

Prevention of Sexual Harassment (POSH) Policy

Date: June 10, 2024

Version 1.0

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1. Preamble

- a) The purpose of this policy is to prohibit and prevent sexual harassment of employees in the workplace and to provide a procedure for receiving and redressing complaints pertaining to sexual harassment. The policy also aims to provide safe, secure and enabling environment, free from sexual harassment to every employee.
- b) The expression Hindustan Pencils Pvt. Ltd. means the Hindustan Pencils group comprising Hindustan Pencils Pvt. Ltd. and all its subsidiaries and associate companies. (hereinafter the **“Company”**)
- c) Hindustan Pencils Pvt. Ltd. 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 workplace or other than workplace, if involving employees is a grave offence and is, therefore, punishable.

2. Applicability

- a) The policy applies to all the employees (whether full time or part time), directors (whether full time or part time), retainers (whether full time or part time), workers (whether full time or part time), probationers, trainees, apprentices, workers whether unionized or non-unionized, employment with the Company in permanent, probationary, temporary or contractual appointments (hereinafter the **“Employee”**).
- b) The policy applies to all the employee, both men and women working in the Company.
- c) **“Aggrieved Employee”** in the policy shall mean any Employee who alleges to have been subjected to any act of sexual harassment. Person against whom Aggrieved Employee has made a complaint shall be the **“Respondent”**.
- d) 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 there under (hereinafter the “Act”). Accordingly, while the

policy covers all the key elements 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.

3. Effective Date

- a) The policy is effective from **June 10, 2024**.
- b) The policy supersedes all previous policies, guidelines and circulars on the subject.

4. Definition of Sexual Harassment

- a) "Sexual harassment" includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:
 - 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
 - v. any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.
- b) The following circumstances, among other circumstances, if it occurs or is present in relation to or concerned with any act or behavior of sexual harassment may amount to sexual harassment:
 - i. implied or explicit promise of preferential treatment in employment; or
 - ii. implied or explicit threat of detrimental treatment in employment; or
 - iii. implied or explicit threat about present or future employment status; or
 - iv. interference with his / her work or creating an intimidating or offensive or hostile work environment for him / her; or
 - v. humiliating treatment likely to affect his or her health or safety.

5. Internal Complaints Committee (ICC)

- a) Company is required to constitute a committee to be known as "Internal Complaints Committee" (ICC). (Refer Annexure)

- b) ICC should have at least five (05) members.
- c) One half (50%) of the total members so nominated shall be women.
- d) One external member should be there in the ICC.
- e) Committee is to be headed by a Presiding Officer who shall be a woman employed at a senior level at workplace from amongst the employees.
- f) The Presiding Officer and every member of the ICC shall hold the office for such a period, not exceeding three years from the date of their nomination.
- g) A quorum of three (03) members including the presiding officer is required to be present for any proceedings.
- h) The Internal Committee would be required to make in each calendar year an annual report to the District Officer of the concerned State of the complaints and action taken by them, if any.

6. Complaint Procedure

- a) Any aggrieved Employee may make, in writing, a complaint of sexual harassment at workplace to any ICC member within a maximum period of three months from the date of 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 aggrieved Employee for making the complaint in writing).
- b) Where the aggrieved Employee is unable to make a complaint on account of his or her physical or mental incapacity or death or otherwise, his or her legal heir or such other person as may be prescribed may make a complaint under the act.
- c) The ICC may before initiate an enquiry under the act and at the request of the aggrieved Employee take steps to settle the matter between the aggrieved Employee and the respondent (the person against whom the complaint has been made) through conciliation, provided that no monetary settlement shall be made as a basis of conciliation.
- d) The enquiry shall be completed within a period of **ninety (90) days**.
- e) The Committee will hold a meeting with the Complainant within 5 days of the receipt of the complaint, but not later than 10 days in any case.
- f) Where the aggrieved Employee is unable to make a complaint on account of his or her physical incapacity, a complaint may be filed by –

- i. Relative or friend of the aggrieved employee; or
 - ii. Co-worker of the aggrieved employee; or
 - iii. An officer of the National Commission for women or State women's commission in case of the aggrieved employee is a woman; or
 - iv. Any person who has knowledge of the incident, with the written consent of the aggrieved employee.
- g) Where the aggrieved employee is unable to make a complaint on account of his or her mental incapacity, a complaint may be filed by –
- i. Relative or friend of the aggrieved employee; or
 - ii. A special educator; or
 - iii. A qualified psychiatrist or psychologist; or
 - iv. The guardian or authority under whose care the aggrieved employee is receiving treatment or care; or
 - v. Any person who has knowledge of the incident jointly with relative or friend of the aggrieved employee or a special educator or qualified psychiatrist or psychologist or guardian or authority under whose care the aggrieved employee is receiving treatment or care.
- h) Thereafter, the Respondent should be called for a deposition before the ICC and an opportunity will be given to him or her to give an explanation. Subsequently, an inquiry shall be conducted and concluded.

7. General Guidelines

- 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) In case the complaint is found to be false, the complainant shall, if deemed fit, be liable for appropriate disciplinary action by the management.
- c) Principle of natural justice to be followed while conducting the enquiry process.

8. Annexure: Internal Complaint Committee

- a) The following is the list of the Central Internal Complaint Committee members, responsible for handling cases pertaining to sexual harassment at the Head Office, Depots and in Sales.
- b) All the factories shall have a separate Local Internal Complaint Committee to handle cases pertaining to sexual harassment at their respective locations.

Central Internal Complaint Committee			
ICC Members	Name	Department	E-Mail
Presiding Officer	Manasi Pande	Finance	manasimo@hindustanpencils.com
Member 1	Deepika Baing	Human Resources	deepikab@hindustanpencils.com
Member 2	Shalaka Ghagare	Legal	shalakasg@hindustanpencils.com
Member 3	Padmakshi Kulkarni	Finance	padmakshirk@hindustanpencils.com
Member 4	Nidhi Nagda	CS	nidhivn@hindustanpencils.com
Member 5	Atul Vernekar	Administration	atulpv@hindustanpencils.com
External Member	Manoj Gujjar	External Member	crn_d@yahoo.com