

**Policy  
Against  
SEXUAL  
HARASSMENT  
of Women  
at  
Workplace**

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**Policy Against Sexual Harassment at Workplace**

**I. OBJECTIVE:**

Eskay Iodine Private Limited (“**EIPL**” or “**Company**”) is committed in creating and maintaining a secure work environment where it’s Employees, Agents, Vendors and Partners can work and pursue business together in an atmosphere free of harassment, exploitation and intimidation caused by acts of Sexual Harassment within but not limited to the office premises and other locations directly related to the Company’s business.

The objective of this policy is to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith.

All concerned persons should take cognizance of the fact that EIPL strongly opposes sexual harassment, and that such behavior against women is prohibited by the law as set down in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules framed thereunder being the The Sexual Harassment of Women at Workplace (hereinafter referred to as “Act”) as well as the terms of employment. Commission of any act of sexual harassment as defined in the Act and in this Policy shall result in strict disciplinary action.

At EIPL, we have zero-tolerance for sexual harassment. We value each and every employee working with us and wish to protect their dignity and self respect. In doing so, we are determined to promote a working environment in which persons of both genders complement each other as equals, in an environment that encourages maximum productivity and to keep the personal dignity.

We at EIPL are committed towards giving every employee a just and fair hearing on issues encountered by them at the workplace with special attention to sexual harassment. EIPL will take very serious disciplinary action against any victimization of the employee who is complaining or the alleged harasser that may result from a complaint.

**II. SCOPE**

EIPL’s Policy with regard to Prevention, Prohibition and Redressal of Sexual Harassment covers every “employee” across the Company. EIPL 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. 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.

Sexual harassment is judged by the impact on the complainant and not the intent of the Respondent.

This Policy comes into force with immediate effect.

### III. DEFINITION:

- a. **"Act"** means Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.
- b. **"Aggrieved Woman"** means
  - i) 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;
  - ii) in relation to a dwelling place or house, a woman of any age who is employed in such a dwelling place or house.
- c. **"Company"** means Eskay Iodine Private Limited.
- d. **"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;



# the definition of employee is only limited to the extent of this Act.

- e. **“Internal Committee”** means an **Internal Complaints Committee** constituted under section 4 of the Act by the Company as per this Policy.
- f. **“Respondent”** means a person against whom the aggrieved woman has made a complaint under section 9 of the Act.
- g. **“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; or
  - ii) a demand or request for sexual favors; or
  - iii) making sexually colored remarks or remarks of sexual nature about a person’s clothing or body; or
  - iv) showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS etc.; or
  - v) Repeatedly asking to socialize during off duty hours or continued expressions of sexual interest against a person’s wishes;
  - vi) Giving gifts or leaving objects that are sexually suggestive;
  - vii) Eve teasing, innuendos and taunts, physical confinement against one’s will or any such act likely to intrude upon one’s privacy;
  - viii) Persistent watching, following, contacting a person; and
  - ix) any other unwelcome physical, verbal or non - verbal conduct of sexual nature; or

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 woman. 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.

A reasonable person standard is used to determine whether or not conduct was offensive and what a reasonable person would have done. 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 women.

h. **“Workplace”** includes

- i) any department, organization, undertaking, establishment, enterprise institution, office branch or unit which is established, owned, controlled or wholly or substantially financed by funds provided directly or indirectly by the appropriate Government or the local authority or a Government company or a corporation or a co-operative society;
- ii) any private sector organization or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-governmental organization, unit or service provider carrying on commercial, professional, vocational, educational, entertainment, industrial, health services or financial activities including production, supply, sale, distribution or service;
- iii) hospitals or nursing homes;
- iv) any sports institute, stadium, sports complex or competition or games venue, whether residential or not used for training, sports or other activities relating thereto;
- v) 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;
- vi) a dwelling place or a house.

**IV. INTERNAL COMMITTEE:**

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

The Committee has been constituted of the following members as nominated

by the Company:

- a. A woman employee employed at a senior level amongst the employees shall act as Presiding officer of the committee.
  - i. 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.
  - ii. 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 Committee is responsible for the following:

- i) Receiving complaints of sexual harassment at the workplace.
- ii) Initiating and conducting inquiry as per the established procedure.
- iii) Submitting findings and recommendations of inquiries.
- iv) Coordinating with the employer in implementing appropriate action.
- v) Maintaining strict confidentiality throughout the process as per established guidelines.
- vi) Submitting annual reports in a prescribed format.

The Name of the Members of the Internal 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.

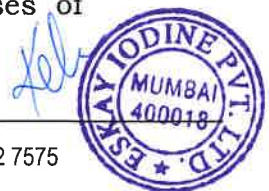
## **V. COMPLAINT REDRESSAL MECHANISM**

Any aggrieved woman may make, in writing, a complaint of sexual harassment at workplace to the committee giving details of the sexual harassment 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 Committee.

1. The Presiding Officer or any Member of the Internal 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 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 Committee

shall follow principle of Natural Justice while handling such complaints.

3. Where the aggrieved woman is unable to make a complaint on account of their physical incapacity, a complaint may be filed by-
  - a) a relative or friend; or
  - b) a 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 woman.
4. Where the aggrieved woman is unable to make a complaint on account of their mental incapacity, a complaint may be filed by-
  - a) a relative or friend; or
  - b) a special educator' or
  - c) a qualified psychiatrist or psychologist; or
  - d) the guardian or authority under whose care they are receiving treatment or care; or
  - e) any person who has knowledge of the incident jointly with any of the above.
5. Where the aggrieved woman 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 her written consent.
6. Where the aggrieved woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir.
7. Internal Committee on receipt of such written complaint, may, if require ask the aggrieved woman to furnish additional information about the alleged harassment.
8. The Complainant or person authorized on their behalf as per above provision, shall make a complaint to the Internal Committee through following mode:
  - a. Copy of complaint along with supporting documents and names and address of witness shall be sent to Internal Committee at [eskay@sk1932.com](mailto:eskay@sk1932.com)
  - b. On receipt of such complaint, the Internal Committee shall provide a copy along with supporting documents of such complaints to the Respondent within 7 working days.
  - c. Respondent shall file reply within 10 working days of receipt of the complaint along with list of documents, names and addresses of witnesses.





- d. Internal Committee shall investigate in detail into the matter of the complaint. The Internal committee shall have the right to call the person against whom the complaint is made or any other witnesses as and when necessary.
  - e. Internal 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. However, a 15 days' written notice shall be given to the party, before the termination or ex-parte decision.
  - f. The Internal Committee must complete its investigation within a period 90 days.
  - g. 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 Committee.
  - h. For conducting the inquiry, the quorum of the Internal Committee shall be of 3 members including the presiding officer.
9. The Internal Committee may before initiating an inquiry, and at the aggrieved woman's request, attempt to settle the matter through conciliation. However, Internal Complaints Committee shall ensure that:
- a. Monetary settlement will not be made as a basis of conciliation.
  - b. 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 Committee.
10. The Internal Committee may during such investigation may exercise the power of a civil court, vested in it, in respect of:
- a. summoning and enforcing the attendance of any person and examining him under oath;
  - b. requiring discovery and production of documents;
  - c. any other prescribed matter.
11. During such enquiry, upon written request by the aggrieved person, the committee may at its discretion recommend:
- a. to transfer the aggrieved woman or the respondent to any other workplace;
  - b. grant leave to the aggrieved woman of up to three months, which is in addition to leave to which she is otherwise entitled.
  - c. Prevent the respondent from assessing complainant's work performance.
  - d. Grant such other relief as maybe appropriate.



12. The identity and addresses of the aggrieved person, complainant, respondent and witness, any information relating to conciliation and inquiry proceedings, recommendations of the Internal Committee, and action taken by the management will not be published, communicated, made known to the press, public, media in any manner. The information may be disseminated for awareness without disclosing the identity. Any person entrusted with the duty to handle or deal with complaint, inquiry, or recommendations to be taken, contravenes the provisions of strict confidentiality, disciplinary action will be taken against such an individual.

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

#### **VI. ACTION:**

1. 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.
2. If the allegation against the respondent has not been proved, the Committee may recommend that no action needs to be taken in the matter.
3. If the Internal Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to:
  - a. Take action for sexual harassment as a misconduct.
  - b. To tender written apology to the complainant, issue warning, withholding of promotions / increments of the Respondent, terminating the Respondent.
  - c. 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 woman or to their legal heirs, as it may determine.
4. Such action will be taken within 60 days of the receipt of report.

#### **VII. AWARENESS:**

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.



1. 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 EIPL during their initial Induction.
2. The Company shall comply with all other details as set out under the Act to ensure that all employees are provided with the safe working environment at the workplace.
3. Company shall display the notice showing the name of the Internal Committee members at its every establishment at a conspicuous place.

**VIII. FALSE ACCUSATIONS:**

1. The complaint of sexual harassment made by any employee shall be taken up with utmost seriousness by the Company. However, there shall be zero tolerance for any false accusation.
2. If the Internal Committee comes to a conclusion that the allegation was made with malicious intent or the aggrieved woman or any other person making the complaint on behalf of the aggrieved woman produced false or forged or misleading documents to prove her case, the Internal Committee may recommend action to be taken against the person who has made the complaint, including termination of service. In such a case, malicious intent has to be established after an inquiry, before any action is recommended. A mere inability to substantiate a complaint or provide adequate proof would not attract action as provided herein. A similar recommendation for taking action would be recommended against any witness whom the Internal Committee concludes, that she has given false evidence or produced forged or misleading documents.
3. It is to be noted that this statement is not intended to discourage employees from coming forward with any complaints. EIPL recognizes and expects that some claims may be difficult to prove or support, or may not in fact be found to raise to the level of seriousness deemed necessary to constitute Sexual Harassment. These types of complaints will not be considered to be false accusations.

**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.

3. The Internal 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:**

Complaints relating to Sexual Harassment shall be handled and investigations will be conducted under the principles of natural justice, basis of fundamental fairness, in an impartial and confidential manner so as to protect the identity of all viz., the person bringing the charge, potential witnesses, and the person accused of improper behavior. Also, all efforts shall be taken to ensure objectivity and thoroughness throughout the process of investigation.

The identity and address of the aggrieved woman, respondent and witnesses must not be published or disclosed to the public or media.

The decision of Company shall be final and binding on all. However, the same is without prejudice to any recourse that Company or the individual concerned may have against the respondent and it shall not limit or restrict the rights of the Complainant and/or Company to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.



**ANNEXURE - A**

Composition of Internal Committee at Head Office, Mumbai

Sr. No.	Name	Designation	Membership	Contact Nos.	Email IDs
1.	Vaishali Ratnaparkhi	Manager – Regulatory Affairs	Presiding Officer	022 6622 7549	eskay.ra@sk1932.com
2.	Parasu Veera Uppara	Chief Executive Officer	Member	022 6622 7629	parasu@sk1932.com
3.	Ketan Shah	Director	Member	022 6622 7506	ketanjr@sk1932.com
4.	Anuja Kalbage	Manager – Corporate Governance and Legal	Member	022 6622 7633	anuja@eskayiodine.com

Composition of Internal Committee at Factory, Jhagadia

Sr. No.	Name	Designation	Membership	Contact Nos.	Email IDs
1.	Mrs. Vaishali Ratnaparkhi	Manager – Regulatory Affairs	Presiding Officer	022 6622 7549	eskay.ra@sk1932.com
2.	Rutu Mishra	Manager QA	Member	9979909072	qastaffeipl@eskayiodine.com
3.	Kinjal Patel	Operator Microbiologist	Member	9979909072	qcstaff@eskayiodine.com
4.	Mr. Amit Pandey	HR Manager	Member	9979909072	eiplhr@sk1932.com

For **Eskay Iodine Private Limited**

  
**Ketan Shah**  
Director



**Place : Mumbai**  
**Date : 20/09/2022**