

**POLICY ON PREVENTION OF SEXUAL HARASSMENT OF WOMEN AT
WORKPLACE (POSH)
ZENITH STEEL PIPES & INDUSTRIES LIMITED**

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1. Introduction

Sexual harassment at the workplace results in violation of the fundamental rights of employees

- To equality under the Constitution of India
- To life and to live with dignity under the Constitution
- To practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment.

Protection against sexual harassment and the right to work with dignity are universally recognised human rights by international conventions and instruments such as Convention on the Elimination of all Forms of Discrimination against Women, which has been ratified on 25 June 1993 by the Government of India.

Zenith Steel Pipes & Industries Limited ("**ZSPIL**") considers itself as an equal employment opportunity company and is committed to creating a healthy working environment that enables all employees to work without fear of prejudice, gender bias and in a harassment free workplace to all employees without regard to race, caste, religion, colour, ancestry, marital status, gender, age, nationality, ethnic origin or disability. The Company also believes that all employees of the Company have the right to be treated with dignity. Sexual harassment at the work place or other than work place if involving an employee or employees is a grave offence and is therefore, punishable.

Policy on Prevention of Sexual Harassment of Employees at Workplace ("**Policy**" or "**POSH**") extends to all employees of Zenith Steel Pipes & Industries Limited and its Subsidiary Companies - BPUSAL, BAPL, BEPL, BPGMBH (**Please insert full name of each company and then insert short form in brackets with apostrophes and in bold letters**) and any other company or entity which may be incorporated in future with applicability of our HR policies - hereinafter referred to as 'Company' / 'Organization', in this policy. It is deemed to be incorporated in the service conditions of all employees of the Company in India. Local country laws will take precedence over this policy, in other geographies, if applicable.

This version of the policy is effective from 1st September, 2022 and supersedes all prior policies and communication on this matter.

At Zenith Steel Pipes & Industries Limited, all employees are expected to uphold the highest standards of ethical conduct at the workplace and in all their interactions with business stakeholders. This means that employees have a responsibility to

- Treat each other with dignity and respect
- Follow the letter and spirit of law
- Refrain from any unwelcome behaviour that has sexual connotation (of sexual nature)
- Refrain from creating hostile atmosphere at workplace via sexual harassment
 - Report sexual harassment experienced and/or witnessed to appropriate authorities and abide by the complaint handling procedure of the company.

The Policy has been framed in accordance with the provisions of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and rules framed thereunder (hereinafter "the Act"). However, as ZSPIL is an equal opportunity employer, and as a subscription to

higher standards of Corporate Governance, the Policy covers all employees irrespective of gender. Whilst the policy covers all the key aspects of the Act, for any further clarification, reference shall always be made to the Act and the provisions of the Act shall prevail. If any aspect relating to sexual harassment not explicitly covered in this policy is provided for under applicable law (which includes judicial precedents), then the law will prevail. In case of any conflict between the Policy and the law, the law will prevail.

This policy provides protection against sexual harassment of employees at workplace and the prevention and Redressal of complaints of sexual harassment and matters related to it.

2. Scope

The Policy extends to all employees of the Company and is deemed to be incorporated in the service conditions of all employees of the Company in India. Local country laws will take precedence over the Policy, in other geographies, if applicable.

3. Definitions

- Sexual harassment may occur not only where a person uses sexual behavior to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between an employee and someone that employee deals with in the course of his/her work who is not employed by the Company.

“Sexual Harassment” includes any one or more of the following unwelcome acts or behavior (whether directly or by implication), but not limited to:

1. 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:

- a. Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implicit or explicit
- b. Physical contact and advances including (but not limited to) touching, stalking, sounds which have explicit and /or implicit sexual connotation/overtones, molestation
- c. Teasing, Voyeurism, innuendos and taunts with implicit sexual connotation, physical confinement and /or touching against one’s will
- d. Demand or request for sexual favors
- e. Sexually coloured remarks or remarks of a sexual nature about a person's clothing or body
- f. Display of pictures, signs etc. with sexual nature/ connotation/ overtones in the work area and work-related areas
- g. Showing pornography, making or posting vulgar / indecent / sexual pranks, teasing, jokes, demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS, gestures etc.
- h. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person’s wishes
- i. Giving gifts or leaving objects that are sexually suggestive
- j. Eve teasing, innuendos and taunts, physical confinement against one’s will or any such act likely to intrude upon one’s privacy; Persistent watching, following, contacting of a person; and
- k. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

2. The following circumstances if it occurs or is present in relation to any sexually determined act or behaviour amount to sexual harassment:

- a. Implied or explicit promise of preferential treatment in employment;

- b. Implied or explicit threat of detrimental treatment in employment;
- c. Implied or explicit threat about the present or future employment status;
- d. Interference with the person's work or creating an intimidating or offensive or hostile work environment; or
- e. Humiliating treatment likely to affect health or safety.

An alleged act of sexual harassment committed during or outside of office hours falls under the purview of this policy. Further, it is important to note that whether harassment has occurred or not does not depend on the intention of the people but on the experience of the aggrieved woman.

- Aggrieved employee: In relation to a workplace, any employee, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent.
- Complainant: Any aggrieved employee who makes a complaint alleging sexual harassment under this policy
- Respondent: A person against whom a complaint of sexual harassment has been made by the aggrieved employee under this policy
- Employee: A person employed at the 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.
- Special Educator: A Special Educator means a person trained in communication with people with special needs in a way that addresses their individual differences and needs.
- Workplace: Premises, locations, establishments, enterprises, institutions, offices, branches or units established, subsidiaries which are controlled by the Company.
- Employer: A person responsible for management, supervision and control of the workplace

4. Roles and Responsibilities

It is the responsibility of all to respect the rights of others and to discourage harassment. It can be done by:

- a. Refusing to participate in any activity which constitutes harassment
- b. Supporting the person to reject unwelcome behaviour
- c. Acting as a witness if the person being harassed decides to lodge a complaint

5. Redressal Mechanism

Formal Intervention in compliance with the Act, any complaint under this policy shall be followed by a formal Redressal mechanism as described in this Policy.

a. Internal Complaints Committee (hereinafter known as 'Committee')

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, Internal Complaints Committees ("**ICs**") have been appointed for all administrative units / offices of the company. The detail of the ICs is notified to all covered persons at the location (workplace). ICs at each location comprises of:

1. Presiding Officer: A woman employed at a senior level in the organization or workplace
2. At least 2 members from amongst employees, committed to the cause of protecting employees in the workplace or who have had experience of social work or have legal knowledge
3. One external member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment
4. At least one half of the total members nominated being women.

The **Committee** will be responsible for:

1. Receiving complaints of sexual harassment at the workplace
2. Initiating and conducting inquiry as per the established procedure
3. Submitting findings and recommendations of inquiries
4. Coordinating with the employer in implementing appropriate action
5. Maintaining strict confidentiality throughout the process as per established guidelines
6. Submitting annual reports in the prescribed format b. Committee Members Internal Complaint

The **Committee** will comprise of the following:

1. Chairperson/Presiding Officer
2. Human Resources Officer
3. Member
4. External Member & NGO Representative

Lodging a Complaint- An aggrieved employee may make, in writing, a complaint of sexual harassment at workplace to the Internal Committee within a period of 3 months from the date of incident/ last incident. The Internal Committee can extend the timeline by another 3 months for reasons recorded in writing, if satisfied that these reasons prevented the lodging of the complaint within the period.

Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Complaint Committee shall render all reasonable assistance to the employee for making the complaint in writing.

1. If the aggrieved employee is unable to make a complaint on account of her/his physical incapacity, a complaint may be filed by:
 - a. her/his relative or friend; or
 - b. her/his 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 employee

2. If the Aggrieved employee is unable to make a complaint on account of her/his mental incapacity, a complaint may be filed by the local guardian:

3. If the Aggrieved employee 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 written consent of the aggrieved employee.

4. If the Aggrieved Employee is deceased, a complaint may be filed by any person who has knowledge of the incident, with the written consent of the legal heir. The complaint shall be submitted by the complainant to the IC in writing or shall be submitted to the IC electronically at info@birlaprecision.com. The complaint can also be physically submitted to any IC member.

d. Receiving a Complaint (guidelines)- Dealing with incidents of harassment is not like any other type of dispute. Complainants may be embarrassed and distressed and it requires tact and discretion while receiving the complaint. The following points are to be kept in mind by the receiver of the complaint: - Complaints are listened to and the complainant is informed that the Company takes the concerns seriously. Complainant is informed that these concerns will be reported to the appropriate committee and follow up will be done speedily. - Situations are not to be pre-judged. Written notes are to be taken while listening to the person. When taking notes, complainants own words, where possible, are to be used accurately. Clear description of the incident in simple and direct terms is prepared and details are confirmed with the complainant. - All notes are kept strictly confidential. Complainant's agreement is taken to allow proceeding with the matter, which involves a formal

investigation. - The complainant is advised that although the process is confidential, the respondent needs to be informed and any witnesses and persons directly involved in the complaint process will also learn of the complainant's identity. Care is taken to prevent any disadvantage to or victimization of either the complainant or the respondent.

e. Resolution procedure through conciliation

Once the complaint is received, before initiating the inquiry, the committee may take steps to conciliate the complaint between the complainant and the respondent. This is only if requested by the Aggrieved Employee. No monetary settlement can be made as a basis of conciliation. In case a settlement is arrived at, the committee records and reports the same to the employer for taking appropriate action. Resolution through conciliation should happen within 2 weeks of receipt of complaint.

The committee shall provide copies of the settlement to complainant and respondent. Where a settlement is arrived at, no further inquiry is to be conducted by the committee. • Complainant informs the committee that any term or condition of the settlement arrived through conciliation, has not been complied with by respondent.

6. Manner and Procedure of inquiry into complaint: • Complainant should submit the complaint along with supporting documents and the names of the witnesses, if any.

- The Committee will hold a meeting with the Complainant within seven days of receipt of the complaint, but no later than a week in any case.
- At the first meeting, the Committee members shall hear the Complainant and record her allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate her complaint.
- The Committee shall proceed with the enquiry and communicate the same to the Complainant and Respondent.
- Upon receipt of the complaint, the committee will send 1 copy of the complaint to Respondent within 7 working days of receiving the complaint.
- Respondent shall reply with all supporting documents within 10 working days of receiving the copy of the complaint.
- Thereafter, the Respondent may be called for a deposition before the Committee and an opportunity will be given to him to give an explanation, where after, an inquiry shall be conducted and concluded.
- The Complainant shall be provided with a copy of the written explanation submitted by the Respondent.
- If the Complainant or the respondent desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es that they propose to call.
- The Committee shall call upon all witnesses mentioned by both the parties.
- The Committee shall provide every reasonable opportunity to the Complainant and the Respondent for putting forward and defending their respective case.
- If either party desires to tender any documents by way of evidence before the Committee, the same is to be supplied as original copies of such documents. Signatures should be affixed on the respective documents to certify these to be original copies.
- No legal practitioner can represent any party at any stage of the inquiry procedure
- The Complaints Committee is to make inquiry into the complaint in accordance with the principles of natural justice
- In conducting the inquiry, a minimum of three committee members including the Presiding Officer are to be present
- The employer shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy

- Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the company shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- 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.

If the complainant or respondent desires to cross examine any witnesses, the Committee facilitates the same and records the statements. In case complainant or respondent seeks to ask questions to the other party, they may give them to the Committee which asks them and records the statement of the other party. Any such inquiry is completed, including the submission of the Inquiry Report, within 90 days from the date on which the inquiry is commenced. The inquiry procedure should ensure absolute fairness to all parties.

7. Interim relief-

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

- Transfer the complainant or the respondent to any other workplace
- Grant leave to the aggrieved employee of maximum 3 months, in addition to the leave the employee would be otherwise entitled
- Prevent the respondent from assessing complainant's work performance
- Grant such other relief as may be appropriate

Once the recommendations of interim relief are implemented, the same is informed to the committee.

8. Termination of Inquiry

Committee may terminate the inquiry or give ex-parte decision, if complainant or respondent respectively is absent for 3 consecutive hearings, without sufficient reason. 15 days written notice is to be given to the party, before termination of enquiry or ex-parte order.

9. Action to be taken after inquiry

Post the inquiry, the committee submits its report containing the findings and recommendations to the employer, within 10 days of completion of the inquiry.

10. Complaint unsubstantiated

Where the committee arrives at the conclusion that the allegation against the respondent has not been proved, it recommends to the employer that no action is required to be taken in this matter. Further, the committee ensures that both parties understand that the matter has been fully investigated, that the matter is now concluded, and neither will be disadvantaged within the Company.

11. Complaint substantiated

Where the committee arrives at the conclusion that the allegation against the respondent has been proved, it recommends to the employer to take necessary action for sexual harassment as misconduct, in accordance with the applicable service rules and policies, and this may include:

- i. Counselling
- ii. Censure or reprimand
- iii. Apology to be tendered by respondent

- iv. Written warning
- v. Withholding promotion and/or increments
- vi. Suspension
- vii. Termination
- viii. Or any other action that the employer may deem fit

12. Penal Consequences of Sexual Harassment

In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the employer, for making a Police Complaint. Under the Indian Penal Code, (IPC), the newly introduced Section (S. 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.

13. Malicious Allegations

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

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.

14. Confidentiality

The identity of the complainant, respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the committees, action taken by the employer is considered as confidential materials, and not published -or made known to public or media.

Any person contravening the confidentiality clauses is subject to disciplinary action as prescribed in the act.

15. Appeal

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the appellate authority in accordance with the Act, within 90 days of the recommendations being communicated.

16. Constitution of Internal Committee

Chairperson	- Ms. Kanchan Naik
Member	- Ms. Ishita Indulkar
Member	- Mr. Ramakant Rai
External Member	- Ms. Rupali Chauhan