

ATAM VALVES LIMITED

(CIN: L27109PB1985PLC006476)

POLICY ON PREVENTION OF SEXUAL HARASSMENT (POSH POLICY)

I. OBJECTIVE

ATAM VALVES LIMITED (the "Company") is committed to creating a secure work environment where all its stakeholders such as Employees, Agents, Vendors and Partners can work and pursue business in an atmosphere free from any sexual harassment, exploitation and intimidation.

ATAM VALVES LIMITED values each and every employee working with it and is committed to protecting their dignity and self-respect. Further, the "**Company**" 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.

II. SCOPE

The Policy on "**Prevention of Sexual Harassment**" (**POSH Policy**) covers every "employee" at ATAM VALVES LIMITED.

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.

III. DEFINITION

- a) "Aggrieved Person" means a person in relation to a workplace, whether employed or not, who alleges to have been subject to any act of sexual harassment by the Respondent.
- b) "Company" means 'ATAM VALVES LIMITED', in short 'the Company'.
- 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 a person called by any other such name.
- d) "Employer" means the Managing Director / Chairman of ATAM VALVES LIMITED or any other Officer declared as such in its service rules.
- e) "Company's Internal Complaints Committee" ("ICC") means a committee constituted by the Company as per this policy.
- f) "Respondent" means a person against whom the aggrieved person has made a complaint.
- g) "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 a sexual nature.

In addition, the following circumstances, among other circumstances, if they occur or are 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 employment;

- ii. Implied or explicit threat of detrimental treatment in the behaviour;
 - iii. Implied or explicit threat about present or future employment status;
 - iv. Interfering with work or creating an intimidating, offensive or hostile work environment;
 - v. Humiliating treatment likely to affect the health and safety of the aggrieved person;
 - vi. Any other act or behaviour which any reasonable person would view as such.
- h) "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 a journey.

IV. ATAM'S INTERNAL COMPLAINTS COMMITTEE (ICC)

1. To inquire into and advise suitable action on complaints of Sexual Harassment, there shall be a Committee called the "Internal Complaints Committee (ICC)". The Committee shall be constituted by the Managing Director / Board with the following members:
 - a) A Presiding Officer, who shall be a woman employed at a senior level at the workplace from amongst the employees. In case of non-availability of a senior level woman employee, the Presiding Officer shall be nominated from the administrative units of the workplace.
 - b) Not less than two (2) Members from amongst the employees of the Company, preferably committed to the cause of women or having experience in social work or legal knowledge.
 - c) One member from amongst non-governmental organisations or associations committed to the cause of women, or a person familiar with issues relating to sexual harassment.

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

2. Every complaint received shall be forwarded to the ICC for investigation and inquiry.
3. The committee members shall, on a need basis, be provided with necessary training to handle such matters effectively and with the required sensitivity and concern.

V. COMPLAINT REDRESSAL MECHANISM

1. Any aggrieved person may make, in writing, a complaint of sexual harassment at the workplace to the ICC within a period of three months from the date of the incident, and in case of a series of incidents, within a period of three months from the date of the last incident, which period may further be extended by the ICC for a period not exceeding three months, by recording reasons in writing, if circumstances prevented the aggrieved person from filing the complaint within the said period.

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

2. Where the aggrieved employee is unable to make a complaint on account of physical or mental incapacity or death or otherwise, (a) a legal heir or friend; or (b) a co-worker; or (c) an officer of the National Commission for Women or State Women's Commission; or (d) any person having knowledge of the incident, with the written consent of the aggrieved woman, may make a complaint.
3. The ICC shall make inquiry into the complaint in accordance with the principles of natural justice.
4. The Complainant, or a person authorised on their behalf as per the provisions above, shall submit a complaint to the ICC along with supporting documents and the names and addresses of witnesses.
5. On receipt of such complaint, the ICC shall provide a copy of the complaint along with supporting documents to the Respondent within 7 working days.
6. The Respondent shall file a reply to the complaint, along with a list of documents and the names and addresses of witnesses, within a period not exceeding ten working days from the date of receipt of the documents from the ICC.
7. The ICC shall investigate the complaint in detail, giving reasonable opportunity to both parties. For the purpose of making an inquiry under this policy, the ICC shall have the powers of a civil court vested in it, in respect of:
 - a) Summoning and enforcing the attendance of any person and examining them under oath;
 - b) Requiring the discovery and production of documents;
 - c) Any other prescribed matter.

8. During the enquiry process, the Complainant and the Respondent shall refrain from any form of threat, intimidation or influencing of witnesses.
1. The Committee shall ensure confidentiality during the enquiry process and shall take sufficient care to avoid any retaliation against witnesses.
2. The ICC shall have the right to terminate the enquiry or give an 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 shall not be passed without giving a notice in writing, 15 days in advance, to the party concerned.
3. The ICC must complete its investigation within a period of 90 days.
4. The parties shall not be allowed to bring any legal practitioner to represent them at any stage of the proceedings before the Internal Complaints Committee.
5. For conducting the enquiry, the quorum of the ICC shall be 3 members, including the Presiding Officer.
6. The ICC may, before initiating an enquiry and at the aggrieved party's request, attempt to settle the matter between the parties through conciliation. However, it shall ensure that:
 - a) No monetary settlement is made as a basis of conciliation.
 - b) Where a settlement is arrived at, the ICC shall record the settlement so arrived at and forward the same to the employer for action as specified in the recommendation. A copy of the same shall be provided to the aggrieved person and the Respondent.

Where a settlement is arrived at as mentioned above, no further enquiry shall be conducted by the ICC.

7. During such enquiry, upon written request by the aggrieved person, the Committee may, at its discretion, recommend:
 - a) Transferring the aggrieved person or the Respondent to any other workplace; or
 - b) Granting leave to the aggrieved person for up to three months, with salary, which is in addition to leave otherwise available.

Provided that the aggrieved person shall tender justified reasons for such transfer or leave, such as a threat to safety at the workplace.

VI. ACTIONS

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 both the Aggrieved Person and the Respondent.
2. If the allegation against the Respondent has not been proved, the Committee may recommend that no action be taken in the matter.
3. If the ICC concludes that the allegation against the Respondent has been proved, it shall recommend to the Employer that sexual harassment be treated as misconduct, and that action be taken in accordance with the provisions of the Service Rules of the Company.
4. Such action shall be taken within 60 days of receipt of the report.

VII. FALSE ALLEGATIONS

1. A complaint of sexual harassment made by any employee shall be taken up with the utmost seriousness by the Company. However, there shall be zero tolerance for any false accusation.
2. On inquiry, if the ICC concludes that the allegation was made with malicious intent, or that the aggrieved person or any other person making the complaint on behalf of the aggrieved person produced false, forged or misleading documents to prove their case, the ICC may recommend action against the person who made the complaint, as per the Service Rules. In such a case, malicious intent must be established after an enquiry conducted in accordance with the prescribed procedure, before any action is recommended. A mere inability to substantiate a complaint, or to provide adequate proof, shall not attract action as provided herein. A similar recommendation for action shall be made against any witness whom the ICC concludes has given false evidence or produced forged or misleading documents.
3. The above provision is not intended to discourage employees from coming forward with complaints. The Company recognises and expects that certain claims may be difficult to prove or substantiate, or may not, in fact, be found to rise to the level of seriousness required to conclude that Sexual Harassment occurred. Complaints falling under the above shall not be considered false accusations.

VIII. AWARENESS

1. All women Employees, Agents, Customers, Vendors, Partners and Visitors shall have access to this Policy.
2. An awareness programme shall be conducted among women employees regarding the Policy and the constitution of the ICC.
3. The Company shall comply with all other requirements set out under Section 19 of the Act, to ensure that all employees are provided with a safe working environment at the workplace.
4. The Company shall display a notice showing the names of the ICC members in a suitable manner.
5. The Company shall make a declaration regarding the Policy on sexual harassment every year in its annual report.

IX. MISCELLANEOUS

1. The Company, with the approval of the Competent Authority, may make any alteration or amendment to, or rescind, any of the clauses of this Policy as and when it finds it necessary to do so, so long as it continues to comply with the Act.
2. Any such alteration, amendment or rescission shall be intimated to the employees.
3. Nothing contained in this Policy 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.
4. The ICC shall prepare an annual report with the following details and shall submit the same to the Management for inclusion in its annual report:
 - a) Number of complaints of sexual harassment received during the year;
 - b) Number of complaints disposed of during the year;
 - c) Number of cases pending for more than 90 days;
 - d) Number of workshops or awareness programmes against sexual harassment carried out;
 - e) Nature of action taken by the employer.
5. The above Annual Report and the MIS shall be prepared by the ICC and submitted before the end of each financial year to the Senior Management of the Company.

X. CONCLUSION

1. Complaints relating to Sexual Harassment shall be handled and investigations conducted under the principles of natural justice and fundamental fairness, in an impartial and confidential manner so as to protect the identity of all concerned, viz. the person filing the charge, potential witnesses, and the person accused of improper behaviour. All efforts shall be taken to ensure objectivity and thoroughness throughout the investigation process.
2. The identity and address of the aggrieved person, Respondent and witnesses must not be published or disclosed to the public or media.
3. The decision of the Company shall be final and binding on all. However, this is without prejudice to any recourse that the Company or the individual concerned may have against the Respondent, and it shall not limit or restrict the rights of the Complainant and/or the Company to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.

For ATAM VALVES LIMITED



Managing Director