



GUJARAT AMBUJA EXPORTS LIMITED

NURTURING BRANDS

**POLICY ON PROTECTION OF WOMEN
AGAINST SEXUAL HARASSMENT AT
WORKPLACE**

OF

GUJARAT AMBUJA EXPORTS LIMITED



1. INTRODUCTION:

It is the endeavor of Gujarat Ambuja Exports Limited (the Company) to ensure a safe, secure and congenial work environment where employees and workers will deliver their best without any inhibition, threat or fear. Further the Company considers sexual harassment as a gross misconduct and in line with the “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013” and rules thereof, the Company intends to establish a robust mechanism for prevention of sexual harassment at workplace and redressal of complaints pertaining to the same.

This Policy shall supersede the Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) & Elimination of Child Labour Policy adopted by the Board on 25th January, 2014.

2. OBJECTIVE:

Through this policy, the Company seeks to provide protection against Sexual Harassment at Workplace and further prevention and redressal of complaints of Sexual Harassment and for matters connected therewith or incidental thereto and thereby prevent any occurrences. In the event of such an occurrence, the Company shall use this Policy to provide the framework for action.

3. SCOPE:

This Policy extends to all Employees of the Company and is deemed to be incorporated in the service conditions of all Employees and comes into effect immediately.

4. DEFINITIONS:

- 4.1. **“Aggrieved Woman”**, means, in relation to Workplace, a woman of any age whether employed or not, who alleges to have subjected to any act of Sexual Harassment by the Respondent.
- 4.2. **“Chairperson / Presiding Officer”**, means the Chairperson / Presiding Officer of the Committee as defined under clause 5(i) of this Policy.



- 4.3. **“Committee”** means an “Internal Complaints Committee” constituted as per clause 5 of this Policy.
- 4.4. **“Company”** means Gujarat Ambuja Exports Limited (“GAEL”).
- 4.5. **“Complainant”** means a person who is filing a complaint under clause 6 of this Policy.
- 4.6. **“Complaints”** means the Complaint made under clause 6 of this Policy.
- 4.7. **“Employees”** for the purpose of this Policy 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.
- 4.8. **“Employer”** means any person responsible for the management, supervision and control of the Workplace, provided that management includes the person or board or committee responsible for formulation and administration of policies for such organization.
- 4.9. **“Member(s)”** means a member of the “Internal Complaints Committee”.
- 4.10. **“Respondent”** means a person against whom the Aggrieved Woman has made a Complaint under clause 6 of this Policy.
- 4.11. **“Sexual Harassment”** includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:-
- i. undue physical contact and advances; or
 - ii. a demand or request for sexual favours; or
 - iii. making sexually coloured remarks; or
 - iv. showing pornography or any other such offensive content in electronic form or otherwise; or



- v. any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

4.12. “**Workplace**” means Gujarat Ambuja Exports Limited. It shall also include any place visited by the Employee arising out of or during the course of employment including transportation provided by the Employer for undertaking such a journey.

5. CONSTITUTION OF INTERNAL COMPLAINTS COMMITTEE:

Each of the administrative units / offices of the Workplace will have a Internal Complaints Committee to consider and redress complaints of Sexual Harassment. The Committee shall consist of:

- i. atleast one woman member who shall be, Chairperson / Presiding Officer, amongst the women employees employed at senior level;
- ii. two other members from amongst the other employees, out of which atleast one should be a HR representative;
- iii. one member from non-governmental organization or association committed to the cause of women or a person familiar with the issues relating to the Sexual Harassment.

Provided that atleast half of the total members so nominated shall be women.

Provided further that in case the units / offices doesn't have a woman employee, the Internal Complaints Committee formed at the Corporate Office shall be the incharge of such unit / office and any Aggrieved Woman can make a complaint to such Committee and the Committee shall consider and redress complaints of Sexual Harassment.

The member appointed from non-governmental organization or association shall be entitled to a due allowance per meeting of the Committee and appropriate travel allowances.

Each member and the Chairperson / Presiding Officer shall hold his / her position in the Committee for a maximum period of 3 years from the date of his / her nomination.



A minimum of 3 members including the Chairperson / Presiding Officer shall be required to be present for the proceedings to take place. In case any member of the Committee is an Aggrieved Woman / Respondent / Witness, he / she shall abstain from participating in the proceedings and shall not be part of the required quorum. In such an event, the HR Head of the unit / office shall nominate another suitable person in place of such member.

6. COMPLAINT LODGING AND REDRESSAL PROCESS:

Complaint:

- 6.1. Any Aggrieved Woman may make in writing a Complaint of Sexual Harassment at Workplace to the Committee of the concerned unit / officer within a period of one month from the date of incident.
- 6.2. If the Aggrieved Woman is not able to make Complaint in writing, the Chairperson / Presiding Officer shall render all reasonable assistance to the Aggrieved Woman for making the Complaint in writing.
- 6.3. When 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 a written consent of the Aggrieved Woman.

Conciliation:

- 6.4. The Committee before initiating an inquiry and at the request / demand of the Aggrieved Woman, take steps to settle the matter between the Aggrieved Woman and the Respondent through conciliation, provided that no monetary settlement shall be made as a basis of such conciliation.
- 6.5. On settlement as arrived under provision 6.4 above, the Committee shall record the settlement so arrived and no further inquiry shall be conducted by the Committee.
- 6.6. If the Aggrieved Woman does not exercise the option of conciliation, the Committee shall proceed to make an inquiry into the Complaint



Inquiry:

- 6.7. The Committee shall, where the Respondent is an Employee, proceed to make inquiry into the Complaint in manner as stated below:
- a. On receipt of Complaint, the Committee shall send one copy received from the Complainant to the Respondent within a period of ten working days;
 - b. the Respondent shall file a reply to the Complaint within a period of ten working days from the date of receipt of the documents;
 - c. the Committee shall make an inquiry into the Complaint in accordance with the principles of natural justice;
 - d. if the Complainant / Respondent desire to submit any documents as evidence before the Committee, they shall supply self-attested copies, as applicable to such documents;
 - e. the Committee shall have the right to terminate the inquiry proceedings or to give an exparte decision on the Complaint if the Complainant or Respondent fails, without sufficient cause, to present themselves for three consecutive hearing convened by the Chairperson / Presiding Officer. Such action cannot be taken without giving a notice in writing, fifteen days in advance, to the party concerned.
 - f. the parties shall not be allowed to bring in legal practitioners to represent them in their case at any stage of the proceedings before the Committee.
 - g. the inquiry shall be completed within a period of 30 days from the date of conciliation failure or from the date Complaint or intimation from Aggrieved Woman and such an inquiry shall be conducted in an absolutely confidential manner.



Action during tenancy of Inquiry:

- 6.8. Where both the parties are Employees, the Committee shall, during the course of inquiry, provide an opportunity to both the parties to put forward and defend their respective cases. A copy of the findings shall be provided to them to enable them to make representation against the findings before the Committee.
- 6.9. The Aggrieved Woman, Respondent and any other person assisting in the inquiry, shall not interfere with the inquiry proceedings. Evidences shall not be withheld, destroyed or tampered with and witnesses shall not be directly, indirectly, explicitly or implicitly influenced, coached, coerced, threatened and / or intimidated by the Aggrieved Woman, Respondent or any other person.

Inquiry Report:

- 6.10. On completion of an inquiry under this Policy, the Committee shall provide a report of its findings to the Aggrieved Woman and the Respondent within 10 working days of the completion of the inquiry.
- 6.11. If the Committee arrives at the conclusion that the allegations against the Respondent have not been proved, it shall recommend that no action is required to be taken in the matter.
- 6.12. Where the Committee arrives at the conclusion that the allegations against the Respondent have been proved, it shall recommend to:
- a. take appropriate corrective and / or disciplinary and / or legal action for misconduct, including a written apology, warning, reprimand or censure, withholding of increment / promotion, termination, undergoing a counseling session or carrying out community service.
 - b. deduct from salary / wages of the Respondent, such sum as it may consider appropriate to be paid to the Aggrieved Woman or to her legal heirs.

- 6.13. Where the Committee arrives at a conclusion that the allegation



against the Respondent is malicious or the Aggrieved Woman or Complainant has made the Complaint knowing it to be false or the Aggrieved Woman or Complainant has made the Complaint knowing it to be false or the Aggrieved Woman or Complainant has produced any forged or misleading document, it may take action against the Aggrieved Woman or Complainant including a written apology, warning, reprimand or censure, withholding of increment / promotion, termination, undergoing a counseling session or carrying out community service.

6.14. In the course of proceedings, the Respondent is not allowed to leave the Company without specific written approval of the Managing Director of the Company. In case the Respondent insists on leaving the Company, he / she shall provide an undertaking:

- for extending necessary cooperation for conduct of enquiry; and
- to pay appropriate penalties, if required.

Further the Employer may withdraw / withhold such amount, as the case may be, as is legally permissible from his / her full and final settlement amount.

Whereas the Aggrieved Woman shall be allowed to leave the Company with a specific written undertaking that she shall continue to extend necessary cooperation for conduct of enquiry till required under intimation to the Managing Director.

In case of conflict of interest or any such instances, the final decision of the Managing Director of the Company shall be binding on the Aggrieved Woman or the Respondent, as the case may be, based on natural justice.

7. GENERAL:

7.1. The Committee shall maintain detailed records of all evidences and statements, including those relied upon.

7.2. The Employer shall:



- provide safe and secure working environment at the Workplace which shall include safety from persons coming into contact at the Workplace;
 - provide necessary facilities to the Internal Complaints Committee to deal with the Complaint and conduct an inquiry;
 - make such information available to the Internal Complaints Committee, as it may require with regard to the Complaint;
 - provide assistance to the Aggrieved Woman if she chooses to file a Complaint;
 - provide all necessary assistance for the purpose of ensuring full, effective, transparent and speedy implementation of this Policy;
 - ensure that the Aggrieved Woman and / or witness of the alleged act of Sexual Harassment is not victimized or discriminated against while dealing with the Complaint of Sexual Harassment;
 - monitor the timely submission of reports by the Committee;
 - display the policy on intranet portal;
 - display the penal consequences of Sexual Harassment at any conspicuous place in the Workplace and the order constituting Internal Complaints Committee;
 - organize workshops and awareness programs, as often as may be required, for sensitizing the Employees with the provisions of the Act;
 - inform the names and contact details of all the Members of the Committee, to all the Employees.
- 7.3. The Internal Complaints Committee shall meet twice in a year and submit a half yearly report on status of complaints to the Unit HR Head within 5 working days of the end of the half year.
- 7.4. The Unit HR Head shall submit a half yearly report on status of complaints to the Company Secretary of the Company within 5 working days of the receipt of the report of the Committee.



- 7.5. The Committee shall, in each calendar year, prepare an annual report and submit the same to the
- Unit HR Head within 10 working days of the close of the calendar year and
 - District Officer.

This Annual Report shall contain:

- number of Complaints of Sexual Harassment received in the year;
- number of Complaints disposed off during the year;
- number of cases pending for more than 90 days;
- number of workshops or awareness programs against Sexual Harassment carried out;
- nature of action taken by the employer or District Officer.

- 7.6. The Annual Report of the Company shall include the number of cases filed, if any, and their disposal under this Policy. The Unit HR Head shall be required to send these details to the Company Secretary within 15 working days of the close of the calendar year.

8. AMENDMENTS:

The Board may, subject to applicable laws, amend any provision(s) or substitute any of the provision(s) with the new provision(s) or replace the Policy entirely with a new Policy, as it may deem necessary. The Board may also establish further rules and procedures, from time to time, to give effect to this Policy.

9. SCOPE AND LIMITATIONS:

In the event of any conflict between the provisions of this Policy and of the Act or Regulations or any other statutory enactments, rules, the provisions of such Act or Regulations or statutory enactments, rules shall prevail over this Policy. Any subsequent amendment / modification in the Regulations, Act and/or applicable laws in this regard shall automatically apply to this Policy.
