

R M DRIP AND SPRINKLERS SYSTEMS LIMITED
Policy Against Sexual Harassment at Workplace



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POLICY AGAINST SEXUAL HARASSMENT AT WORKPLACE

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R M DRIP AND SPRINKLERS SYSTEMS LIMITED
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I. The Policy Statement

R M Drip and Sprinklers Systems Limited is committed to providing a safe environment for all its employees free from discrimination on any ground and from harassment at work including sexual harassment. R M Drip and Sprinklers Systems Limited will operate a zero tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal from employment. All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimized for making such a complaint.

II. Scope

R M Drip's Policy with regard to Prevention, Prohibition and Redressal of Sexual Harassment covers every "employee" across the Company. R M Drip's encourages every employee who believes they are sexually harassed to use the redressal mechanism as provided in this policy.

The Policy is with respect to Prevention, Prohibition & Redressal of Sexual Harassment which may arise in places not limited to geographical location viz. Company's offices / branches but includes all such places or locations where acts are conducted in context of working relationships or whilst fulfilling professional duties or which may be visited by an employee during the course of employment including transportation provided by the company for undertaking such visit.

R M Drip's Policy Against Sexual Harassment at Workplace includes sexual harassment by fellow employees, supervisors, managers as well as agents, contractors, customers, vendors, partners and, visitors including outsource employees. Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

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Sexual harassment is judged by the impact on the complainant and not the intent of the Respondent. Sexual harassment as addressed in this Policy need not necessarily be from a male to a female employee, it can be vice versa as well as between individuals of same gender.

This Policy comes into force with immediate effect.

III. Definition

- a) **“Aggrieved Person”** means a person in relation to work place whether employed or not, who alleges to have been subject to any act of sexual harassment by the Respondent.
- b) **“Company”** means R M Drip and Sprinklers Systems Limited.
- c) **“employee”** means a person employed at a workplace for any work on regular, temporary, *ad hoc* or daily wages 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;
- d) **“Internal Complaints Committee”** means a committee constituted by Company as per this Policy.
- e) **“Respondent”** means a person against whom the aggrieved person has made a complaint.
- f) **“Sexual Harassment”** includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) such as:
 - Physical contact and advances; or
 - A demand or request for sexual favors; or
 - Making Sexually colored remarks; or
 - Showing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets or sayings; or
 - Any other unwelcome physical, verbal or non - verbal conduct of sexual nature; or

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Following circumstances amongst other circumstances mentioned above may constitute sexual harassment if it occurs or is present in relation or connected with any act or behavior of sexual harassment:

- i. implied or explicit promise of preferential treatment in their employment;
- ii. implied or explicit threat of detrimental treatment in their employment;
- iii. implied or explicit threat about their present or future employment status;
- iv. interfering with their work or creating an intimidating or offensive or hostile work environment; humiliation treatment likely to affect their health or safety.
- v. humiliating treatment likely to affect the health and safety of the aggrieved person.

In addition to the instances mentioned hereinabove, any other acts or behavior, which outrages the modesty of a female employee, will be considered as sexual harassment.

- g) **“workplace”** includes any department, organization, undertaking, establishment, enterprise institution, office or branch unit . Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

IV. Internal Complaints Committee

Every complaint received shall be forwarded to internal complaint committee formed under the policy for redressal. The investigation shall be carried out by Internal Complaints Committee constituted for this purpose.

Internal Complaints Committee has been constituted of the following members as nominated by the Company:

- i. A woman employee employed at a senior level amongst the employees shall act as Presiding officer of the committee.
- ii. Not less than 2 members from amongst employees preferably committed to the cause of women OR who have had experience in social work OR have legal knowledge.

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- iii. One member shall be from amongst Non-governmental organizations OR associations committed to the cause of women OR a person familiar with the issues relating to sexual harassment.

The Name of the Members of the Internal Complaints Committee is as per **Annexure A** of this Policy and any change in such composition shall be effected in the policy.

At least half the total members of the Committee have to be women. The Presiding Officer and every member shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.

V. Complaint Redressal Mechanism

Any aggrieved person may make, in writing, a complaint of sexual harassment at workplace to the committee giving details of the sexual harassment meted out to her/him within a period of 3 months from the date of incident and in case of a series of incidents, within a period of 3 months from the date of last incident, which may be extended for a further period of 3 months, if circumstances warrant such extension in the opinion of the Internal Complaints Committee.

1. The Presiding Officer or any Member of the Internal Complaints Committee can render reasonable assistance to the person for making complaint in writing, in case they are unable to do so.
2. On receipt of complaint, the Internal Complaint Committee shall decide the place and time for hearing the complaint and shall intimate the date, time and place of hearing to the Complainant and Respondent. The Internal Complaints Committee shall follow principle of Natural Justice while handling such complaints.
3. i) Where the aggrieved person is unable to make a complaint on account of their physical incapacity, a complaint may be filed by
 - a relative or friend; or
 - a co-worker; or

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- an officer of the National Commission for Women or State Women's Commission; or
 - any person who has knowledge of the incident, with the written consent of the aggrieved person.
- ii) Where the aggrieved person is unable to make a complaint on account of their mental incapacity, a complaint may be filed by
- a relative or friend; or
 - a special educator' or
 - a qualified psychiatrist or psychologist; or
 - the guardian or authority under whose care they are receiving treatment or care; or
 - any person who has knowledge of the incident jointly with any of the above.
- iii) Where the aggrieved person 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 their written consent.
- iv) Where the aggrieved person is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of their legal heir.
4. Internal Complaints Committee on receipt of such written complaint, may, if require ask the aggrieved person to furnish additional information about the alleged harassment.
5. The Complainant or person authorized on their behalf as per above provision, shall make a complaint to the Internal Complaints Committee through following mode:
- Copy of complaint along with supporting documents and names and address of witness shall be sent to Internal Complaints Committee at cs@rmdrip.com email id
 - On receipt of such complaint, Internal Complaints Committee shall provide a copy along with supporting documents of such complaints to the Respondent within 7 working days

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- Respondent shall file reply within 10 working days of receipt of the complaint along with list of documents, names and addresses of witnesses
 - Internal Complaint Committee shall investigate in detail into the matter of the complaint. The Internal Complaint committee shall have the right to call the person against whom the complaint is made or any other witnesses as when necessary.
 - Internal Complaint Committee shall have the right to terminate the enquiry or give ex-parte decision on the complaint, if the Respondent or complainant remains absent for 3 consecutive hearings, without sufficient cause.
 - The Internal Committee must complete its investigation within a period 90 days.
 - The parties shall not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings before the Internal Complaints Committee.
 - For conducting the enquiry the quorum of the Internal Complaints Committee shall be of 3 members including the presiding officer.
6. The Internal Committee may before initiating an inquiry, and at the aggrieved person's request, attempt to settle the matter through conciliation. However, Internal Complaints Committee shall ensure that:
- Monetary settlement will not be made as a basis of conciliation.
 - Where a settlement has been arrived, the settlement terms shall be signed by both the parties and shall be provided with a copy of it.

Where, a settlement is arrived as mentioned hereinabove, no further enquiry shall be conducted by the Internal Complaints Committee.

7. The Internal Complaints Committee may during such investigation may exercise the power of a civil court, vested in it, in respect of:
- summoning and enforcing the attendance of any person and examining him under oath;
 - requiring discovery and production of documents;

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- any other prescribed matter.
8. During such enquiry, upon written request by the aggrieved person, the committee may at its discretion recommend:
- to transfer the aggrieved person or the respondent to any other workplace;
 - grant leave to the aggrieved person of up to three months which is in addition to leave to which she is otherwise entitled.

Provided, the aggrieved person has to tender justified reason for such transfer or leave, such as threat to work in the workplace.

VI. ACTION:

- a. The Committee shall on completion of the enquiry provide a report of its findings within 10 days from the date of completion of the enquiry and such report shall be made available to the concerned parties.
- b. If the allegation against the respondent has not been proved, the Committee may recommend that no action needs to be taken in the matter.
- c. If the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to:
 - Take action for sexual harassment as a misconduct.
 - To tender written apology to the complainant, issue warning, withholding of promotions / increments of the Respondent, terminating the Respondent.
 - To deduct from salary / wages of the respondent or issue direction for payment; such sum as it may consider appropriate to be paid to the aggrieved person or to their legal heirs, as it may determine.
- d. Such action will be taken within 60 days of the receipt of report.

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VII. AWARENESS:

- a. All the Employees, Agents, Customers, Vendors, Partners and Visitors shall have access to this Policy at any given point of time and clarification related to this Policy shall be addressed by the HR team.
- b. A brief shall be given to all existing employees regarding the features of this Policy immediately on formulation of the Policy and to new employees in R M Drip's during their initial Induction.
- c. The Company shall comply with all other details as set out under Section 19 of the Act to ensure that all employees are provided with the safe working environment at the workplace.
- d. Company shall display the notice showing the name of the Internal Complaints Committee members at its every establishment at a conspicuous place.

VIII. 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 the investigatory process to the extent practicable and appropriate under the circumstances.

IX Miscellaneous

1. Company may make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary to do so as long as it complies with the Act. Any such alterations or amendment or rescinding will be intimated to the employee.
2. Nothing contained in these rules shall operate in derogation of any law for the time being in force or to the prejudice of any right of any employee under any other Rules or Law.

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3. The Internal Complaint Committee shall prepare an annual report with the following details and shall submit the same to the Company to include in its Annual report:
- Number of complaints of sexual harassment received during the year;
 - Number of complaints disposed off during the year;
 - Number of cases pending for more than 90 days;
 - Number of workshops or awareness program against sexual harassment carried out;
 - Nature of action taken by the employer.

X. Conclusion

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

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ANNEXURE A

Composition of Internal Complaints Committee

Sr. No.	Name	Designation	Membership
1	Ms. Anita Pagare	Company Secretary	Presiding Officer
2	Ms. Sapana Suryawanshi	Sales Co-ordinator	Member
3	Mr. Arjun Ramji Makani	Executive Director	Member
4	Mandira Takle	Advocate	Member

For R M DRIP AND SPRINKLERS SYSTEMS LIMITED

Anita Pagare
Presiding Officer

Place: Nashik
Date: 16/12/2017

Date of Board Meeting: 16th December, 2017