

POLICY ON SEXUAL HARASSMENT (POSH)

PELATRO LIMITED

OBJECTIVE

The Company shall carry out the CSR activities in accordance with the provisions set out under Section 135 of the Companies Act, 2013 read with Companies (Corporate Social Responsibility Policy) Rules, 2014, which require that at least 2% of the average net profits of the Company made during the three immediately preceding Financial Years shall be spent in pursuance of the Company's CSR Policy. The operating mechanism to carry out the CSR activities shall be as follows:

Prevention of Sexual Harassment at Workplace

1. Objective

- 1.1. Every Employee together have the responsibility of complying standard ethics and integrity in the organization. We as an organization are also committed for creating a harmonious workplace free from harassments.
- 1.2. The Prevention of Sexual Harassment Policy (POSH) is to Prevent, Prohibit, Redress and deter the commission of acts of Sexual Harassment in the workplace to provide a healthy, harmonious and safe working atmosphere for women without any gender bias and to redress complaints of Sexual Harassment as per the guidelines of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and rules made thereunder that is force with effect from 9.12.2013 and as per guidelines of Supreme & High Court of India.
- 1.3. In accordance with the POSH Act, the Internal Complaints Committee (ICC) has been formed to prevent/deter any act of sexual harassment against any employee in the organization.

2. Applicability

This policy is applicable to all employees of our organization having its registered office at Pelatro Private Limited, 403,7th A Main, 1st Block, HRBR Layout, Kalyan Nagar Bangalore-560 043, deployed at the workplace who are either on the rolls of the establishment or engaged through the Contractor(s) having service agreement with the establishment or as enumerated in clause (f) of section 2 of the SHWW Act.

3. Definitions & Scope

3.1. Definitions

- 3.1.1. **Act** means Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, and rules thereunder (SHWW Act) **Company** Pelatro Private Limited, having its registered office at 403, 7th A Main, 1st Block, HRBR Layout, Bengaluru – 560 043, India.
- 3.1.2. **ICC** – Internal Complaint Committee constituted in accordance with the provisions of this policy read with SHWW Act and Rules there under.
- 3.1.3. **CE/AW – Complainant Employee/Aggrieved woman**: Refers to any woman employee (as per section 2(a) of SHWW Act) who has lodged a complaint of sexual harassment at the workplace and has been subjected to.
- 3.1.4. **Respondent Employee (RE)** –: Refers to any employee against whom the complaint of sexual harassment has been lodged.
- 3.1.5. **Management** – Management means the Company's Managing Director/Director/Manager/Department Head or such other officer or Officers/nominee or nominees as may be authorized in this behalf by the Managing Director/Director and notified in the Notice Board of the establishment and also includes disciplinary authority

and Appellate Authority as notified under the service rules or the certified standing orders as applicable.

3.1.6.**PO** - means the Presiding Officer of the Internal Complaint Committee (ICC).

3.1.7.**Workplace**: – Workplace refers to all the offices of the company and includes departments, branches situated anywhere in India. It also includes any place visited by the employees arising out of or while employment including transportation provided by the Management of the establishment for undertaking the journey, the places where the employees of the company have met for social, sports, or extracurricular activities organized by the company.

4. Meaning of sexual harassment and sexually oriented behavior:

- 4.1. "Sexual Harassment" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely,
 - 4.2. Without prejudice to the general meaning of the word sexual harassment of women employees and with the exclusion of any consensual conduct between the employees, it also includes the following:
 - 4.2.1. Any unwelcome sexually determined conduct, whether physical, verbal or non-verbal, including but not limited to, sexual advances, demands or requests for sexual favors, mentioned below, sexual nuanced gestures, comments, remarks, or jokes either verbal, textual, graphic or electronic or by any other means or action.
 - 4.2.2. Physical contact and advances
 - 4.2.3. A demand or request for sexual favors; or
 - 4.2.4. Making sexually colored remarks
 - 4.2.5. Showing pornography or other offensive or derogatory pictures, cartoons, pamphlets, or sayings.
 - 4.2.6. Any act or conduct by a person in authority and belonging to one gender which denies or would deny equal opportunity making the environment at the workplace hostile or intimidating to a person belonging to the other gender, only on the ground gender.
 - 4.3. The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment:-
 - 4.3.1. Implied or explicit promise of preferential treatment in her employment; or
 - 4.3.2. Implied or explicit threat of detrimental treatment in her employment; or
 - 4.3.3. Implied or explicit threat about her present or future employment status; or
 - 4.3.4. Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
 - 4.3.5. Humiliating treatment likely to affect her health or safety either in person or digitally.
 - 4.3.6. Despite being underreported, cyber bullying and harassment can have a deep psychological impact on victims' mental health. The impact of cyber bullying can include psychological hurt, loss of interpersonal connect due to personal safety threat leading to depression, resulting to low self-esteem, body image issues, self-harm, and other mental health and social and personal image issues.
 - 4.4. Sexual harassment should not be confused with simple friendly behavior or with more intimate exchanges if these are desired and accepted. The difference between the friendly behavior and sexual harassment is that sexual harassment is neither solicited nor accepted by the recipient, it is unwelcomed or imposed.

5. Gender Guidelines

- 5.1. Pelatro Private Limited, is an Equal Employment opportunity employer facilitating employees to work with Integrity, Agility and Excellence and is committed to creating a healthy, harmonious, and safe working environment without any gender bias and to enable women employees to work without fear of prejudice.
- 5.2. Towards this it is essential that each employee deals with their colleagues and third parties with full fairness and respect and realizes that his/her behavior will be attributed to the company and can affect its inward and outward reputation.
- 5.3. This Policy is subject to change by the Company from time to time as may be deemed appropriate to meet the exigencies and practice or as directed by suitable amendments in the said Act.
- 5.4. The management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.
- 5.5. The ICC shall keep complete and accurate documentation of the Complaint, Respondent, its Inquiry proceedings and the Resolution, Report & Findings thereof very confidential. The incident would be documented in both the complainants and the accused files with the full report of the Complaints Committee.
- 5.6. The ICC shall prepare an Annual Report as shown in Annexure 2 and to submit the same to the CEO & Head-HR.
- 5.7. The Head of the Unit/Department may be contacted for any queries or clarifications about this Policy, its implementation or otherwise.

6. Formation of the Internal Complaints Committee (ICC)

CONSTITUTION OF INTERNAL COMPLIANT COMMITTEE

- 6.1. The unit/centre Head shall constitute Internal Complaint Committee as per section 4 of the SHWW Act read with the rules thereunder.
- 6.2. The members of the committee shall be constituted by the management consisting of the following;
- 6.3. A presiding officer who shall be a woman employed at a Senior level at work place from among the employees.
- 6.4. Not less than two members from amongst employees preferably committed to cause of the women or who had experience in social work or have a legal knowledge
- 6.5. One external member from amongst non-governmental organization or association committed to the cause of women or a person familiar with the issues relating to sexual harassment.
- 6.6. The management shall decide the total members on ICC and communicate the same to all in the Organization.
- 6.7. The management may appoint ICC for each office or may appoint one Committee at the corporate level to deal with the complaints arising from any of the offices throughout India. However, whenever a complaint relating to a specific office is being enquired in to one of the senior officials of the said office preferably a women officer shall also be associated with the committee
- 6.8. The committee as far as possible shall hold the proceedings in the office or in any other premises at the place in which the complainant is posted. However, committee at its discretion and without causing avoidable inconvenience to the complainant may hold the proceedings at the corporate office of the company or any other place as decided by the committee
- 6.9. Every member of ICC shall hold office for a period not exceeding 3 years from the date of their nomination as specified by the management. The management may at their discretion appoint any member or the presiding officer for another term having regard to his expertise and the experience gained by him while being associated with the committee

- 6.10. The names of members of the committee appointed from time to time shall be displayed for the information of the employees along with their designation, office of working, telephone number & email.
- 6.11. It is mandatory that women employees are in majority with over 50 % in number in the ICC.
- 6.12. A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Presiding Officer and at least two members who shall be ladies.
- 6.13. The Managing Director shall or delegate such communication of the constitution of the ICC in such manner as may be deemed appropriate in the organization.
- 6.14. The electronic version of this policy has been hosted on the organization's intranet and the same would be eligible to all employees at any given point in time

7. Confidentiality Practiced by the ICC Members

- 7.1. ICC members are to maintain confidentiality of the complaint, complainant women & the respondent, their witnesses, conciliation and the inquiry proceedings of ICC and their recommendations and the action taken by the company and not reveal them to public, press, media in any manner to protect the confidentiality and dignity of the person in the inquiry in the Format Annexure-1.
- 7.2. However, any such revelation of such matters with the Managing Director or such responsible person in the company for the reasons of managing the proceedings that would cover the details of contents of the complaints of the aggrieved women, the respondent and their witnesses and of information pertaining to the inquiry and its administration shall not amount to breach of confidentiality.

8. Disqualification of the Committee Member

- 8.1. An Employee Member of ICC shall cease to hold office as a member of the Committee if she/he ceases to be an employee of the Company. The position shall be substituted by any other employee suitable as quickly as possible.
- 8.2. Has been convicted for an offence or an inquiry is pending under the law for any offence pending against him/her.
- 8.3. Found guilty of any disciplinary proceedings or on pending of any such proceedings
- 8.4. In case of any member contravenes the provisions of Confidentiality of the ICC proceedings by making the proceedings known to others that interferes with the confidentiality and dignity of the person in the inquiry that would cover the details of Contents of the complaints of the aggrieved women, the respondent and their witnesses and of information pertaining to the inquiry and conciliation proceedings, recommendations of ICC and the action taken by the company to public, press, media in any manner.
- 8.5. All information received shall be kept confidential. Any person (including witnesses) who breaches confidentiality shall be subject to disciplinary action by the company.
- 8.6. Further, all members shall be disqualified from acting as members if she/he is found guilty of committing an act of any Harassment or any other act of fraud or moral turpitude.
- 8.7. Notwithstanding the aforesaid, the company shall be entitled, at its sole discretion and at any time, to terminate the appointment (as member of the committee) of any member and appoint a substitute thereof in order to fulfill the constitution of the ICC.
- 8.8. The management can withdraw nomination of any member if he/she does not abide by the rules of the Internal Complaint Committee (ICC) as per its sole discretion and can nominate new member at his/her place.

9. Complaint Redressal Process

- 9.1. Any employee who feels she is being harassed directly or indirectly may submit preferably a specific six copies of written complaint on the alleged incident with her signature within 10

days of occurrence of incident with supporting documents, with names and address of the witnesses. Any such complaint beyond 90 days will be treated as time barred as it may not reveal evidence to establish facts.

- 9.2. In the event of it not being able to be made in writing for reasons of practical difficulty or for reasons beyond control, the ICC member who has received it can develop the complaint in writing and seek the signature of the complainant to endorse the facts.
- 9.3. The Committee will maintain a record 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.
- 9.4. The ICC may frame the issues and may prefer to issue a Show Cause Notice with specific issues framed for it to be issued to the defendant not later than 7 days.
- 9.5. The respondent needs to file his reply to the complaint with necessary documents and names of witnesses and their address within 10 days of receipt of the complaint.
- 9.6. The ICC will hold a meeting immediately but not later than 15 days with the Complainant to make preliminary inquiry to investigate if there is a Prima-facie to go into merits of the case. In the event a compromise is reached with the consensus of all parties that to close the case as it does not fall within the purview of Sexual Harassment it shall be concluded at this stage with recordings of the facts and drop further proceedings.
 - 9.6.1. Before the commencement of enquiry into the complaint, the ICC will try to resolve the matter by conciliation, if the aggrieved women employee requests for the same. The settlement brought out by such conciliation must be acceptable to both, the complainant and the respondent.
 - 9.6.2. Thereafter, the copy of the settlement will be sent to the employer / management for implementing the same as per the terms of the said settlement. Copy of the settlement will also be provided to the complainant as well as the respondent.
- 9.7. In the event the prima-facie exists to proceed with the inquiry, it shall take this for further inquiry to get into greater details and proceed with the inquiry in accordance with principles of natural justice.
- 9.8. Further, all members shall be disqualified from acting as members if she/he is found guilty of committing an act of any Harassment or any other act of fraud or moral turpitude.
- 9.9. Notwithstanding the aforesaid, the company shall be entitled, at its sole discretion and at any time, to terminate the appointment (as member of the committee) of any member and appoint a substitute thereof in order to fulfill the constitution of the ICC.
- 9.10. If a member of complaints committee is junior in the hierarchy of the company to the respondent then for that particular case that member shall not take part in the enquiry.
- 9.11. At the first meeting, the Committee members shall hear the Complainant and record her allegations capturing all the specific details. The Complainant can also submit any corroborative information/evidence or produce witnesses to substantiate their complaint and that shall be kept confidential. Any person (including witnesses) who breaches confidentiality shall be subject to disciplinary action by the company.
- 9.12. The Respondent will also be given the opportunity to express the point of view with documents and witnesses to defend his case.
- 9.13. After both the parties having submitted their evidence, they can present their arguments if any to conclude the inquiry.
- 9.14. The ICC will submit a preliminary report to the AW and seek for their comment which should be given within 7 days from the date of receipt. On receipt of the same and evaluation. The PO can conclude their Report & Findings to the company and forward a copy to the AW, Respondent.
- 9.15. The AW can prefer an appeal against the Report & Finding within 7 days to the head of the Centre? or PO or MD? who shall be the appellate Authority on the Report & Findings of the Inquiry.

10. Recommendations & Consequences

- 10.1. On completion of the Investigation if the Respondent is found guilty of the offence of Sexual Harassment, can make a recommendation.
- 10.2. On the improvements to be made within the company to avoid such occurrence in future.
- 10.3. The ICC on proper evaluation of offence committed, evaluation of the cost incurred by the AW evaluate on the quantum of the penalty based on the Inquiry findings Recommend on the penalty on its due evaluation as provided under the said Act.
- 10.4. Recommend on the punishment as said in the Act and as per Service Rules of the Organization.

11. Training

The company will organize the following Workshops/Training programs to enhance the awareness to Prevent Sexual Harassment at Workplace.

- 11.1. Organize Basic Awareness program for all employees and managers in general to enhance the awareness and enhanced Training to ICC members to build their Competencies of effectively conducting IC. And orientation programs/Seminars to the ICC members and to enhance their capacity and skill building programs

12. Dissemination of the Policy

- 12.1. The Company would ensure that the policy dissemination would be done, either through open sessions or through all employee communication through emails.
- 12.2. Declare the names and contact details of the members of ICC.

13. Annexure 1

CONFIDENTIALITY AGREEMENT of Internal Complaints Committee

I Ms/Mr.Name..... Employee No.....working as have accepted to being a member of Internal Complaint Committee of the Company as provided in “The Sexual Harassment of Women at Workplace (Prevention, Promotion and Redressal) Act 2013 and rules made thereunder.

While serving as a member of the ICC, I am likely to come to know and will have access to personally sensitive information of people, group of people and the organization which are confidential in nature. I also have scope to have access to specialized knowledge or access to know how pertaining to the process of investigation and important Information of the individuals, groups and the company that are sensitive to various people and the company.

In consequent of this, having understood the sensitivity and gravity of the Confidential Agreement understand the obligation and assure to maintain Confidentiality of the Complaint, complainant women & the respondent, their witnesses, conciliation and the inquiry proceedings of ICC and their recommendations and the action taken by the company and not reveal them to public, press, media in any manner to protect the confidentiality and dignity of the person in the inquiry.

Signature :
Name :
Designation :
Date :

14. Annexure 2

Annual Report for the year.....

(Under Rule 14 of The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Rules 2013)

Number of complaints of Sexual Harassment received during the Year : Number of complaints disposed off during the year :

Number of cases pending more than 90 days :

Number of Workshops or awareness programs against Sexual Harassment carried out: Nature of actions taken by the Employer

Signed by ICC Members 1. 2. 3. 4. 5. 6.	Presiding Officer
Date:	

Report submitted to the CEO &
Head-HR Version Control:

Details	Revision No	Prepared By	Approved By	Date Released
Foundational Policy	V-1	Name: Designation:	Name: Designation:	

POSH Internal Committee Member's List

- Rajini Dixit (External Member): Mobile No. 9845157610 and Mail ID: rajini.dixit@pelatro.com
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