

**POLICY DOCUMENT FOR
PREVENTION, PROHIBITION AND REDRESSAL OF SEXUAL HARASSMENT AT
WORKPLACE**

1. INTRODUCTION:

- 1.1. Mega Corporation Limited ("**Company**") is an equal employment opportunity company and is committed to create a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Company also believes that all associates of the Company have the right to be treated with dignity.
- 1.2. Sexual harassment at the work place or other than work place if involving associates is a grave offence and is, therefore, punishable.
- 1.3. Parliament of India, has passed the Sexual harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("**Act**") with the avowed object of providing protection/ prevention against sexual harassment of women at the workplace. The Act further provides for the redressal of complaints of sexual harassment.
- 1.4. This policy is in compliance with the provisions of the Act. It is also in keeping with our commitment to the adoption of best practices and our principles of Values FIRST.

2. DEFINITION:

- 2.1 '**Aggrieved Person**' means a person in relation to work place whether employed or not and includes a visitor also to any units / offices of the Company, who alleges to have been subject to any act of sexual harassment by the Respondent.
- 2.2 '**Company**' means Mega Corporation Limited.
- 2.3 '**Employee**' means a person employed at a workplace for any work on regular, temporary, Ad-hoc, Contract/ Service contract or Daily Wages basis, either directly or through an agency, 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;
- 2.4 '**Internal Complaints Committee**' means a committee constituted by Company as per this Policy and in pursuance of POSH Act, 2013.
- 2.5 '**Respondent**' means a person against whom the aggrieved person has made a complaint.

2.6 **'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
- (v) 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.

2.7 **'Workplace'** includes any department, organization, undertaking, establishment, enterprise institution, and office or branch unit. Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

2.8 **'Employer'** means any person responsible for the management supervision and contract of the workplace and includes the person discharging contractual obligations' with respect to his/ her employees.

2.9 **Responsibilities regarding sexual harassment:**

1. All employees of the company have a personal responsibility to ensure that their behavior is not contrary to this policy.
2. All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

3. SCOPE AND EFFECTIVE DATE

- 3.1 The policy and the rules & regulations would apply to all regular, temporary, Ad-hoc, Contract/ Service contract or Daily Wages basis, either directly or through an agency, 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.
- 3.2 The policy and the rules & regulations would also apply to service providers and outsiders who may be within the premises of the Company at time of commission of the act coming under the purview of the policy.
- 3.3 The policy would apply inside the office premises but also on outside official duty (workshops, field work, group holidays/ excursions organized by Company, interviews/meeting with outside people and any other activity organized by company outside the campus including the period of travelling for such activity).
- 3.4 Premises refer to all places of workplace within the territory of the company. It includes all departments/ section of the Corporate Office, Regional Offices and project offices, as well as office guest house, staff quarters, and public places within the territory of the company.
- 3.5 Sexual harassment would mean and include unwelcome acts or behavior as defined in Clause 2.6 above (in addition to the meaning provided in section 2 (n) of the Act).
- 3.6 This Policy shall come into effect on 1st April, 2025.

INTERNAL COMPLAINTS COMMITTEE

- 4.1 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.
- 4.2 Internal Complaints Committee to be constituted of the following members as nominated by the Company:
 - a. A woman employee employed at a senior level amongst the employees shall act as

Presiding Officer of the Committee.

- b. Not less than 2 members from amongst employees preferably committed to the cause of women OR who have had experience in social work OR have legal knowledge.
- c. One member shall be from amongst Non-governmental organizations OR associations committed to the cause of women OR a person familiar with the issues relating to sexual harassment.

5.0 MEETINGS OF THE COMMITTEE:

- 5.1 The members of the Committee shall meet at least once in a year. The Presiding Officer shall preside over the meeting. In the absence of the Presiding Officer, the second senior female Faculty member shall preside over the meeting. The Presiding Officer may upon the request of not less than one third of the total members of the Committee, call a meeting on a date not later than 15 days after the receipt of such requisition.
- 5.2 The Quorum of the meeting of the Committee shall as be as follows: In case there is no complaint to be considered by the 'Internal Complaints Committee' (ICC) at its meeting then the Quorum of the meeting shall be 3 out of its members including presence of at least 1 male member. However, in case there is a complaint to be considered by the ICC at its meeting, the Quorum of the 'Internal Complaints Committee' meeting shall be the presence of all members of the 'Internal Complaints Committee' (ICC).
- 5.3 All decision in the meeting will be taken through mutual consent from the members of the Committee present in the meeting. In the case of any disagreement among the members regarding any decision, Presiding Officer of the Committee shall hold the authority to take the final decision and her decision would be considered as final.

6.0 HONORARIUM

- 6.1 The honorarium to the External members of the Committee for attending the meeting of the Committee or any invited guest coming for the work of Committee, shall be paid, as decided by the Company time to time.
- 6.2 Any internal member of the Committee, who is on official duty or personal leave (outside Headquarter) is called for meeting, the allowances as applicable shall be paid to such members.

7.0 COMPLAINT REDRESSAL MECHANISM

- 7.1 Any aggrieved person who feels and is being sexually harassed directly or indirectly may submit, in writing, a complaint of the alleged incident at workplace to the committee giving details of the sexual harassment meted out to her/ him within a period of three 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 be extended for a further period of three months, if circumstances warrant such extension in the opinion of the Internal Complaints Committee.
- 7.2 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.
- 7.3.1 Where the aggrieved person is unable to make a complaint on account of their physical incapacity, a complaint may be filed by-
- a) a relative 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 who has knowledge of the incident, with the written consent of the aggrieved person.
 - e) through email by the aggrieved person.
- 7.3.2 Where the aggrieved person is unable to make a complaint on account of their mental incapacity, a complaint may be filed by following within the timelines as stipulated under the Sexual Harassment (Prevention, Prohibition, and Redressal) at Workplace Act, 2013 including modifications thereto, if any:-
- a) a relative or friend; or
 - b) a special educator' or
 - c) a qualified psychiatrist or psychologist; or
 - d) the guardian or authority under whose care they are receiving treatment or care; or
 - e) any person who has knowledge of the incident jointly with any of the above.
- 7.3.3 Where the aggrieved person for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with their written consent.

- 7.3.4 Where the aggrieved person is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of their legal heir.
- 7.4 Internal Complaints Committee on receipt of such written complaint, may, if require ask the aggrieved person to furnish additional information about the alleged harassment.
- 7.5 The Complainant or person authorized on their behalf as per above provision, 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.
 - 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 Complainant 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.
- 7.6 The Internal Committee may before initiating an inquiry, and at the aggrieved person's request, attempt to settle the matter through conciliation. However, Internal Complaints Committee shall ensure that:
- a. Monetary settlement will not be made as a basis of conciliation.

- b. Where a settlement has been arrived, the settlement terms shall be signed by both the parties and shall be provided with a copy of it.
 - c. Where, a settlement is arrived as mentioned hereinabove, no further enquiry shall be conducted by the Internal Complaints Committee.
- 7.7 The Internal Complaints Committee 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.
- 7.8 The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.
- 7.9 The Committee will hold a meeting with the Complainant within five days of the receipt of the complaint, but no later than a week in any case.
- 7.10 At the first meeting, the Committee members shall hear the Complainant and record her/ his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate his/ her complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a lady officer for lady employees involved and a male officer for male employees, involved shall meet and record the statement.
- 7.11 Thereafter, the person against whom complaint is made may be called for a deposition before the Committee and an opportunity will be given to him/ her to give an explanation, where after, an "Enquiry" shall be conducted.
- 7.12 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.
- 7.13 In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.
- 7.14 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.

8.0 ACTION BY INTERNAL COMPLAINTS COMMITTEE:

- 8.1 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.
- 8.2 The disciplinary action will be commensurate with the nature of the violation. If the allegation against the respondent has not been proved, the Committee may recommend that no action needs to be taken in the matter.
- 8.3 Mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant. In such cases that are likely to be rare, where the Committee arrives at the conclusion that the allegation by the complainant is malicious or false with the full knowledge of the complainant or where the complainant has produced any forged or misleading document, the Committee may recommend punitive action against such Complainant.
- 8.4 If the Committee arrives at a conclusion that during the inquiry any witness has given false evidence or produced any forged or misleading document, it may recommend punitive action against the said witness,
- 8.5 If the Internal Complaints Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend for punishment imposing minor /major charge such as:
 - a. Take action for sexual harassment
 - b. To tender written apology to the complainant, issue warning/ censure, withholding of promotions/ increments, terminating, removal /dismissal from service, compulsory retirement.
 - c. Reduction to a post in the lower pay scale or to a lower stage of increment.
 - d. 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.
- 8.6 Such action will be taken within 60 days of the receipt of report,

9.0 APPEAL

Any party not satisfied or further aggrieved by the implementation or non-implementation of recommendations made, may appeal to the Appellate authority in accordance with the Act and Rules within 90 days of the recommendations being communicated.

10.0 OTHER POINTS TO BE CONSIDERED:

10.1 The Committee may recommend to the HR Head, which may include transfer or any of the other appropriate disciplinary actions.

10.2 HR Head shall put up the recommendation for any 2 director's approval.

10.3 The management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.

10.4 Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the Company shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

10.5 The Committee shall analyze and put up report on all complaints of this nature at the end of the year for submission to HR Head.

10.6 In case the Committee finds the degree of offence coverable under the Bhartiya Nyaya Sanhita, then this fact shall be mentioned in its report and appropriate action shall be initiated by the management, for making a Police Complaint.

11.0 CONFIDENTIALITY

11.1 The company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.

11.2 To protect the interest of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances.

12.0 ACCESS TO REPORTS AND DOCUMENTS:

12.1 All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the company except where disclosure

is required under disciplinary or other remedial processes.

13.0 PROTECTION TO COMPLAINANT/ VICTIM

- 13.1 The company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action.
- 13.2 The company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.
- 13.3 Anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

14.0 COMPLAINT WITHDRAWAL

- 14.1 The complainant may withdraw her complaint in writing at any time during the inquiry procedure. However, the Committee must ascertain the reasons for withdrawal of the complaint and record the same in writing and get it counter-signed by the complainant. Any Bhartiya Nyaya Sanhita offence to be as per normal course.
- 14.2 The complaints enquiry procedure shall, on such withdrawal, be terminated, save in instances in which the Enquiry Committee is informed, knows, or has reason to believe, that the reasons for such withdrawal are the consequences or effect of coercion and intimidation exerted by the Accused(s), or any person on her/ his behalf on the complainant. In such an instance, the complaints enquiry proceedings shall continue in accordance with the procedure outlined in the policy.

15.0 AWARENESS:

- 15.1 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.
- 15.2 A brief shall be given to all existing employees regarding the features of this Policy immediately on formulation of the Policy and to new employees in the Company during their initial Induction.
- 15.3 The Company shall comply with all other details as set out under Section 19 of the Act to ensure that all employees are provided with the safe working environment at the workplace.

15.4 Company shall display the notice showing the name of the Internal Complaints Committee members at its every establishment at a conspicuous place.

15.5 The Company shall communicate about the policy through its official website of the Mega Corporation Limited; display the same at all offices/ projects.

16. FALSE ACCUSATIONS:

16.1 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.

16.2 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.

16.2 It is to be noted that this statement is not intended to discourage employees from coming forward with any complaints. Company recognizes and expects that some 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 constitute Sexual Harassment. These types of complaints will not be considered to be false accusations.

17.0 MISCELLANEOUS:

17.1 **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.

17.2 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.

- 17.3 The Internal Complaint Committee shall prepare an annual report with the following details and shall submit the same to the Company to include in its Annual report:
- (i) Number of complaints of sexual harassment received during the year;
 - (ii) Number of complaints disposed off during the year;
 - (iii) Number of cases pending for more than 90 days;
 - (iv) Number of workshops or awareness program against sexual harassment carried out;
 - (v) Nature of action taken by the employer.

18.0 CONCLUSION:

18.1 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.

18.2 The identity and address of the aggrieved person, respondent and witnesses shall not be published or disclosed to the public or media.

18.3 The decision of Company shall be final and binding on all. However, the same is without prejudice to any recourse that Company or the individual concerned may have against the respondent and it shall not limit or restrict the rights of the Complainant and/or Company to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.
