



JOTINDRA STEEL & TUBES LIMITED

Regd. Office & Works: 14/3, Mathura Road, Faridabad- 121 003 (Haryana) India

Phone : +95-129-2477800,2477806, Fax : +95-129-. CIN: L27104HR1970PLC005240

E-mail : jotindra@jotindra.com;Web-site:www.jstltd.com

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE (POSH POLICY)

INTRODUCTION

JOTINDRA STEELS AND TUBES LIMITED (JSTL) is committed towards creating a secure work environment where all its stake holders such as Employees, Agents, Vendors and Partners can work and pursue business in an atmosphere free from any sexual harassment, exploitation and intimidation.

JSTL values every employee working with them and committed to protect their dignity and self-respect. Further, JSTL is determined to maintain personal dignity; promote a working environment where both genders complement each other as equals and to strive for maximum productivity.

The objective of this policy is to provide protection against Sexual Harassment of women at workplace and redressal of complaints and matters related to it .

JSTL 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 an employee or employees is a grave offence and is therefore, punishable.

This policy has been framed in accordance with the provisions of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and rules framed thereunder (hereinafter "the Act"). Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail. If any aspect relating to sexual harassment not explicitly covered in this policy is provided for by the law, then the law will be applicable. In case of any conflict between the policy and the law, the law will prevail.

SCOPE

The Policy on "Prevention of Sexual Harassment" (POSH Policy) covers every "employee" at JSTL Sexual Harassment shall be irrespective of sex, between same sex or opposite sex.

Sexual Harassment is judged by the impact on the complainant and not the intent of the Respondent.

DEFINITION

- a) "**Aggrieved Person**" means a person in relation to work place whether employed or not, who alleges to have been subject to any act of sexual harassment by the Respondent.
- b) "**Company**" means 'Jotindra steels and Tubes Limited', in short 'JSTL'.
- c) "**Employee**" means a person employed at a workplace for any work on regular, temporary, ad hoc or daily wages 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 whether the terms of employment are expressed or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name.



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- d) **"Employer"** means Managing Director of JSTL or any other Officer declared as such in its service rules.
- e) **"Respondent"** means a person against whom the aggrieved person has made a complaint.
- f) **"Sexual Harassment"** includes one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:
- i. Physical contact and advances; or
 - ii. a demand or request for sexual favours; or
 - iii. making sexually coloured remarks; or
 - iv. showing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets, or sayings; or
 - v. any other unwelcome physical, verbal or non-verbal conduct of sexual nature;

In addition, the following acts circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behaviour of sexual harassment may amount to sexual harassment:

- i. implied or explicit promise of preferential treatment in the employment
 - ii. Implied or explicit threat of detrimental treatment in the behaviour;
 - iii. Implied or explicit threat about their present or future employment status;
 - iv. Interfering with their work or intimidating or offensive or hostile work environment; humiliation treatment likely to affect their health or safety.
 - v. humiliating treatment likely to affect the health and safety of the aggrieved person.
 - vi. any other acts or behaviour, any reasonable person views as such.
- G) **"Workplace"** includes all Company premises and shall include any place visited by the employee in the course of employment including transportation provided by the employer for undertaking such journey.

H) "JSTL Internal Complaints Committee" (JSTL ICC) means a committee constituted by Company as per this policy .

INTERNAL COMPLAINTS COMMITTEE(JSTL ICC)

1. Every complaint received shall be forwarded to the JSTL ICC for investigation, inquiry.
2. JSTL ICC is responsible to inquire and advice suitable action on the complaints on Sexual Harassment.
3. The committee members on need basis will be provided with necessary training to handle such matters effectively and with the required sensitivity and concern.
4. **COMPOSITION**

The Committee shall be constituted by Managing Director with the following members:

(a) A Presiding Officer, who shall be a woman employed at a senior level at workplace from amongst the employees. In case of non-availability of senior level woman employee, the Presiding Officer shall be nominated from administrative units of the work place.

(b) Not less than two (2) Members from amongst employees of JSTL, DOS/ ISRO preferably committed to the cause of women or who have had experience in social work or have legal knowledge

(c) One member from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual



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harassment Provided that at least one-half of the total Members so nominated shall be women.

The details about the current members of the JSTL ICC are enclosed in Annexure A

COMPLAINT REDRESSAL MECHANISM

1. Any aggrieved person may make, in writing, a complaint of sexual harassment at workplace to JSTL 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 months from the date of last incident, which may further be extended for a period not exceeding three months by JSTL 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 JSTL ICC shall render all reasonable assistance to the aggrieved for making a complaint in writing And in any case if aggrieved employee is unable to make a complaint on account of their physical or mental incapacity or death or otherwise , following persons may make a complaint :
 - a. legal heir or friend
 - b. co-worker
 - c. an officer of the National Commission for Women or State Women's Commission
 - d. any person who has knowledge of the incident , with a written consent of the aggrieved women.
3. The Complainant or person authorized on their behalf as per above provision, shall make a complaint to the JSTL ICC along with supporting documents and names and address of witnesses.
4. On receipt of such complaint, JSTL ICC shall provide a copy of such complaint along with supporting documents to the Respondent within 7 working days.
5. The JSTL ICC shall make inquiry into the complaint in accordance with the principles of natural justice.
6. JSTL ICC shall investigate the complaint in detail by giving reasonable opportunities for both the parties. For the purpose of making an inquiry, under this policy, NICC have the power of a civil court, vested in it, in respect of:
 - a. Summoning and enforcing the attendance of any person and examining him under oath
 - b. Requiring discovery and production of documents
 - c. Any other prescribed matter.
7. The Committee shall ensure confidentiality during the enquiry process and will ensure that sufficient care is taken to avoid any retaliation against the witnesses.
8. The JSTL ICC must complete its investigation within a period of 90 days.
9. For conducting the enquiry, the quorum of the JSTL ICC shall be of 3 members including the presiding officer.
10. Once the complaint is received, before initiating the inquiry, the committee may take steps to conciliate the complaint between the complainant and the respondent. This is only if requested by the aggrieved woman. Provided No monetary settlement can be made as a basis of conciliation.
Where a settlement is arrived at, no further inquiry is to be conducted by the committee.
11. During such enquiry, upon written request by the aggrieved person, the committee may at its discretion recommend:



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- 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.

Termination of Inquiry

Committee may terminate the inquiry or give ex-parte decision, if complainant or respondent respectively is absent for 3 consecutive hearings, without sufficient reason.

Fifteen (15) days written notice is to be given to the party, before termination of enquiry or ex-parte order.

ACTIONS

1. The JSTL ICC shall on completion of the enquiry provide a report of its findings within 10 days from the date of completion of the enquiry 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 JSTL 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 in accordance with the provisions of the Service Rules of the Company.
4. Action shall be taken within 60 days of the receipt of report.

FALSE ALLEGATIONS

1. There shall be zero tolerance for any false accusation
2. On inquiry, if the JSTL ICC comes to a conclusion that the allegation was made with malicious intent or the aggrieved person or any other person making the complaint on behalf of the aggrieved person produced false or forged or misleading documents to prove his/her case, the JSTL ICC may recommend to take action against the person who made the complaint as per Service Rules.
3. The above provision is not to discourage employees from coming forward with complaints. JSTL recognizes and expects certain claims may be difficult to prove or support, or may not in fact be found to raise to the level of seriousness deemed necessary to conclude as Sexual Harassment. Complaints falls under the above, shall not be considered to be false accusations.

Awareness

1. All the women Employees, Agents, Customers, Vendors, Partners and Visitors shall have access to this Policy.
2. An awareness program shall be conducted among the women employees on the Policy & formation of JSTL ICC.
3. Company shall display the notice showing the name of the JSTL ICC members suitably.
4. Company shall make a declaration regarding the Policy on sexual harassment every year in the annual report.



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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 and the District Officer (as defined in the Act).

The report shall have the following details:

1. Number of complaints of Sexual harassment received in the year .
2. Number of complaints disposed of during the year .
3. Number of cases pending for more than 90 days .
4. Number of workshops or awareness program against Sexual Harassment carried out .
5. Nature of action taken by the employer or District Officer.

ANNEXTURE - A

CONSTITUTION OF JSTL INTERNAL COMPLAINT COMMITTEE

| S.no. | Designation | Name |
|-------|-------------------|---|
| 1. | Presiding officer | Miss. SHIKHA MALHOTRA |
| 2. | External Member | Mr. KAPIL GUPTA (Member of WE FOUNDATION) |
| 3. | Member | Mrs. ISHITA ARORA |
| 4. | Member | Mr. SAURABH SHARMA |