

PREVENTION OF SEXUAL HARASSMENT POLICY

OF

ASHAPURA MINECHEM LTD.

(CIN: L14108MH1982PLC026396)

ASHAPURA'S PREVENTION OF SEXUAL HARASSMENT POLICY

INTRODUCTION

In compliance with the mandate of the Supreme Court in its 1977 judgment in Vishakha & others vs. State of Rajasthan & others and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 passed with effect from 23rd April 2013 & rules framed thereunder, Ashapura Group ("Ashapura") has adopted this policy that is meant to educate the employees about what conduct constitutes sexual harassment, the ways and means Ashapura adopts to prevent or deter occurrence/ commission of acts of sexual harassment at workplace and in the event of such an occurrence, to enable a fair mechanism for dealing with such conduct. This policy has been formulated to create and maintain a safe working environment where all employees treat each other with courtesy, dignity and respect irrespective of their gender, race, caste, creed, religion, place of origin, sexual orientation, disability, economic status or position in the hierarchy, as their unlawful behaviour shall not only affect that individual's reputation but the same will be attributed to the Company and can affect its inward and outward reputation.

APPLICABILITY

This Sexual Harassment Policy ("Policy") is applicable to all employees of Ashapura including those working at plants / factories and/or branches established in India and/or abroad, for prevention, prohibition and Redressal of Sexual Harassment against Women.

Where Sexual Harassment occurs to Ashapura employee as a result of an act by a third party or outsider while on official duty, Ashapura will take all necessary and reasonable steps to assist the affected person in terms of support and preventive action.

DEFINITIONS

1. "Act" means the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 that extend to the whole of India.
2. "Aggrieved Woman" or "Complainant" means in relation to a workplace, a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent;
3. "Respondent" or "Accused" means a person against whom the aggrieved woman has made a complaint;

4. "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;
5. "Sexual Harassment" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:-
 - i. physical contact and advances;
 - ii. a demand or request for sexual favours;
 - iii. making sexually coloured remarks;
 - iv. showing pornography;
 - v. 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:

- i. implied or explicit promise of preferential treatment in her employment;
- ii. implied or explicit threat of detrimental treatment in her employment;
- iii. implied or explicit threat about her present or future employment status;
- iv. interference with her work or creating an intimidating or offensive or hostile work environment for her;
- v. humiliating treatment likely to affect her health or safety.

Additionally, Ashapura holds the right to prohibit any conduct that may reasonably be interpreted as harassment whether or not such conduct is pervasive and severe enough to meet the technical legal requirements of harassment.

Note: It is the impact or effect of the behaviour on the recipient and not the intent of the offender that is critical in an assessment of such issues/cases. If the behaviour can be reasonably perceived as offensive or intimidating by the persons receiving it, it should be stopped. As such, all employees have a responsibility to communicate clearly to colleagues about behaviour that may be offensive and ask that it be discontinued.

INTERNAL COMPLAINTS COMMITTEE

As per the guidelines given by the Law, the Company has constituted an Internal Complaints Committee (ICC) for redressal of sexual harassment complaint and for ensuring time bound treatment of such complaints. The ICC consists of 5 core members. Following are the 5 core members of ICC.

Sr. No.	Employee Name	Role	Contact Details
1	Mrs. Sangeeta Shetty	Presiding Officer	Ph. No. 022-66221747 sangeetas@ashapura.com
2	Mr. Sandeep Deshpande	Member	Ph. No. 022-66221711 sandeep.deshpande@ashapura.com
3	Mrs. Mansi Golvankar	Member	Ph. No. 022-66221514 mansi@ashapura.com
4	Mrs. Asavari Raut	Member	Ph. No. 022-66221587 asavari@ashapura.com
5	Mrs. Anjani Motiwalla	External Member	Ph. No. 022-66221700

COMPLAINT REPORTING

- Tell the accused that his/ her behaviour is unwelcome and ask him/her to stop.
- Keep a record of incidents (dates, times, locations, possible witness, what happened, your response). 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.
- File a complaint as soon as possible. If, after asking the accused to stop his / her behaviour, the harassment continues, report the abuse to the Internal Complaint Committee formed for this purpose.

DEALING WITH THE COMPLAINT

- It is the obligation of employee to report sexual harassment experienced by them personally.
- The concerned employee shall give the complaint in writing to the Chairperson of the Committee giving details of the incident within a week of its occurrence.
- Once the complaint is received, it will be kept strictly confidential.

- d. The accused person will be informed that a complaint has been filed against him/her and no unfair acts of retaliation or unethical action will be tolerated.
- e. The Committee shall ensure that a fair and just investigation is undertaken immediately.
- f. Both the complainant and the alleged accused initially will be questioned separately with a view to ascertain the veracity of their contentions. If required, the person who has been named as a witness will need to provide the necessary information to assist in resolving the matter satisfactorily.
- g. The Committee after receipt of the Complaint, conduct enquires, handle, deal with the complaint, call for written explanation, call upon and examine any/all witnesses mentioned by the complainant and accused, initiate corrective actions, resolve the disputes, lodge complaint with appropriate authorities and initiate all action and to do all acts and things under the provisions of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules framed thereunder read with Indian Penal Code, 1860, Code of Criminal Procedure, 1973 and other acts/rules/regulations as may be applicable from time to time.
- h. The complainant and the accused shall be informed of the outcome of the investigation. The investigation shall be completed within 3 months of the receipt of the complaint. If the allegation does not fall under the purview of Sexual Harassment or the allegation does not constitute an offence of Sexual Harassment, the complaint will be dismissed and communication will be sent to the Victim. If the investigation reveals that the complainant has been sexually harassed as claimed, necessary disciplinary action will be taken against the accused.
- i. The victim of sexual harassment has the option to seek transfer of the accused or his/her own transfer.

POSSIBLE DISCIPLINARY ACTIONS:

Where any misconduct is found by the Committee, appropriate disciplinary action shall be taken against the accused. Disciplinary action may include the following:

- a. Permanent transfer/suspension without pay or both
- b. withholding promotion
- c. Stoppage of increment with or without cumulative effect
- d. Termination/dismissal from the services of the Company

Above actions shall be in addition to any legal recourse sought by the complainant.

CONFIDENTIALITY

All information received shall be kept confidential. Any person (including witnesses) who breaches confidentiality shall be subject to disciplinary action.

PROTECTION AGAINST RETALIATION

Regardless of the outcome of the complaint made in good faith, the employee lodging the complaint and any person providing information or any witness, will be protected from any form of retaliation. While dealing with complaints of sexual harassment, the Committee shall ensure that the Complainant or the witness are not victimized or discriminated by the accused. Any unwarranted pressures, retaliatory or any other type of unethical behaviour from the accused against the complainant while the investigation is in progress should be reported by the complainant to the Complaints Committee. Disciplinary action will be taken by the Complaints Committee against any such complaints which are found genuine.

DOCUMENTATION

The Committee shall keep complete and accurate documentation of the complaint, its investigation and the resolution thereof. The incident would be documented in both the complainant's and the accused's files with the full report of the Complaints Committee.

DISSEMINATION OF THE POLICY

A copy of the Policy would be uploaded on the website of the Company www.ashapura.com.

COMPLAINTS MADE WITH A MALICIOUS INTENT

This policy has been evolved as a tool to ensure that in the interest of justice and fair play, our employees have a forum to approach in the event of instances of sexual harassment. However, during the investigation it is revealed that the complaint was made with a malicious intent and with the motive of maligning the concerned individual/tarnishing his/her image in the company and to settle personal/professional scores, strict action will be taken against the complainant. The employees who are victims of sexual harassment may, in addition to the above, seek legal remedies as may be provided under the various laws for the time being in force.

CONCLUSION

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