee he/she shall supply originals of such documents. Both shall affix his/her signature on the respective documents to certify these to be originals.
- 8.6 The Committee shall call upon all witnesses mentioned by both the parties.
- 8.7 The Committee shall provide every reasonable opportunity to the Complainant and Harasser person, for putting forward and defending their respective case/plea.
- 8.8 The Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Core Complaint Committee as soon as practically possible and in any case, not later than Sixty (60) days from the date of the receipt of the complaint. The Core Complaint Committee will ensure corrective action on the recommendations of the Committee and keep the Complainant informed of the same.

Corrective action may include, but not limited to any of the following:

- a. Formal Apology;
- b. Counseling;
- c. Written warning to the harasser person and a copy of it maintained in the Associate's file;
- d. Change of work assignment/transfer/withhold promotion of the harasser person;
- e. Suspension or termination of services of the Associate found guilty of the offence. This action shall be in addition to any legal recourse sought by the Complainant.

9.0 Confidentiality:

- 9.1 The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the Complainant's interest in keeping the matter confidential.

9.2 To protect the interest of the Complainants, the alleged harasser 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.

10. Access to Reports and Documents:

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

11. Protection to Complainant:

11.1 The Company is committed to ensuring that no Associate who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action.

11.2 The Company will ensure that Complainant or Witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

12. Appeal:

12.1 If either party desires to appeal on the decision he/she may appeal in writing to the Managing Director, who shall decide the appeal within One(1) month.

13. Third Party harassment:

13.1 Any harassment brought to the notice of the Company arising out of an act of omission by any third party or an outsider, Company will take necessary and reasonable steps in assisting the affected person in terms of support and preventive action.

14. Other Points to be considered:

14.1 A copy of this Policy shall be given to all Associates and to all new recruits and they shall sign a statement acknowledging that they have received, read, understood and will abide by the Policy.

14.2 In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in it's report and appropriate action shall be initiated by the Company for making a Police Complaint and further legal course.

15. Conclusion:

15.1 In conclusion, the Company reiterates its commitment to providing all its Associates, a workplace free from harassment/discrimination and where every Associate is treated with dignity and respect.

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