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## 1. Preliminary

- 1.1. S.V.J. Enterprises Limited ('S.V.J. Enterprises' or 'the Company') is committed to maintaining an environment where all women enjoy a safe, friendly and supportive working environment, free of harassment and exploitation.
- 1.2. According to The Protection of Human Right Act, 1993 "human rights" means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India. Hence, the Company believes that sexual harassment is not only a criminal offense, but is a violation of human rights of any individual subjected to such harassment.
- 1.3. The Government of India, Ministry of Law and Justice has constituted the "The Sexual Harassment of Women in Workplace (Prevention, Prohibition and Redressal) Act, 2013" (hereinafter the Act') and "Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013" (hereinafter the Rules) based on the observations made by the Honorable Supreme Court of India in Vishaka vs. State of Rajasthan. The Act and the Rules framed thereunder aims to prevent sexual harassment against women in order to promote safe and healthy working conditions for them.
- 1.4. In the backdrop of the above judgment and the Act enacted by the Government of India' and considering a need to establish a framework for a safe, healthy and supportive environment, and to ensure woman's right of equality, right to life, right to live with dignity and right to practice any profession or to carry on any occupation, trade or business as enshrined in the Constitution of India, Silverline has developed a Policy on Prevention of Sexual Harassment (hereinafter 'the policy') to sensitize the female employees about their fundamental right to have safe and healthy work conditions and to codify the conducts which tantamount to sexual harassment and the ways and means to prevent such occurrences and in the event of such occurrence to enable a fair mechanism to deal with such situation.

## 2. Scope

- 2.1. The Policy is with respect to Prevention, Prohibition & Redressal of Sexual Harassment which may arise in places not limited to geographical location viz. Company's offices / branches but includes all such places or locations where acts are conducted in context of working relationships or whilst fulfilling of professional duties or which may be visited by an employee (includes contract workers, consultants, retainers, probationers, trainees, and apprentices or called by any other such name engaged by the Company) during the course of employment including transportation provided by the company for undertaking such visits.
- 2.2. In relation to a workplace an aggrieved woman means a woman, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent. Any women employed at a workplace for any work on regular, temporary, adhoc, or daily wage 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.
- 2.3. Sexual harassment is judged by the impact on the complainant and not the intent of the Respondent.
  - 2.4. In case of any doubts as to the interpretation of this policy, the IC may take a call and provide clarification on request.
  - 2.5. This Policy is in addition to any legislation for the time being in force prevailing in the Relevant Jurisdiction. If any provision contained in this Policy conflicts with any provision of any law for the time being in force in the Relevant Jurisdiction, the provisions contained in the said law shall have precedence over the Policy to the extent of the conflict.
  - 2.6. This policy does not prevent any aggrieved person from taking recourse to the law of the land.

### 3. What constitutes Sexual Harassment?

- 3.1. The Act defines 'sexual harassment' in line with the Supreme Court's definition of 'sexual harassment' in the Vishaka Judgment. As per the Act, 'sexual harassment' includes unwelcome sexually tinted behaviour, whether directly or by implication, such as
  - 3.2.1 physical contact and advances;
  - 3.2.2 demand or request for sexual favours;
  - 3.2.3 making sexually coloured remarks;
  - 3.2.4 showing pornography; or
  - 3.2.5 any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.
- 3.2. 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:
  - 3.2.1 implied or explicit promise of preferential treatment in employment;
  - 3.2.2 implied or explicit threat of detrimental treatment in employment;
  - 3.2.3 implied or explicit threat about present or future employment status;
  - 3.2.4 interference with work or creating an intimidating or offensive or hostile work environment; or
  - 3.2.5 humiliating treatment likely to affect the lady employee's health or safety.
- 3.3. The definition of 'sexual harassment' the Act is wide enough to cover both direct or implied sexual conduct which may involve physical, verbal or even written conduct and includes quid pro quo sexual harassment, a form of sexual blackmail (which, if translated in English, would mean 'this for that') and reference to creating an 'intimidate, offensive or hostile working environment'.

### 4. Important Definitions

- 4.1. "Aggrieved Woman" means a woman in relation to work place whether employed or not, who alleges to have been subjected to any act of sexual harassment by the Respondent.
- 4.2. "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.

- 4.3. “Employer” means the head of the Company or any person who is responsible for the management, supervision and control of the work place.
- 4.4. “Internal Complaints Committee” means a committee constituted by Company as per this Policy.
- 4.5. “Respondent” means a person against whom the aggrieved woman has made a complaint.
- 4.6. “Workplace” includes any department, organization, undertaking, establishment, enterprise institution and office or branch unit. Workplace would further include 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.
- 4.7. “Presiding Officer” means the Presiding Officer of the Internal Complaints Committee nominated under sub-section (2) of section 4 of the Act
- 4.8. “Member” means member of the Internal Committee or Local Committee, as the case may be.

## 5. Duties of Employer

The Silverline shall –

- 5.1. provide a safe working environment at the workplace with shall include safety from the persons coming into contact at the workplace;
- 5.2. display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting, the Internal Committee under sub-section (1) of section 4;
- 5.3. organise workshops and awareness programmes at regular intervals for sensitising the employees with the provisions of the Act and orientation programmes for the members of the Internal Committee in the manner as may be prescribed;
- 5.4. provide necessary facilities to the Internal Committee or the Local Committee, as the case may be, for dealing with the complaint and conducting an inquiry;
- 5.5. assist in securing the attendance of respondent and witnesses before the Internal Committee or the Local Committee, as the case may be;
- 5.6. make available such information to the Internal Committee or the Local Committee, as the case be, as it may require having regard to the complaint made under sub-section (1) of section 9;
- 5.7. provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code (45 of 1860) or any other law for the time being in force;
- 5.8. cause to initiate action, under the Indian Penal Code (45 of 1860) or any other law for the time being in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place;
- 5.9. treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;
- 5.10. monitor the timely submission of reports by the Internal Committee.

## 6. If You are being harassed

- 6.1. Keep a record of incidents (which may include, dates, times, locations, mails, possible witness, what happened, your response etc.). It is not mandatory to have a record of events to file a Complaint, but a record can strengthen your case and helps you remember the details over time, in case the Complaint is not filed immediately.
- 6.2. May notify the harasser that his behaviour is unwelcome and ask him to stop
- 6.3. File a Complaint as soon as possible and, report the abuse to the Internal Complaints Committee formed for this purpose.

## 7. Internal Complaints Committee

- 7.1. Silverline shall constitute a committee to be known as the Internal Committee (IC) for its workplace in each of its offices to address cases pertaining to Sexual Harassment.
- 7.2. The CEO of Silverline shall make the appointment of the IC members. The IC shall be empowered to carry out the mandate of the Policy. The Committee will be empowered to receive complaints, attempt informal resolution through mediation, conduct formal inquiries and recommend appropriate actions for redressal and punishment.
- 7.3. Pursuant to the relevant provisions of the Act, an Internal Committee (IC) has been constituted to prevent sexual harassment and to receive and effectively deal with complaints pertaining to the same. Below is the list of members of the IC constituted by the Company for its below mentioned offices:

<b>Sr no.</b>	<b>Name</b>	<b>Designation</b>	<b>Chairman/ member</b>
01	SAANVI KARGUTKAR	Director	Chairman
02.	ZAHUR ALAM NOOR ALAM SHAIKH	Director	Member
03.	SATISH DOGRA	Director	Member

- 7.4. A minimum of three Members of the IC, including the Presiding Officer shall be present for conducting any inquiry.
- 7.5. Senior most female member of the IC shall be the Chairwoman / Presiding Officer of the IC. In her absence, IC shall choose its PO who shall be a female member of the IC.
- 7.6. The term of the members of the ICC will not exceed three years from the date of their nomination.
- 7.7. An IC Member shall cease to hold membership should any one of the following conditions arise:
  - 7.7.1. Upon ceasing to be an employee of Silverline;
  - 7.7.2. Any IC Member remains absent without permission of the PO for more than three consecutive meetings;
  - 7.7.3. Any IC Member who is an Aggrieved Person;
  - 7.7.4. Any IC member against whom a complaint of Sexual Harassment, violation of Silverline's Ethics Code or criminal charges are made and prima facie established; and

- 7.7.5. An IC member has so abused his position as to render his continuance in office prejudicial to the public interest.
- 7.8. In the event where any IC member has a conflict of interest either being an aggrieved person or a defendant, then the membership will be deemed to be suspended during the inquiry and submission of recommended action on the complaint.
- 7.9. In the event of any vacancy on the IC due to resignation, termination, or for any other reason whatsoever, the same shall (within a period of three months of such vacancy) be filled in accordance with the procedures prescribed by this Policy.
- 7.12 In conducting the inquiry, a minimum of three members of the ICC including the Presiding Member shall be present.
- 7.13 The Company Secretary of the Company shall be the governing body for this policy and shall be responsible for maintaining all records, registers and other documents and to conduct all kinds of seminars, trainings, awareness programs as may be required under the said Act.
- 7.14 IC shall have same power as are vested in a Civil Court under the Code of Civil Procedure 1908, when trying into following matters:
- 7.14.1 Summoning and enforcing attendance of any person and examining him on oath;
- 7.14.2 Requiring the discovery and production of document; and
- 7.14.3 Any other manner which may be prescribed.
- 7.15 Meetings of the ICC to be held:
- 7.15.1 Every quarter;
- 7.15.2 Within 7 (seven) days from receipt of Complaint; and
- 7.15.3 Such other special meetings to address the Complaints pertaining to sexual harassment of the female employees.
- 7.16 It shall prepare an annual report in each calendar year and submit the same to the Employer and the District Officer which shall, inter alia, include the following details:
- 7.16.1 Number of complaints of sexual harassment received in the year;
- 7.16.2 Number of complaints disposed off during the year;
- 7.16.3 Number of cases pending for more than ninety days.
- 7.16.4 Number of workshops or awareness programmes against sexual harassment carried out; and
- 7.16.5 Nature of actions taken by the Employer.
- 7.17 In conducting the inquiry, a minimum of three members of the ICC including the Presiding Member shall be present.
- 7.18 All employees shall address any sexual harassment complaints only to the ICC and not to talk or disclose information on the case to anybody else except to persons permitted to make a complaint on behalf of the Complainant as set out in this policy.

## 8. Complaint Redressal Procedure

### 8.1 Raising of complaint

- 8.1.1. Mode of complaint: The Complaint should be made by the Complainant in writing. In case where the Complaint cannot be made in writing, the Presiding Officer or any member of the ICC shall render all reasonable assistance to the Complainant to make the Complaint in writing.

- 8.1.2. Individual raising a compliant: Where the Complainant is unable to make a complaint on account of her physical incapacity, Complaint may be filed by:
    - i. Her relative or friend;
    - ii. Her co-worker;
    - iii. An officer of the National Commission for Women or State Women's Commission;
    - iv. Any person who has knowledge of the incident with the written consent of the Complainant
  - 8.1.3. Where the Complainant is unable to make a complaint on account of her mental incapacity, Complaint may be filed by:
    - i. Her relative or friend;
    - ii. A special educator
    - iii. A qualified psychiatrist or psychologist
    - iv. The guardian or authority under whose care she is receiving treatment or care; or
    - v. Any person who has knowledge of the incident jointly with her relative or friend or a special educator or a qualified psychiatrist or psychologist or a guardian or authority under whose care she is receiving treatment or care.
  - 8.1.4. Where the Complainant 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 the Complainant's written consent.
  - 8.1.5. Where the Complainant is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of the legal heir.
  - 8.1.6. The Complaint of sexual harassment at workplace to the ICC should be filed 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.
  - 8.1.7. The ICC may, for reasons recorded in writing, extend the said period for a further period not exceeding three months, if it is satisfied that circumstances prevented the Complainant from filing the Complaint within the said period.
  - 8.1.8. A Non -Disclosure Undertaking shall be signed by all individuals concerned with the Complaint; including the Complainant, the Respondent, witnesses (if any) prior to commencing an inquiry. The indicative format of the Non-Disclosure Undertaking is annexed as **Annexure I**, which may be modified by the ICC members, as may be necessary from time to time.
  - 8.1.9. On receipt of the compliant, a copy of the Complaint shall be sent to the Respondent within seven working days.
  - 8.1.10. The Respondent shall file his reply to the Complaint along with his list of documents and names and addresses of witnesses within a period not exceeding ten working days from the date of receipt of the Complaint.
- 8.2 The compliant should be well drafted and may contain all / requisite details are mentioned in **Annexure II**.

### **8.3 Conciliation:**

- 8.3.1 Before initiating an inquiry on the Complaint, ICC may, only at the written request of the Complainant, take steps to settle the matter between her and

the Respondent through conciliation, provided that monetary settlement shall not be made a basis of conciliation.

- 8.3.2 Conciliation shall be initiated only if requested by the aggrieved woman in writing.
- 8.3.3 It should be made clear to all parties that conciliation in itself doesn't necessarily mean acceptance of complaint by the respondent. It is a practical mechanism through which issues are resolved or misunderstandings cleared.
- 8.3.4 Such Conciliation process (discussion with both parties and mediation to resolve the issue) will be attempted within one week of receipt of the complaint by the IC.
- 8.3.5 If a settlement has been so arrived, the IC shall record the same and forward the same to the higher Management and Human Resource management and provide copies of the settlement to the aggrieved individual and the respondent. In such cases, no further inquiry shall be conducted by the IC.
- 8.3.6 Where the Conciliation process reveals evidence of gross sexual misconduct, the IC may decide to institute a formal Inquiry, even if the aggrieved person is satisfied with the outcomes of the informal process.

**8.4 Termination Of Inquiry /Ex-Parte Order:** The ICC shall, after giving prior fifteen days' notice in writing to the concerned party, have the right to terminate the inquiry proceedings or pass an ex-parte decision on the Complaint, if the Complainant or Respondent fails, without sufficient cause, to present herself or himself for three consecutive meetings of the convened by the Presiding Officer.

**8.5 Inquiry:**

- 8.5.1 In case conciliation is not requested by the Complainant or no conciliation has been arrived at or the terms of conciliation are not complied with, then the ICC shall proceed to make an inquiry into the Complaint in accordance with the provisions of the service rules applicable to the Respondent or in accordance with the Rules formulated under the Act.
- 8.5.2 **During the course of inquiry:**
  - i. ICC shall make inquiry into the complaint in accordance with the principles of natural justice.
  - ii. A copy of the findings shall be made available to both the parties enabling them to make representation against the findings before ICC.
  - iii. Both the Complainant and the Respondent will be interviewed, and also such individuals who may be able to provide relevant information.
  - iv. If complainant or respondent fails to present for 3 consecutive hearings convened by chairperson without sufficient cause, the committee shall have the right to terminate the proceedings or give ex-parte decision.
  - v. Any order passed in the absence of the parties as above may be set aside by the IC if the absenting party shows good and sufficient grounds for his absence.
  - vi. ICC shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 namely summoning and enforcing



attendance of any person and examining him on oath and requiring the discovery and production of documents.

- vii. The proceedings of the inquiry and the deliberations of the IC will be recorded both in writing and on tape.
- viii. The inquiry shall be completed within a period of ninety days.
- ix. The parties shall not be permitted to bring any legal practitioner to represent them in their case at any stage of the proceedings before the ICC.

8.5.3 **Action during pendency of inquiry:** During the pendency of an inquiry, on request made by aggrieved woman, the Committee may recommend to the employer to -

- i. transfer the aggrieved woman or respondent to any other workplace; or
- ii. grant leave to the aggrieved woman up to a period of 3 months. The leave granted under this clause shall be in addition to the leave she would otherwise be entitled; or
- iii. restrain respondent from reporting on the work performance of the aggrieved woman or writing her confidential report, and assign the same to another officer; or
- iv. on recommendation of ICC, the employer shall implement the recommendation and send the report of such implementation to the ICC.
- v. ICC, may grant such other relief, as may be appropriate.

8.5.4 **Malicious Allegations:**

- i. Where the ICC arrives at the conclusion that the allegation against the respondent is malicious, or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false, or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, it may recommend to the Executive Director to take action against the aggrieved woman or the person making the complaint. This includes remedial and restorative steps of undertaking training or counselling, and coupled with proportionate actions including warning, suspension and disciplinary action, depending on the seriousness of the case.
- ii. While deciding malicious intent, the ICC will consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

## 9. Confidentiality:

9.1.1. The identity of the aggrieved woman, respondent, witnesses, statements and other evidence obtained in the course of inquiry process, recommendations of the IC, and action taken by the Executive Director are considered as confidential material, and will not be published or made known to the public or media.

- 9.1.2. Any woman contravening the confidentiality clause is subject to disciplinary action as prescribed in the Sexual Harassment of Women at Workplace Act (Prevention, Prohibition and Redressal) Act, 2013, wherever applicable.
- 9.1.3. In any event, the ICC shall make best efforts to limit the number of persons who have access to the aforesaid information and avoid needless disclosure of information to witnesses.
- 9.1.4. If any person who is entrusted with the duty to handle or deal with the Complaint, inquiry or any recommendations or actions to be taken under the provisions of the Act) contravenes the aforesaid, then he/she shall be liable for penalty in accordance with the service rules or the Employer shall recover a sum of five thousand rupees as penalty from such person.

## 10. Inquiry Report

- 10.1.1. ICC shall provide a report of its findings to the Employer, within a period of ten days from the date of completion of the inquiry and such report shall be made available to the concerned parties;
- 10.1.2. Where ICC arrives at a conclusion that the allegation against the Respondent has not been proved, it shall recommend the Employer that no action is required to be taken in the matter;
- 10.1.3. Where ICC arrives at a conclusion that the allegation against the Respondent has been proved, IC shall make clear recommendations, as necessary, to the Employer in lines with this policy and Rules and Act;

## 11. Punishment for contravention of Act

- 11.1.1. The punishment and penalties for any sexual harassment will depend upon circumstances and may vary on case to case basis. However, the committee will have the full rights to recommend the employer following action against respondent:
  - i. Written apology
  - ii. Warning
  - iii. Reprimand or censure
  - iv. Withholding of promotion
  - v. Postponement or withholding or stoppage of increment, performance related pay or promotion or pay rise
  - vi. Demotion to a lower post or grade or to a lower stage in his incremental scale
  - vii. Suspension
  - viii. Termination of services
  - ix. Undergoing a counselling session
  - x. Carrying out community service
  - xi. Curtailment of privilege
  - xii. Bar on representing the company at any extra or co-curricular activity
  - xiii. Mandatory attendance in a sexual harassment workshop or program

- 11.1.2. To recommend any other action prescribed in the Act / Code of Conduct / Service Rules / Contract Rules, Termination, Suspension, Demotion, Bond of good behaviour, Debarring from supervisory duties.
- 11.1.3. To deduct a sum from the salary or wages of the respondent as it may be considered appropriate by the Management to be paid to the aggrieved person. In case deduction from salary / wages is not possible due to absence or cessation of respondent from employment, respondent can be directed to pay the amount to the aggrieved person.
- 11.1.4. Further, in case Respondent fails to pay such sums, ICC may forward the order for recovery
- 11.1.5. The employer shall act upon recommendation of ICC within 60 days of its receipt of Inquiry report.

## 12. Criminal Proceedings:

- 12.1.1. In case the conduct amounts to a specific offense under the Indian Penal Code or under any other law in existence, the IC may recommend to the Employer to take appropriate action in making a complaint with the appropriate authority.
- 12.1.2. Where the IC finds that the complaint filed is frivolous, the complainant shall be liable for Disciplinary Action. A mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant.

## 13. Appeal

- 13.1.1. Any person aggrieved on account of recommendations made by ICC or due to non-implementation of such recommendations by the Employer, may prefer an appeal to the court or tribunal in accordance with the Rules framed under the Act, where applicable.
- 13.1.2. Provided that, if the person aggrieved, does not fall within the ambit of the Act and Rules framed thereunder, then in such a person may prefer an appeal to the Chairman or CEO of the Silverline / Silverline HR Head / such person as may be nominated by ICC.
- 13.1.3. The appeal shall be made within a period of ninety days of the recommendations of ICC

## 14. Awareness

- 14.1.1. 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 Human Resources Department.
- 14.1.2. 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.
- 14.1.3. The Employer shall comply with all other duties as set out under Clause 17 of this policy to ensure that all employees are provided with the safe working environment at the workplace.
- 14.1.4. Company shall display the notice showing the name of the Internal Complaints Committee members at its every establishment at a conspicuous place, both in Hindi and in English and in its regional offices/branches in English and the local language.

## 15. Manner of Manner to organize workshops, etc.:

Subject to the provisions of Section 19 of the Act, every employer shall:

- 15.1.1. Formulate and widely disseminate an internal policy or charter or resolution or declaration for prohibition, prevention and redressal of sexual harassment at the workplace intended to promote gender sensitive safe spaces and remove underlying factors that contribute towards a hostile work environment against women;
- 15.1.2. Carry out orientation programmes and seminars for the Members of the Internal Complaints Committee;
- 15.1.3. Carry out employees awareness programmes and create forum for dialogues which may involve Panchyati Raj Institutions, Gram Sabha, women's groups, mother's committee adolescent groups, urban local bodies and any other body as may be considered necessary;
- 15.1.4. Conduct capacity building and skill building programmes for the members of the Internal Complaints Committee;
- 15.1.5. Declare the names and contact details of all the Members of the Internal Complaints Committee;
- 15.1.6. Use modules developed by the State Governments to conduct workshops and awareness programmes for sensitizing the employees with the provisions of the Act.

## 16. Filing of Annual reports by ICC:

The Internal Complaints Committee shall prepare an annual report with the following details and shall submit the same to the Company to include in its Annual report: –

- 16.1.1. Number of complaints of sexual harassment received during the year;
- 16.1.2. Number of complaints disposed off during the year;
- 16.1.3. Number of cases pending for more than 90 days;
- 16.1.4. Number of workshops or awareness programs against sexual harassment carried out;
- 16.1.5. Nature of action taken by the employer.

## 17. Modifications To The Policy:

The provisions of this Policy can be altered, added to, varied or substituted from time to time at the discretion of a competent authority as maybe designated by the Employer. 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.

## Annexure I

### NON-DISCLOSURE UNDERTAKING

Date: \_\_\_\_\_

I, \_\_\_\_\_ [s/o][d/o] of Mr. / Mrs. / Miss \_\_\_\_\_, permanently residing address at \_\_\_\_\_ (hereinafter referred to as “Recipient”) , working with \_\_\_\_\_ as \_\_\_\_\_ hereby execute this undertaking in relation to the complaint filed / to be filed or Inquiry proceedings initiated / to be initiated before the Internal Complaints Committee (“ICC”), constituted under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (“Act”), 2013 by \_\_\_\_\_ (“Complainant”) against [\_\_\_\_\_] (“Respondent”).

I hereby agree and irrevocably undertake that I shall keep the Complaint, identity and addresses of the Complainant, Respondent, witnesses, any information relating to conciliation and inquiry proceedings, recommendations of ICC and action taken by the Employer under the Act or any other information related thereto (“Confidential Information”) strictly confidential and shall not either wilfully or through any other act, omission or negligence, share, distribute, disclose or howsoever cause or induce any other person to share, distribute or disclose either verbally, electronically or in writing any such Confidential Information to any person, other than as required under applicable laws.

I further undertake not to publish, communicate or make known to public, press or media the Confidential Information in any manner whatsoever.

I am aware and acknowledge that in case of breach of this Undertaking, I shall be liable for penal consequences and other consequences in accordance with the services rules and/ or as per applicable laws.

Signed by

\_\_\_\_\_

## **Annexure II**

### **Relevant inclusions in Complaint (recommendatory)**

#### **Complainant Details:**

1. Name of Complainant
2. Address and contact number of the Complainant
3. Name, address and contact of next of kin of the Complainant
4. Designation of the Complainant
5. Immediate supervisor of the Complainant
6. Employer of the Complainant

#### **Respondent details:**

1. Name of Respondent
2. Address and contact number of the Respondent, if available
3. Name, address and contact of next of kin of the Respondent, if known
4. Designation of the Respondent, if known
5. Immediate supervisor of the Respondent, if known
6. Employer of the Respondent, if known

#### **Details of the incident:**

1. Date and time of incident (If more than one, kindly mention all the dates and times)
2. Place of incident (If more than one, kindly mention all the places)
3. Details of the incident
4. Witnesses to the incident, if any (If more than one, kindly mention all the witnesses)
5. Any oral or written evidence of the incident (i.e. e-mails, screenshots of SMS's/WhatsApp messages, call details, photographs, recordings etc, if any)
6. Names and addresses of person(s) who the Complainant confided in about the incident, if applicable
7. List the relief that is sought from the Employer
8. Any further relevant details