

**SEXUAL HARASSMENT POLICY**

## **1 PREAMBLE**

- 1.1 Shankara Buildpro Limited ("**Company**") is committed in creating a safe and healthy work environment for all its employees that enables them to work without fear of prejudice, gender discrimination and sexual harassment. The Company believes that all its Employees have the right to be treated with dignity and any kind of harassment sexual or otherwise at the workplace or in the course of official duties, if involving employees of the Company shall be considered a grave offence with consequences.
- 1.2 The Company is non-tolerant towards any form of sexual harassment at workplace and will promptly investigate all allegations of sexual harassment as prescribed under the terms of this policy. All complaints of sexual harassment will be taken seriously and treated with respect and in confidence.
- 1.3 Sexual Harassment Policy ("**Policy**") has been implemented to create and maintain a safe working environment where all employees in the Company 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 of the Company. The Policy has been created bearing in mind the guidelines provided under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Rules made thereunder.
- 1.4 The Policy is formulated under the overall ambit of the Shankara Code of Conduct for the Board of Directors and Senior Management and in compliance with the statutory requirements.

## **2 OBJECTIVE**

- 2.1 The Policy is framed to provide the guidelines to deal with complaints of sexual harassment and to ensure that proper justice is meted out as required while dealing with the allegation/complaint of sexual harassment. The Policy deals with not only complaints of sexual harassment within the work premises of the Company but also extends to deal with complaints outside the Company premises when employees are at third party premises, off site meetings and public venues for official purposes and during the course of discharge of their official duties.
- 2.2 The Policy is implemented to create a safe and peaceful environment to all employees and to deter acts of sexual harassment of employees during the course of their discharge of duties and obligations to the Company whether at the workplace or outside.
- 2.3 The Policy is set to provide an effective mechanism by constituting an internal committee to address and ensure redressal for all complaints of sexual harassment by any of the employees as experienced in the course of official duties to the Company.

2.4 The Company will not tolerate sexual harassment, if engaged in by clients or by suppliers or any other business associates.

### **3 DEFINITIONS**

3.1 **“Act”** means the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Rules made thereunder as existing and amended from time to time.

3.2 **“Accused”** means a person against whom a complaint of Sexual Harassment has been filed.

3.3 **“Company”** means Shankara Buildpro Limited.

3.4 **“Complainant”** means an Employee (female/male) of the Company who alleges to have been subject to any act of Sexual Harassment, as defined hereunder by another Employee or a third party whether inside the Workplace or outside during the course of discharge of duties as required and instructed by the Company.

3.5 **“Employee”** means a person employed by the Company on a permanent or temporary basis on terms of the employment contract/letter of appointment.

3.6 **“Redressal Committee”** means a committee constituted under this Policy to address the complaints of Sexual Harassment.

3.7 **“Sexual Harassment”** means:

(i) Any act or deed or conduct of a sexual nature or any unwelcome sexually determined behavior such as physical contact and advances, request or demand for sexual favours in return of preferential treatment such as promotion or performance evaluation and such like;

(ii) Any act involving verbal, non-verbal, physical conduct such as jokes, letters, phone calls, SMSs, email communication, whatsapp messages, showing pornography, physical contact, stalking, signs or any other communication which disturbs the sensibilities, outrages the modesty and effects the Complainant’s performance at the workplace and which occurred or continued to occur even after objections by the Complainant;

(iii) All acts like eve-teasing, innuendos and taunts which is likely to intrude upon the Complainant’s privacy;

(iv) Any act or conduct sexual in nature by a person in authority which makes the work environment hostile or intimidating for the Employees at the workplace and includes any act of implied or explicit threat of detrimental treatment in employment, threat about present or future employment, interference with work or any other behaviour of a sexual nature that might reasonably be expected to be humiliating and likely to affect the person’s physical and mental health.

3.8 **“Workplace”** means the office premises, retail outlets, showrooms and other places of business from where the Company operates or carries on its business and to which workplace

the Employee reports, discharges duty and where the Employee is deputed for work purposes and further includes social, business or other functions organised by the Company where the conduct or comments may have an adverse impact on the workplace or workplace relations.

- 3.9 Interpretation – This Policy has been framed based on the guidelines provided under the Act. However, it is applicable on all the Employees of the Company, whether male or female.

#### **4 RESPONSIBILITIES OF EMPLOYEES REGARDING SEXUAL HARASSMENT**

- 4.1 All employees of the Company have a personal responsibility to ensure that their behavior is not contrary to this Policy. All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

#### **5 PROCEDURE FOR FILING A COMPLAINT**

- 5.1 When an incident of Sexual Harassment occurs, the Complainant will bring the same to the notice of the reporting officer being the Employee to whom the Complainant reports (“**Reporting Officer**”) within 10 days from the date of occurrence of the alleged incidence of Sexual Harassment. The Reporting Officer will verify and assess the complaint made by the Complainant and decide whether there is substance in the complaint within 30 (Thirty) days from the date of receipt of the written complaint. He will then call the Accused and try to informally resolve the issue to the satisfaction of the Complainant.
- 5.2 If the Reporting Officer is the Accused or if the Complainant is not satisfied with the way the Reporting Officer handled the issue then the Complainant will bring the matter to the notice of the Chairperson of the Redressal Committee as constituted in terms of this Policy through a letter or send an e-mail giving all the details within **three months** from the date of occurrence of the last incident and shall be signed by the Complainant.
- 5.3 Upon receiving the complaint the Chairperson of the Redressal Committee shall proceed to determine whether the allegations (assuming them to be true only for the purpose of this determination) made in the complaint fall under the purview of Sexual Harassment, preferably within 30 days from receipt of the complaint. In the event, the allegation does not fall under the purview of Sexual Harassment or the allegation does not constitute an offence of Sexual Harassment, the Chairperson will record this finding with reasons and communicate the same to the Complainant.
- 5.4 If the Chairperson determines that there is an incident of Sexual Harassment then the Chairperson will report the same to the other members of the Redressal Committee to investigate into the matter and take such steps as deemed fit to address the complaint and provide justice to the Complainant.
- 5.5 All precautions must be taken to protect the privacy of the individuals involved.

## **6 CONSTITUTION OF A REDRESSAL COMMITTEE**

6.1 In order to give effect to the Policy and address all issues arising out of the same a Redressal Committee (“**Committee**”) has been constituted by the Company. The Committee has been constituted to hear, consider and redress complaints of Sexual Harassment alleged by the Employees as arising out of and in the Workplace. The current members of the Committee are as follows:

- (i) Jayashri Murali
- (ii) Alex Varghese
- (iii) Ereena Vikram

6.2 The Committee will comprise of a minimum of three members and a maximum of five members as decided by the Board of Directors of the Company. The composition of the Committee will be at the discretion of the Company, subject to the provisions and requirements of the Act.

6.3 All complaints of Sexual Harassment as referred to the Committee will be investigated as required by the members of the Committee and to conduct the investigation/enquiry all members are required to be present for the proceedings to be conducted.

6.4 In the event of a member of the Committee is being charged with a complaint of Sexual Harassment, he/she shall step down immediately from his/her position in the Committee until the said complaint is resolved.

6.5 No Employee of the Company can be a member of the Committee if he/she is the Complainant or a witness of any act involving Sexual Harassment. In such an event, the Chairperson or the Managing Director of the Company shall appoint any other Employee as a member of the Committee to fulfill the requirement under this Policy.

6.6 At least one half of the total number of members on the Committee will be women.

6.7 The members of the Committee shall hold office at the discretion of the Board of Directors of the Company.

## **7 PROCESS OF INQUIRY BY THE REDRESSAL COMMITTEE**

7.1 On receipt of the complaint, the Committee will fix the first date of hearing which shall not be more than 10 days from the date of receipt of the complaint and the presence of the Complainant will be compulsory in the first meeting held. The Complainant will be given an opportunity to submit his/her allegations and narrate the incident complained of. The statement of the Complainant will be recorded and shared with the Accused. The Accused

will be asked to prepare a response to the allegations and submit the same to the Committee within **seven days** from the date of receipt of the statement of incidents.

- 7.2 For the purpose of making an inquiry, the Committee shall have the same powers as that of a civil court under the Code of Civil Procedure, 1908 to the following extent:
- (i) summoning and enforcing the attendance of any person and examining him/her on oath;
  - (ii) requiring the discovery and production of documents; and
  - (iii) any other matter which may be prescribed.
- 7.3 Once the enquiry is complete, the Committee will prepare a report within **ten days** from the date of conclusion of the inquiry and submit the same to the Board of Directors of the Company.
- 7.4 The statements and other evidences obtained in the inquiry process will remain confidential.
- 7.5 Both the Complainant and the Accused will be provided sufficient opportunities to make their submissions including producing such evidence/witness as required by them.
- 7.6 At all times both the Complainant and the Accused will be protected from any form of threat, intimidation and would be prevented from indulging in influencing of witness or tampering with evidences.
- 7.7 On completion of the investigation/enquiry, both the parties will be provided with the report of the inquiry along with their decision.
- 7.8 The Committee shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Board of Directors as soon as practically possible and in any case, not later than **90 days** from the date of receipt of the complaint. The Executive Director or any other person authorised by the Board of Directors will ensure corrective action on the recommendations of the Committee and keep the Complainant informed of the same.

## **8 DECISIONS OF THE REDRESSAL COMMITTEE**

- 8.1 Where the Committee arrives at a conclusion that the allegation against the Accused has not been proved, it shall inform the Board of Directors that no action is required to be taken against the Accused.
- 8.2 Where an incident of Sexual Harassment has been determined by the Committee, the Committee shall recommend the Board of Directors to take such corrective/disciplinary action which can be any of the following:
- a. Formal apology

- b. Counseling
- c. Written warning to the perpetrator and a copy of it maintained in the employee's file.
- d. Change of work assignment / transfer for either the perpetrator or the victim.
- e. Suspension or termination of services of the employee found guilty of the offence
- f. Take such action as prescribed under the Standing Orders/Employee Handbook as applicable.

8.3 In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Board of Directors.

8.4 The Complainant and the Accused shall have the right to appeal if they are dissatisfied with the decision of the Committee to the Managing Director of the Company within a period of **ninety days** from the date of the decision of the Committee.

8.5 The Committee is not empowered to investigate offences if such offences do not come under the ambit of this Policy but are committed in the Workplace and are covered under the provisions of the Indian Penal Code 1860 and those offences required to be reported to the police and other law enforcement authorities. The Committee shall however assist the victim of such offence in filing a complaint with the police or other law enforcement authorities.

## **9 CONFIDENTIALITY**

9.1 The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the Complainant's interest in keeping the matter confidential. To protect the interests of the Complainant, the Accused 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.

9.2 All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes or under any due process of law.

9.3 The Company is committed to ensuring that no Employee who brings forward a Sexual Harassment complaint is subject to any form of reprisal. Any reprisal will be subject to disciplinary action. The Company will ensure that the Complainant or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment. However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

## **10 MISCELLANEOUS**

10.1 All the Employees shall have access to this Policy at any given point of time and clarification related to this Policy shall be addressed by the Board of Directors of the Company.

- 10.2 The Committee shall in each calendar year prepare, in such form and at such time as may be prescribed, an annual report and submit the same to the Board of Directors as required by it.
- 10.3 The Policy will be implemented and reviewed by the Board of Directors and the Company reserves the right to amend, abrogate, modify, and rescind/reinstate the entire Policy or any part of it any time.

**PROCEDURE FOR INQUIRY**

If Reporting Officer is the Accused

