

## **POLICY ON PREVENTION OF SEXUAL HARASSEMNT AT WORKPLACE**

### **Objective**

The objective of the policy is to provide woman and other employees, a workplace free from Sexual Harassment and discriminations, in terms of Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) rule, 2013.

### **Scope**

The Policy extends to all categories of employees of the Company and is deemed to be incorporated in the service conditions of all employees including woman employee and comes into effect immediately at all offices or other premises where the company's business is conducted.

Tongani Tea Company Limited provides equal employment opportunity and is committed for creation of healthy working environment to enable the woman to work without fear of prejudice, gender bias and sexual harassment.

Tongani Tea Company Limited believes that each and every employee of the Company has the right to be treated with dignity.

### **Definition**

Sexual harassment includes such unwelcome sexually determined behavior (whether directly or by implication) as :

- a) Physical contact and advances;
- b) A demand or request for sexual favours;
- c) Sexually coloured remarks;
- d) Showing pornography;
- c) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

where any of these acts is committed in circumstances where-under the victim of such conduct has a reasonable apprehension that in relation to the victim's employment or work whether she is drawing salary, or honorarium or voluntary, such conduct can be humiliating and may constitute a health and safety problem. It is discriminatory for instance when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment or work including recruiting or promotion or when it creates a hostile work environment. Adverse consequences might be visited if the victim does not consent to the conduct in question or raises any objection thereto.

### **Preventive Steps**

All employers or persons in charge of work place should take appropriate steps to prevent sexual harassment. Without prejudice to the generality of this obligation they should take the following steps:

- A. The Company has expressed prohibition of sexual harassment as defined above at the work place should be notified and circulated amongst the employees.
- B. The company has already included the aforesaid prohibitions in the standing orders under the Industrial Employment (Standing Orders) Act, 1946.
- C. The Company has provided appropriate working conditions in respect of work leisure, health and hygiene and further ensured that there is no hostile environment towards women at work places and no employee woman should have reasonable grounds to believe that she is disadvantaged in connection with her employment.

### **Criminal Proceedings**

Where such conduct amounts to a specific offence under the Indian Penal Code or under any other law, the management shall initiate appropriate action in accordance with law by making a complaint with the appropriate authority.

In particular, it should ensure that victims or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment. The victims of sexual harassment should have the option to seek transfer of the perpetrator or their own transfer.

### **Disciplinary Action**

Where such conduct amounts to misconduct in employment as defined by the relevant service rules, appropriate disciplinary action should be initiated by the management in accordance with those rules.

### **Complaint Mechanism**

On receipt of the complaint, company will create an appropriate Complaint Mechanism which inter alia provides constitution of Complaint Committee which will be headed by a woman and the Committee will comprise of members of whom more than would be women to redress and / or investigate and after forming views submit report to the Board of Directors as per the **Guidelines and norms laid down by the Hon'ble Supreme Court in Vishaka and Others Vs. State of Rajasthan and Others (JT 1997 (7) SC 384)**. Company will take appropriate steps as per the recommendation & report submitted by the Committee against the person involved in the Sexual Harassment which may include the initiation of Criminal Proceedings under Indian Penal Code.

In accordance with Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the Committee will comprise of the following:

1. **Chairman** - Shall be a woman employed at a senior level at workplace amongst the employees.
2. **Two Members** – Shall be amongst employees preferably committed to the cause of woman.
3. **One Member** - Amongst Non-Governmental Organizations or associations committed to cause of woman

#### **Responsibility of the Committee:**

- To investigate every formal written complaint of sexual harassment.
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment.
- Discouraging and preventing employment-related sexual harassment.

#### **Redressal Process**

An aggrieved employee shall make in writing a complaint of sexual harassment of workplace to the Internal Complaints Committee within a period of three months from the date of the incident. Complaints made under this policy will promptly and thoroughly investigated, and all information disclosed during the course of the investigation will remain confidential, except as necessary to conduct the investigation and take any remedial action, in accordance with applicable law.

If, at the conclusion of the investigation, the committee determines that a violation of policy has occurred, the Company will take effective remedial action commensurate with the severity of the offense. Reasonable and necessary steps will also be taken to prevent any further violations of policy.

#### **Awareness**

Awareness of the rights of female employees in this regard should be created in particular by prominently notifying the guidelines (and appropriate legislation when enacted on the subject) in a suitable manner.

#### **Worker's Initiative**

Employees should be allowed to raise issues of sexual harassment at a workers' meeting and in other appropriate forum and it should be affirmatively discussed in Employer-Employee Meetings.

#### **Third Party Harassment**

Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the management and person in charge will take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.