

DIANA TEA CO LTD

Policy for Prohibition, Prevention and Redressal of Sexual Harassment at work place

1. Preamble

This policy has been framed in term of Rule 13(a) of the Sexual Harassment of women at workplace (Prevention, Prohibition and Redressal) Rules, 2013.

2. Purpose

Diana Tea Co Ltd “the Company” adopts a policy to promote gender sensitive safe spaces and remove underlying factors that contribute towards a hostile work environment against women.

3. Definitions

The definitions like employees, Employers, Work place, Sexual harassment and all other, are as provided in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 (as amended from time to time).

➤ **Sexual Harassment** includes any one or more of the following unwelcome acts or behaviours (whether directly or indirectly or by implication) namely :

- a. Physical contact and advances; or
- b. A demand or request for sexual favour; or
- c. Making sexually coloured remarks; or
- d. Showing pornography; or
- e. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

➤ The following may amount to **Sexual Harassment** :

- a. Implied or explicit promise of preferential treatment in her employment; or
- b. Implied or explicit threat of detrimental treatment in her employment; or
- c. Implied or explicit threat about her present or future employment status; or
- d. Interferes with her work or creating an intimidating or offensive or hostile work environment for her; or
- e. Humiliating treatment likely to affect her health or safety.

4. Coverage

This policy is applicable to all employees, retainers or contractual or honorary employees, by whatever name called and would include persons engaged on a casual basis or for project based assignment and/or persons who are engaged through any third-party services providers and in this connection with the Company :

- a. Shall arrange orientation programmes and seminars for the members of internal committees;
- b. Conduct capacity building and skill building programmes for the members of the internal Committee;
- c. Carry out employees awareness programmes;
- d. Conduct workshops and awareness programmes for sensitizing the employees with the provisions of the Act;

- e. Use modules, if any, developed by the State Government to conduct workshops and awareness programmes for sensitizing the employees with the provisions of the Act.
- f. Provide necessary facilities to the Committee as the case may be for dealing with the compliant and conducting an inquiry.
- g. Assist in securing the attendance of respondent and witnesses before the Committee, as the case may be;
- h. Make available such information to the Committee, as the case may be, as it may require having regard to the compliant made under Section 9(1).
- i. Provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian penal code or any other law for the time being in force;
- j. Provide full support to aggrieved woman so that she can get justice.
- k. Treat sexual harassment as misconduct under the service rules and initiate action for such misconduct;

The Company has framed a 'Code of Business ethics' for its Directors and employees. An employee may be punished in any of the following manners if he is found guilty of misconduct, depending on the gravity of misconduct/offence :

- (i) Reprimand
- (ii) Suspension for a maximum of 14 days (without pay);
- (iii) Stoppage of annual increment(s);
- (iv) Fine in accordance with applicable laws, depending on the nature of the misconduct/offence;
- (v) Demotion
- (vi) Dismissal without notice or pay in lieu thereof.

- l. Monitor the timely submission of reports by the Committee

5. Internal Compliant Committee

Committees are being constituted by the management at its Corporate Office/Registered Office and other workplace (wherever applicable) to consider and redress complaints of Sexual Harassment. In term of Section 19(b) of the aforesaid Act, the order constituting the said Committee has been/will be displayed on the Notice Board of the Corporate Office/Registered Office and other workplace, including changes therein from time to time.

The management will have discretion to reconstitute the above Committee from time to time within the prescribed parameters.

6. Complaint Mechanism

- a. At the time of filing complaint, the complainant shall submit to the Committee, Six (6) copies of the compliant along with supporting documents and the names and addresses of the witnesses.
- b. On receipt of the complaint, the Committee shall send one of the copies received from the aggrieved women under sub rule (1) to the respondent within a period of seven (7) working days.

- c. The respondent shall file his reply to the compliant along with his list of documents, names and addresses of witnesses within a period not exceeding ten (10) working days from the date of receipt of the documents specified under sub rule (1).
- d. The committee shall make inquiry into the compliant in accordance with the principles of natural justice.
- e. The committee shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the compliant. If the complainant or respondent fails, without sufficient cause, to present herself or himself for three (3) consecutive hearings convened by the presiding Officer, as the case may be.

Provided that such termination or ex-parte order may not be passed without giving a notice in writing, fifteen (15) days in advance, to the party concerned.

- f. The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceeding before the Committee;
- g. In conducting the inquiry, a minimum of three (3) members of the Committee including the presiding Officer, as the case may be, shall be present.
- h. The committee shall submit its report along with all evidences and recommended actions to the employer for implementation.

7. Procedure for Appealing

Any aggrieved person may prefer an appeal to the court or tribunal in accordance with the provision of the service rules of the Company, within a period of 90 days.

8. Confidentially

All information received shall be kept confidential. Any person (including witnesses) who breaches confidentiality shall be subject to disciplinary action.

9. False/ frivolous complaint

If after due enquiry, it is found that the complaint is false or frivolous or that the evidences given are forged or false, action can be initiated against the complainant or the person giving false/ frivolous evidence.

10. Dissemination of this policy among the Employees

- All employees shall be educated on this policy by circulating it and ensuring that it has been read and understood by them. There by taking their signatures.
- A copy of the same shall be given to the new employee, on their joining.

11. Implementation

This policy will be implemented with immediate effect.

In case of any clarification / interpretation, it will be done in accordance with the Sexual harassment of Women at workplace (Prevention, Prohibition and Redressal) Rules, 2013 and Rules made thereunder as in force and shall be final and binding.