

AKUMS DRUGS & PHARMACEUTICALS LTD.

SEXUAL HARASSMENT REDRESSAL POLICY



AKUMS DRUGS & PHARMACEUTICALS LTD.

Regd. Office : 304, Mohan Place, L.S.C., Block – C, Saraswati Vihar, Delhi – 110034

**Corporate Office : Akums House, Plot no. 131 to 133, Block –C,
Mangolpuri Industrial Area, Phase – 1, Delhi – 110083**



1. Introduction:

1.1 Akums Drugs & Pharmaceuticals Ltd. (“AKUMS” or the “Company”) is an equal employment opportunity company and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Company also believes that all employees of the Company have the right to be treated with dignity. Sexual harassment at the work place or other than work place if involving employees is a grave offence and is, therefore, punishable under relevant Laws of the country.

1.2 Akums Drugs & Pharmaceuticals Ltd. (Akums) is very scrupulous about the working environment at it work places. Akums strives to provide a professional work environment free of sexual harassment, exploitation and intimidation.

1.3 In accordance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and the Rules framed thereunder, Akums has framed this Policy on the Prevention of Sexual Harassment (this “**Policy**”).

2. Objective:

The Management of the Company recognizes that the offence of Sexual Harassment of employees during the course of employment to be a serious misconduct. It is the duty of the Management and all responsible persons representing the Management to prevent sexual harassment in the workplace and to provide a mechanism for resolution of such complaints. To meet this objective, measures shall be taken to avoid, eliminate, and if necessary impose punishment for any act of sexual harassment, which includes unwelcome sexually determined behavior.



3. Applicability:

3.1 This Policy shall apply to all Employees of Akums Drugs & Pharmaceuticals Limited (“**Akums**”), its subsidiary / associate / group companies or in case of contractual employees its respective Contractor/ Firm or employing Company. whether at the office(s), manufacturing facilities or elsewhere.

3.2 Policy covers the following :

- a. It extends to all employees of the Company – permanent, temporary, contract employees and trainees.
- b. An alleged act(s) of sexual harassment, whether the incident has occurred during or beyond duty hours.
- c. An alleged act(s) of sexual harassment, whether sexual harassment has taken place within or outside the premises.
- d. It is not applicable when the alleged harasser or the victim is a third party i.e. not an employee of the Company

4. Definition of Sexual Harassment:

“Sexual Harassment” is, any unwelcome sexually determined behaviour, such as physical contact and advances; a demand or request for sexual favours: whether verbal, textual, graphic, and electronic or by any other actions. Harassment may be subtle, manipulative and not always evident. It does not refer to occasional compliments of a socially acceptable nature but to behaviour that is not welcome and is personally offensive. Offenders can be in any grade/level and also covers non – employees such as customers/clients.



Sexual harassment would mean and include any of the following:

- i. Unwelcome sexual advances, requests or demand for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any company activity.
- ii. Unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually colour remarks, jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individuals sensibilities and affect her/his performance or which result in a hostile work environment or discrimination or denial of service progression or benefits.
- iii. Eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy.
- iv. Misuse of official position or powers to solicit sexual favour
- v. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.
- vi. The following are basic definition for references:
 - i. **Complainant:** The person reporting an incident of Sexual Harassment.
 - ii. **Victim:** The person subjected to Sexual Harassment.
 - iii. **Alleged Harasser:** The person who is alleged/reported to have committed an act of Sexual Harassment.



5. Constitution of the Internal Committee (“IC”)

5.1 The Internal Committee (IC) while considering size of the organization may be formed separately at Head Office and Manufacturing Facilities separately. The IC shall comprise of the following members:

- a) Presiding Officer, who shall be a senior level woman employee at the concerned office/unit. In case a senior level woman employee is unavailable, the Presiding Officer shall be nominated from other offices or administrative units of Akums. In case a senior level woman employee is unavailable in other offices, the Presiding Officer shall be nominated from any other workplace of Akums;
- b) A minimum of two (2) members from those employees of Akums who preferably have experience in the field of social work or having legal knowledge; and
- c) One (1) member from any non-government organization or associations committed to the cause of women, or a person familiar with issues relating to sexual harassment.

At least one-half of the total members of the IC shall be women.

5.2 The members of the IC shall be nominated by the Human Resource (HR) Department of office / unit in consultation with management / board.

5.3 The IC shall be empowered to deal with Complaints in Akums from employees of Akums. Separate ICS may be constituted for Akums subsidiaries and for Delhi office of the Company.



5.4 The Presiding Officer & every member of the ICC shall hold office for such period, not exceeding 03 (three) years from the date of their nomination or date of leaving the services of Akums, whichever is earlier.

5.5 Management / Board will have the right to re-appoint the retired member.

5.6 A list of members, as on the date of publication of this Policy, along with their contact details is annexed herewith at **Annexure 'A'**. Any updates to the said index would be appropriately circulated and made known to all employees of the respective company through notice from time to time.

6. Redressal Mechanism

6.1 Complaint of Sexual Harassment

i. An Employee may make in writing, a Complaint of Sexual Harassment to the Internal Committee, within a period of one (1) month from the date of the incident or in case of series of incident, within a period of one (1) month from the date of first incident.

Provided that where such complaint cannot be made in writing, the Presiding Officer or any member of the ICC, shall render all reasonable assistance to the employee for making the complaint in writing.

ii. Where the Internal Committee is satisfied that the circumstances were such which prevented the Employee from filing a complaint within the said period of one month, the Internal Committee may extend the time limit beyond 3 months, by recording the reasons in writing.

iii. Where a woman Employee is unable to make a Complaint on account of her mental incapacity, a Complaint may be filed by –



- a. Her relative or friend; or
- b. A special educator; or
- c. A qualified psychiatrist or psychologist; or
- d. The guardian or authority under whose care she is receiving treatment or care; or

6.2 Procedure for Conciliation or Prosecution:

- A. Conciliation – The Internal Committee may, before initiating an inquiry, at the request of the Employee take steps to settle the matter between the complainant and the Respondent. The conciliation shall not be on monetary settlement basis. The settlement terms shall be recorded in writing. Copies of the same shall be provided to the Complainant and the Respondent. Where a settlement has been arrived at, no further inquiry shall be conducted by the Internal Committee.

- B. Inquiry into Complaint & Inquiry Report Where no settlement has been arrived at the Internal Committee shall proceed to make inquiry into the Complaint in such manner as prescribed hereunder:
 - (i). The Complainant or the person lodging a Complaint on behalf of the Complainant shall file, with the Internal Committee, 4 written copies of the Complaint along with the supporting documents / evidence.

 - (ii). On receipt of Complaint the Internal Committee shall within a period of 7(Seven) days send one of the copy of the Complaint to the Respondent or the Committee may call the respondent in person.

 - (iii). The Respondent shall, within a period of 7 (Seven) days from the date of receipt of Complaint from the Internal Committee, file the reply to the Complaint along with list of documents and names of witnesses.



- (iv). The Internal Committee shall investigate the complaint and provide its report to Management as promptly as possible, no later than 90 working days from the date of the Complaint. Further, if the Employee informs the Internal Committee that any term or condition of a settlement arrived at under Clause has not been complied with by the Respondent; the Internal Committee shall proceed to make an enquiry into the Complaint.

- (v). The Internal Committee shall follow principles of natural justice in all its proceedings and subject thereto, shall maintain confidentiality of the identity of the Complainant, and the witnesses, as also the contents of the Complaint. Where the Respondent is subject to any applicable service rules of Akums, the proceedings of the Internal Committee shall be conducted, as far as practically possible, in accordance with such service rules, and to the extent provided therein and in accordance with applicable law.

- (vi) A copy of the Complaint as recorded by the Internal Committee shall be given to the Respondent as well as the Complainant. The Respondent shall be required to submit her/his response to the Complaint as well as to indicate whether the Respondent wishes the Internal Committee to examine any witnesses or furnish any evidence. The Complainant shall also be required to indicate in writing whether the Complainant wishes the Internal Committee to examine any witnesses or furnish any additional evidence.

- (vii). The Respondent shall not be permitted to compel the Complainant to be a witness, although the Complainant may choose to give evidence in relation to the alleged act of Sexual Harassment. In the event the Respondent wishes to question the Complainant, any such questions which the Respondent wishes to ask of the Complainant shall be submitted to the Internal Committee in writing, and it shall provide them to the Complainant, with such edits as it deems necessary.



- (viii). Upon receipt of the responses from the Respondent and the Complainant, the Internal Committee shall conduct a hearing at such venue or venues as are convenient to the Complainant, where both the Complainant and the Respondent shall be heard in person. The Internal Committee shall notify both the Respondent and Complainant (as well as the witnesses, if any) of the time and venue of each hearing. Any records of the proceedings of such or any other hearings or meetings of the Internal Committee shall be maintained strictly confidential.
- (ix). The Internal Committee shall be empowered to call upon such of the Employees who may have been witness to the incident(s) of Sexual Harassment and/or connected in any manner thereto.
- (x) All Employees shall extend their fullest co-operation to the Internal Committee and any failure to co-operate, or the giving of wrong or misleading information, or withholding information shall be a violation of this Policy and shall be dealt with appropriately by Akums. Such failure to co-operate or willful or deliberate giving of wrong or misleading information or withholding of information may also constitute misconduct under applicable policies and codes of conduct, etc. of Akums.
- (xi). Akums shall provide necessary facilities to the Internal Committee for dealing with the Complaint and conducting the inquiry. It shall assist in securing the attendance of the Respondent and witnesses before the Internal Committee and shall make available such information to the Internal Committee as it may require having regard to the Complaint.
- C. Upon completion of the hearing, the Internal Committee shall prepare its written report which shall include a summary of the proceedings, the evidence adduced by the parties and the witnesses, and shall submit the same to Management / Board.



The said report shall further set out the Internal Committee's conclusions on whether an offence of Sexual Harassment, or any other violation of this Policy, has been committed or occurred, or whether the Complaint made by the Complainant is either false or unproven, as also the reasons/ rationale for the Internal Committee's arriving at such conclusion. The said report shall further set out the Internal Committee's recommendations on the disciplinary action(s) to be taken against the Respondent or Complainant (as the case may be). All members of the Internal Committee shall sign the said report.

D. During the pendency of the inquiry, on a written request made by Complainant, the Internal Committee may recommend Management to:

- (i) Transfer the Complainant or the Respondent to any other workplace; or
- (ii) Restrain the Respondent from reporting on the work performance of the Complainant or writing her confidential report, and assign the same to another officer.

E. Where the IC arrives at a conclusion that the allegations against the Respondent have been proved, it shall recommend the following to Management / Board:

- i. To take action for sexual harassment as an act of misconduct in accordance with the rules/regulations of Akums governing 'conduct and discipline' as applicable to the Respondent; and/or
- ii. To deduct such amounts from the salary or wages of the Respondent as may be considered appropriate to be paid to the Complainant as per this Policy.



F. In addition to the above, the recommendations to the Management may also include one or more the following:

- Written apology;
- Warning;
- Reprimand or Censure;
- Withholding of promotion;
- Withholding of pay rise or increments;
- Termination of service of the Respondent.

The Management / Board may take action on the recommendations of the IC within a period of sixty (60) days or within such period as may be appropriate.

6.3 Confidentiality

All parties involved in any Sexual Harassment matter must keep all aspects of the matter confidential.

6.4 Time period

The Internal Committee shall complete the inquiry within a period of Ninety (90) days from the date on which the Complaint is lodged.

6.5 Records

A copy of the final report, notes of meetings and interviews, evidence and documentation relating to any action taken as a result of an investigation will be retained by the Internal Committee. These records should not be placed on personnel files unless the Complaint results in disciplinary action against one or more of the parties involved in the Complaint, in which case any appropriate records may be placed on the disciplined Employee's file.



6.6 Malicious or false complaints

If an Employee is found to have raised a malicious or false Complaint against another person in order to prejudice that person, the Complainant may also be subject to appropriate disciplinary action, which may include termination of employment, engagement or relationship with Akums, as the case may be.

6.7 General Conditions:

- a. In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.
- b. The policy also prohibits retaliation against any employee who brings an accusation of discrimination of sexual harassment or who assists with the investigation or resolution of sexual harassment.
- c. Complainants or witnesses will not be victimized or discriminated against while dealing with complaints.
- d. The aggrieved employee will be able to withdraw the complaint any time after stating appropriate reasons for the same.
- e. Should any dispute or doubt arise as to the interpretation of these rules, it should be forwarded to Corporate HR Department and the decision of the management shall be final.
- f. Any harassment by a client/customer on an employee or vice versa would be liable for legal proceedings, as per the Laws of the Country.



- g. The Management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.
- h. A Consolidated report of all actions shall be reported to company secretary for inclusion in Directors Report.

7. Roles & Responsibilities Internal Committee Members

- a. The committee should notify the time and date of the meetings to be held, to the complainant /victim and the alleged harasser.
- b. Enquiry to be conducted in a neutral location which provides a conducive environment, for both the victim and the alleged harasser.
- c. Should maintain confidentiality during the whole course of investigation.
- d. Appropriate recordings of each enquiry are to be maintained.
- e. No members of the Redressal Committee should disclose any of the information about the employee to other staff in the hospital.
- f. The contents of the complaint, details of the alleged harasser, information, and reports of the committees should not be communicated, published or made known to the public, press and media despite the provision of Right to Information Act 2005.

8. PREVENTIVE STEPS

Akums shall undertake the following preventive measures to ensure that Sexual Harassment does not occur:



- a. Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;
- b. Placing a copy of this Policy at such prominent places as a continual reminder to the Employees of the Akums Policy on Sexual Harassment;
- c. Providing a copy of the Policy to all the Employees and to communicate the process of reporting Sexual Harassment to all the Employees; and
- d. Sensitizing the Employees and provide training related to Sexual Harassment issues to its Employees.
- e. Display at any conspicuous place (like notice boards) in the workplace, posters against Sexual Harassment with the contact details of the Internal Committee members and the penal consequences of Sexual Harassments.
- f. Allowing women employees to raise their concerns and issues on sexual harassment in the workplace at appropriate forum for affirmative discussion from time to time.

9. MISCELLANEOUS

9.1 Management shall in consultation with the IC periodically review the provisions of this Policy and its implementation (taking into account practical problems, if any, faced by the IC and/or Management in the implementation of this Policy). Management reserves the right to amend the provisions of this Policy, from time to time, as it deems fit, subject to applicable law.

9.2 This Policy will not prejudice any rights available under the Protection of Human Rights Act, 1993, The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 or any other legislation.