

**INTERNAL POSH POLICY**  
**OF**  
**NEETU YOSHI LIMITED**

## **INTERNAL POSH POLICY**

### **OBJECTIVE:**

**M/s. Neetu Yoshi Limited** (“Company”) is committed to creating a safe work environment that is free from any form of sexual harassment and where all employees are treated with dignity and respect. We are dedicated to maintain an environment which is free from coercion and intimidation. We will adopt certain procedures and guidelines to govern cases against sexual harassment. The procedure has been provided below in policy against sexual harassment (“Policy” / “POSH Policy”). All allegations of sexual harassment shall be taken seriously by us and shall be governed by this Policy. 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.

### **Definition:**

Any behavior (physical, verbal, written, graphic, electronic, emotional, psychological or through gestures that offend) which has been defined as inappropriate by the Policy, whether intentional or not, which offends the dignity of the person towards whom the behavior is directed by fellow employee(s), supervisor(s), customer(s) or supplier(s) will be considered as sexual harassment and shall invite serious disciplinary action.

“**Sexual harassment**” would mean and include (whether direct or by implication) any of the following:

- i. unwelcome sexual advances, requests or demand for sexual favors, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any activity;
- ii. advances involving verbal, non-verbal, or physical conduct such as sexually colored remarks, jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, indecent exposure, physical contact, sounds, display of pictures, intrusive questions about a person’s private life or body, signs, insults or taunts based on sex, obscene communication, verbal or non-verbal communication which offends the individuals sensibilities and affect her/his performance;
- iii. eve teasing, innuendos and taunts, unwelcome invitations to go out, suggestive comments or jokes, physical confinement against one’s will and likely to intrude upon one’s privacy;
- iv. act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person belonging to the other sex;

- v. conduct of such an act at work place or outside in relation to an employee,
- vi. any unwelcome gesture by an employee having sexual overtones;
- vii. physical contact and advances;
- viii. a demand or request for sexual favors;
- ix. Staring, leering or unwelcome touching;
- x. Suggestive comments or jokes;
- xi. sexually colored remarks;
- xii. showing pornography;
- xiii. any unwelcome sexual activity tied to employment decision or benefits; and
- xiv. any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- xv. Implied or explicit promise of preferential treatment in employment;
- xvi. Implied or explicit threat of detrimental treatment in employment;
- xvii. Implied or explicit threat about the present or future employment status;
- xviii. Interference with the person's work or creating an intimidating or offensive or hostile work;  
environment; or
- xx. Humiliating treatment likely to affect health or safety.

An alleged act of sexual harassment committed during or outside of office hours falls under the purview of this policy. 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 person.

**Employee:** A person employed at the 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 coworker, a contract worker, probationer, trainee, apprentice or called by any other such name.

**Workplace:** includes-

- (i) any department, organisation, 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 organisation or a private venture, undertaking, enterprise, institution, establishment, society, trust, non-governmental organisation, 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.

**Employer:** A person responsible for management, supervision and control of the workplace.

### **Internal Committee**

To prevent instances of sexual harassment and to receive and effectively deal with complaints pertaining to the same, an Internal Committees (“ICC” / “Committee”) is constituted at each location.

The Committee at each location comprises of:

- (i) Presiding Officer: A woman employed at a senior level in the organization or workplace;

- (ii) At least two (2) members from amongst employees, committed to the cause of women and or having legal knowledge;
- (iii) One (1) external member, familiar with the issues relating to sexual harassment;
- (iv) At least one half of the total members is women.

The Committee will be responsible for:

- 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 as per prescribed format.

### **COMPLAINT REDRESSAL MECHANISM**

- (1) Any aggrieved person may make, in writing, a complaint of sexual harassment at workplace to ICC within a period of three (3) months from the date of incident and in case of a series of incidents, within a period of three (3) months from the date of last incident, which may further be extended for a period not exceeding three (3) months by the ICC by recording the reasons in writing, if circumstances were such which prevented the aggrieved from filing a complaint within the said period.
- (2) Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of ICC shall render all reasonable assistance to the aggrieved for making a complaint in writing.
- (3) Where the aggrieved employee is unable to make a complaint on account of his / her / their physical or mental incapacity or death or otherwise, his / her/ their (a) legal heir or friend; or (b) 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 a written consent of the aggrieved women; may make a complaint.
- (4) The ICC shall make inquiry into the complaint in accordance with the principles of natural justice.
- (5) The Complainant or person authorized on their behalf as per above provision, shall make a complaint to the ICC along with supporting documents and names and address of witnesses.
- (6) On receipt of such complaint, the ICC shall provide a copy of such complaint along with supporting documents to the Respondent within seven (7) working days.

- (7) Respondent shall file reply to the complaint along with their list of documents, and names and addresses of witnesses, within a period not exceeding ten (10) working days from the date of receipt of the documents from ICC.
- (8) The ICC may before initiating an inquiry under section 11 of the SHWW Act and at the request of the aggrieved woman take steps to settle the matter between her and the Respondent through conciliation. No monetary settlement shall be made as a basis of conciliation. Further, where settlement has been arrived, no further inquiry shall be conducted by the ICC.
- (9) During the inquiry process, the Complainant and the Respondent shall refrain from any form of threat, intimidation or influencing of Witnesses.
- (10) The ICC shall ensure confidentiality during the inquiry process and will ensure that sufficient care is taken to avoid any retaliation against the witnesses.
- (11) The ICC shall have the right to terminate the inquiry or give ex-parte decision on the complaint, if the Respondent or complainant remains absent for 3 consecutive hearings, without sufficient cause, provided that such termination or ex-parte order may not be passed without giving a notice in writing, fifteen (15) days in advance, to the party concerned.
- (12) The ICC must complete its investigation within a period of ninety (90) days from the date on which the inquiry is commenced.
- (13) For conducting the enquiry, the quorum of the ICC shall be of three (3) members including the Presiding Officer.
- (14) During such inquiry, upon written request by the aggrieved person, the committee may at its discretion recommend: a. to transfer the aggrieved person or the respondent to any other workplace b. Grant leave to the aggrieved person, up to three months with salary which is in addition to leave to which he/she is otherwise entitled. Provided, the aggrieved person has to tender justified reason for such transfer or leave, such as threat to work in the work place.
- (15) No one is expected to retaliate in any way against anyone for complaining under this policy or for cooperating in the investigation, or for having to face the disciplinary action taken by the Company.
- (16) If anyone feels that he/she is facing retaliation in the nature of intimidation/ pressure to withdraw the complaint or receiving threats against reporting, testifying or otherwise participating in the investigation, he/she may report the matter to any

member of the ICC.

- (17) An act of retaliation directly or indirectly is treated as an act of harassment/violation and appropriate disciplinary action shall be taken under this policy.
- (18) The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.
- (19) It is the duty of all employees and members of ICC to ensure that all complaints and proceedings made under this policy and the information pertaining to it are kept confidential. All incidents/grievances/proceedings reported under this policy shall be treated sensitively and with confidentiality.
- (20) 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.
- (21) However, if on 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.
- (22) The Committee may also take suo-moto action, if any incident of harassment is brought to its attention, without any formal complaint being made in this regard.

## ACTIONS

1. The ICC shall on completion of the inquiry, provide a report of its findings within ten (10) days from the date of completion of the inquiry to the employer and such report shall be made available to both Aggrieved and Respondent.
2. If the allegation against the Respondent has not been proved, the Committee may recommend not to take any action in the matter.
3. If the ICC arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend to the Employer to consider sexual harassment as a misconduct and take action.
4. Such action shall be taken within sixty (60) days of the receipt of report.

## **AWARENESS**

Awareness sessions are to be organized to:

- Formulate and widely disseminate an internal policy or charter or resolution or declaration for prohibition, prevention and redressal of sexual harassment at the workplace intended to promote gender sensitive safe spaces and remove underlying factors that contribute towards a hostile work environment against women.
- Carry out orientation programs and seminars for the Members of the ICC.
- Conduct capacity building and skill building programs for the Members of the ICC.
- Declare the names and contact details of all the Members of the ICC.
- Use modules developed by the State Governments to conduct workshops and awareness programs for sensitizing the employees with the provisions of the Act.

## **LEGAL COMPLIANCE**

The IC shall in each calendar year prepare, in such format as may be prescribed, an annual report and submit the same to the employer. The report shall have the following details:

- number of complaints of sexual harassment received in the year
- number of complaints disposed of 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

## **GENERAL**

All employees of the Company have the responsibility to contribute to a mature and respectful work environment. In particular, everyone is expected to ensure that women at work don't face any harassment. All employees of the Company have a personal responsibility to ensure that their behavior is not contrary to this policy.

## **AMENDMENT**

The Board of the Company reserves the right to amend this Policy at any point of time. Any amendment to this Policy shall take effect from the date when it is approved by the Board. This Policy shall be subject to review/changes as may be deemed necessary and in accordance with regulatory amendments from time to time.

## **INTERPRETATION**

In any circumstance where the terms of this Policy are inconsistent with any existing or newly enacted law, rule, regulation or standard governing the Company, the said law, rule, regulation or standard will take precedence over this Policy.

\*\*This Policy is as per the applicable laws of India including The Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013 as well as any other applicable law governing sexual harassment, for the time being in force in India.