

# **MAHAMAYA STEEL INDUSTRIES LIMITED**

***Policy Against SEXUAL HARASSMENT at Workplace***  
***Approved by the Board of Directors at its meeting held on 30<sup>th</sup> May, 2014***

## **I. OBJECTIVE:**

Mahamaya Steel Industries Limited (“Company”) is committed to providing work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment.

The Company is also committed to promoting a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity.

The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment.

## **II. SCOPE:**

This policy applies to all categories of employees of the Company, including permanent management and workmen, temporaries, trainees and employees on contract at their workplace or at client sites. The Company will not tolerate sexual harassment, if engaged in by clients or by suppliers or any other business associates

The workplace includes:

1. All offices or other premises where the Company’s business is conducted.
2. All company-related activities performed at any other site away from the Company’s premises.
3. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations

## **III. 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 Mahamaya Steel Industries Limited.
- 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 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;

- d. "Internal Complaints Committee" means a committee constituted by Company as per this Policy.
- e. "Respondent" means a person against whom the aggrieved person has made a complaint.
- f. "Sexual Harassment" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) such as:
  - i. Physical contact and advances; or
  - ii. A demand or request for sexual favors; or
  - iii. Making Sexually colored remarks; or
  - iv. Showing pornography or other offensive or derogatory pictures, cartoons, representations, graphics, pamphlets or sayings; or Any other unwelcome physical, verbal or non - verbal conduct of sexual nature; or Following circumstances amongst other circumstances mentioned above may constitute sexual harassment if it occurs or is present in relation or connected with any act or behavior of sexual harassment:
    - i. implied or explicit promise of preferential treatment in their employment;
    - ii. implied or explicit threat of detrimental treatment in their employment;
    - iii. implied or explicit threat about their present or future employment status;
    - iv. interfering with their work or creating an 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.

In addition to the instances mentioned hereinabove, any other acts or behavior, which outrages the modesty of a female employee, will be considered as sexual harassment.

#### **IV. INTERNAL COMPLAINTS COMMITTEE:**

*Every complaint received shall be forwarded to internal complaint committee formed under the policy for redressal. The investigation shall be carried out by Internal Complaints Committee constituted for this purpose.*

The Name of the Members of the Internal Complaints Committee are as under:

1. Mrs. Jaswinder Kaur Mission - Chairperson (Presiding Officer)
2. Mrs. Meena Kumari – Member
3. Mr. Pawan Yede – Member
4. Mr. Devarishi Pandey – Member

A quorum of 3 members is required to be present for the proceedings to take place. The quorum shall include the Chairperson, at least two members, one of whom shall be a lady.

#### **V. COMPLAINT REDRESSAL MECHANISM:**

Any aggrieved person may make, in writing, a complaint of sexual harassment at workplace to the committee giving details of the sexual harassment meted out to her/him within a period of 3 months from the date of incident and in case of a series of incidents, within a period of 3 months from the date of last incident, which may be extended for a further period of 3 months, if circumstances warrant such extension in the opinion of the Internal Complaints Committee.

1. The Presiding Officer or any Member of the Internal Complaints Committee can render reasonable assistance to the person for making complaint in writing, in case they are unable to do so.
2. On receipt of complaint, the Internal Complaint Committee shall decide the place and time for hearing the complaint and shall intimate the date, time and place of hearing to the Complainant and Respondent. The Internal Complaints Committee shall follow principle of Natural Justice while handling such complaints.
3. Internal Complaints Committee on receipt of such written complaint, may, if require ask the aggrieved person to furnish additional information about the alleged harassment.
4. The Complainant or person authorized on their behalf shall make a complaint to the Internal Complaints Committee through following mode:
  - a. Copy of complaint along with supporting documents and names and address of witness shall be sent to Internal Complaints Committee at [csmahamaya@gmail.com](mailto:csmahamaya@gmail.com).
  - b. On receipt of such complaint, Internal Complaints Committee shall provide a copy along with supporting documents of such complaints to the Respondent within 7 working days
  - c. Respondent shall file reply within 10 working days of receipt of the complaint along with list of documents, names and addresses of witnesses.

d. Internal Complaint Committee shall investigate in detail into the matter of the complaint. The Internal Complaint committee shall have the right to call the person against whom the complaint is made or any other witnesses as when necessary.

e. Internal Complaint Committee shall have the right to terminate the enquiry or give ex-parte decision on the complaint, if the Respondent or complainant remains absent for 3 consecutive hearings, without sufficient cause.

f. The Internal Committee must complete its investigation within a period 90 days.

g. The parties shall not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings before the Internal Complaints Committee.

h. For conducting the enquiry the quorum of the Internal Complaints Committee shall be of 3 members including the presiding officer.

5. The Internal Complaints Committee may during such investigation may exercise 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.

## **VI. ACTION:**

1. The Committee 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 the concerned parties.

2. If the allegation against the respondent has not been proved, the Committee may recommend that no action needs to be taken in the matter.

3. If the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to:

*a. Take action for sexual harassment as a misconduct.*

*b. To tender written apology to the complainant, issue warning, withholding of promotions / increments of the Respondent, terminating the Respondent.*

*c. To deduct from salary / wages of the respondent or issue direction for payment; such sum as it may consider appropriate to be paid to the aggrieved person or to their legal heirs, as it may determine.*

4. Such action will be taken within 60 days of the receipt of report.

## **VII. AWARENESS:**

All the Employees, Agents, Customers, Vendors, Partners and Visitors shall have access to this Policy at any given point of time and clarification related to this Policy shall be addressed by the HR team. Company shall display the notice showing the name of the Internal Complaints Committee members at its every establishment at a conspicuous place.

## **VIII. FALSE ACCUSATIONS:**

1. The complaint of sexual harassment made by any employee shall be taken up with utmost seriousness by Company. However, there shall be zero tolerance for any false accusation.

2. If the Internal Complaint Committee 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 Internal Complaint Committee may recommend action to be taken against the person who has made the complaint, including termination of service. In such a case, malicious intent has to be established after an inquiry, before any action is recommended.

A mere inability to substantiate a complaint or provide adequate proof would not attract action as provided herein. A similar recommendation for taking action would be recommended against any witness whom the Internal Complaint Committee concludes, that he/she has given false evidence or produced forged or misleading documents.

## **IX. MISCELLANEOUS:**

1. Company may make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary to do so as long as it complies with the Act. Any such alterations or amendment or rescinding will be intimated to the employee.

2. Nothing contained in these rules shall operate in derogation of any law for the time being in force or to the prejudice of any right of any employee under any other Rules or Law.

## **X. CONCLUSION :**

Complaints relating to Sexual Harassment shall be handled and investigations will be conducted under the principles of natural justice, basis of fundamental fairness, in an impartial and confidential manner so as to protect the identity of all viz., the person bringing the charge, potential witnesses, and the person accused of improper

behavior. Also, all efforts shall be taken to ensure objectivity and thoroughness throughout the process of investigation.