

D.P WIRES LIMITED

(Formerly known as D.P. WIRES Private
Ltd.) CIN: L27100MP1998PLC029523

POLICY ON PREVENTION OF SEXUAL HARASSMENT (POSH) OF WOMEN AT WORK PLACE

Registered Office: 16-18A Industrial Area, Ratlam-457001 (MP)

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OBJECTIVE

This 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"). Accordingly, while 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.

POLICY STATEMENT

D.P. Wire Ltd. (hereinafter "Company") strives to create and maintain a work environment where people are treated with dignity, decency and respect. The environment of the company should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. Company will not tolerate unlawful discrimination or harassment of any kind.

The Company also believes that all employees of the Company have the right to be treated with equality, honour and dignity. The Company aims to provide a safe working environment and prohibits any form of sexual harassment. Hence any act of sexual harassment or related retaliation against or by any associate is unacceptable. This policy therefore, intends to prohibit such occurrences and also details procedures to follow when an associate believes that a violation of the policy has occurred within the ambit of all applicable regulations regarding Sexual Harassment. Making a false complaint of sexual harassment or providing false information regarding a complaint will also be treated as a violation of policy. Violation of this policy will call for strict disciplinary action up to and including termination.

APPLICABILITY

This policy applies to all employees of D.P. WIRES LIMITED at all locations. All workers, at every level, will be subject to discipline, up to and including discharge, for any violation of this policy. Employees are prohibited from harassing others both on and off the employer premises and during or outside of work hours.

DEFINITIONS

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

1. physical contact and advances; or
2. a demand or request for sexual favours; or
3. making sexually coloured remarks; or
4. showing pornography; or
5. 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 -

1. Implied or explicit promise of preferential treatment in her employment; or
2. Implied or explicit threat of detrimental treatment in her employment; or
3. Implied or explicit threat about her present or future employment status; or
4. interference with her work or creating an intimidating or offensive or hostile work environment for her; or
5. Humiliating treatment likely to affect her health or safety.

This Policy will be applicable to all allegations of Sexual Harassment by an Employee against another Employee, irrespective of whether Sexual Harassment is alleged to have taken place within or outside Company premises

DEFINATION IN REATION TO WORK PLACE

Aggrieved Woman - A woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent

Respondent - A person against whom a complaint of sexual harassment has been made by the aggrieved woman.

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.

Employer - A person responsible for management, supervision and control of the workplace. The words not defined in this policy but defined in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 or Rules made there under shall have the same meaning assigned to them in the said Act or Rules.

INTERNAL COMMITTEE (HENCEFORTH KNOWN AS 'COMMITTEE)

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, an "internal Committee" is constituted.

The committee at each location comprises of –

- Presiding Officer: A woman employed at a senior level in the organization or workplace
- At least 2 members from amongst employees, committed to the cause of women and or having legal knowledge
- One external member, familiar with the issues relating to sexual harassment
- At least one half of the total members is women

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 in implementing appropriate action.
- Maintaining strict confidentiality throughout the process as per established guidelines.
- Submitting annual reports in the prescribed format.

LODGING COMPLAINT

The complainant needs to submit a detailed complaint, along with any documentary evidence available or names of witnesses, to any of the committee members at the workplace. The complaint must be lodged within 3 months from the date of incident/ last incident. The 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. Provided that where such a complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Committee shall render all reasonable assistance to the women for making the complaint in writing.

If the aggrieved woman is unable to lodge the complaint in account of her incapacity, the following may do so on her behalf, with her written consent.

- Legal heir, relative or friend
- Co-worker
- Any person having the knowledge of the incident

If the initial complaint is made to a person other than a committee member, upon receiving such a complaint, it will be the responsibility of the complaint receiver to report the same to the committee immediately).

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 women. It is made clear to all parties that conciliation in itself doesn't necessarily mean acceptance of complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings cleared. In case a settlement is arrived at, the committee records & reports the same to the employer for taking appropriate action. Resolution through conciliation happens within 2 weeks of receipt of complaint. The committee provides copies of the settlement to complainant & respondent. Once the action is implemented, no further inquiry is conducted.

RESOLUTION PROCEDURE THROUGH FORMAL INQUIRY CONDUCTING INQUIRY

The committee initiates inquiry in the following cases -

- . No conciliation is requested by aggrieved woman.
- . Conciliation has not resulted in any settlement.
- . Complainant informs the committee that any term or condition of settlement, arrived through conciliation, has not been complied with respondent.

MANNER OF INQUIRY INTO COMPLAIN'T:

- Complainant should submit the complaint along with and the names of the witnesses.
- Upon receipt of the complaint, the committee sends respondent within 7 working days.
- Respondent replies with all supporting documents within 10 working days of receiving the copy of the complaint.
- No legal practitioner can represent any party at any stage of the injury procedure
- The Committee makes 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 is present.

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 woman of maximum 3 months, in addition to the leave she 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 employer will inform the committee regarding the same.

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 reason. 15 day written notice to be given to the party, before termination or ex-parte order.

INQUIRY PROCEDURE

All proceedings of the inquiry are documented. The Committee will interview the respondent separately and impartially. Committee will state exactly what the allegation is and who has made the allegation. The respondent is given full opportunity to respond and provide any evidence etc. Detailed notes of the meetings are prepared which may be shared with the respondent and complaint upon request. Any witnesses produced by the respondent are also interviewed & statements are taken. 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 ensures absolute fairness to all parties.

CONSIDERATIONS WHILE PREPARING INQUIRY REPORT

While preparing the findings/recommendations, following are considered-

- Whether the language used (written or spoken), visual material or physical behaviour was of sexual or derogatory nature.
- Whether the allegations or events follow logically and reasonably from the evidence.
- Credibility of complainant, respondent, witnesses and evidence.
- Other similar facts, evidence, or e.g. if there have been any previous accounts of harassment pertaining to the respondent.
- Both parties have been given an opportunity of being heard.
- A copy of the proceedings was made available to both parties enabling them to make representation against the findings.
- A copy of the final findings is shared with the complainant and the respondent to give them an opportunity to make a representation on the findings to the committee.

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. The findings and recommendations are reached from the facts established and is recorded accurately.

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. **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:

- Counselling
- Censure or reprimand
- Apology to be tendered by respondent
- Written warning
- Withholding promotion and/or increments
- Suspension
- Termination
- Or any other action that the Management may deem fit.

The employer acts upon the recommendations. Within 60 days and confirm to the committee. In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact will be mentioned in its report and appropriate action will be initiated by the Employer, for making a Police Complaint.

MALICIOUS ALLEGATIONS

Where the committee arrives at the 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 against the woman 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.

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.