

Internal Policy for Prohibition, Prevention and Redressal Of Sexual Harassment At Workplace Under Sexual Harassment Of Women At Workplace (Prevention, Prohibition And Redressal) Act, 2013

Munjal Kiriu Industries Private Limited considers that no woman shall be subjected to sexual harassment and any act or behavior by any person in any form; that create a hostile work environment is a very serious misconduct and such conduct is strictly prohibited in the workplace. We also believe that all employees of the Company have to be treated with dignity.

1. Applicability

This policy is made effective from 30th day of September 2019 and is deemed to be incorporated in the service conditions of all employees. This policy is made under The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (SHWW Act, 2013) & the Rules made thereunder (hereinafter referred to as 'Policy') and is applicable to all employees of Munjal Kiriu Industries Private Limited, a Company registered under the Company's Act, 1956 and existing under Companies Act 2013, having its Registered Office Plot No. 192, Sector-4, Phase-II, IMT Manesar, Gurugram-122050.

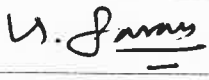


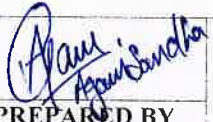
Deployed at the workplace who are either:

- (1) On the rolls of the establishment or
- (2) Engaged through the Contractors having service agreement with the establishment or as enumerated in clause (f) of section 2 of the sexual harassment of women at workplace (Prevention, Prohibition & Redressal) Act, 2013.

2. Objective

Sexual harassment results in violation of the fundamental rights of a woman to equality under articles 14 and 15 of the Constitution of India and her right to life and to live with dignity under article 21 of the Constitution and the right to practice any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment. The protection against sexual harassment and the right to work with dignity are universally recognized human rights by international conventions and instruments such as Convention on the Elimination of all forms of Discrimination against Women, which has been ratified on the 25th June, 1993 by the Government of India. The Sexual harassment of Women at workplace (Prevention, Prohibition and Redressal) Act 2013 was enacted and rules were notified there under.

Company is committed to prevent, prohibit, deter and redress the acts of sexual harassment at work place. Company espouses the responsible and dignified conduct and behaviour of employees at all levels and has a zero tolerance policy to sexual harassment. Sexual harassment not only affects morale but it can also cause stress, anxiety and even sickness. It also undermines the dignity of the victims and their colleagues at work. A Workplace environment, which is safe and free from hostility, enables people to contribute more effectively to organizational success and to achieve higher levels of job satisfaction. The Company's goal is to develop and foster a culture in which sexual harassment is known to be unacceptable and where individuals are confident to bring up complaints without fear of ridicule or reprisal. Everyone in the Company is responsible for

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challenging all forms of sexual harassment and for ensuring a workplace that recognises and supports personal dignity.

This policy has been formulated keeping in view the provisions under the sexual harassment of women at workplace (Prevention, Prohibition & Redressal) Act, 2013 (hereinafter referred to as SHWW Act) and its Rules. The said policy is to define the guidelines and the process to be followed in order to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment in addition to the matters connected therewith or incidental thereto. For any doubt or further clarification, reference be made to the SHWW Act and its Rules.

3. Abbreviation

In this policy documents, unless there is anything repugnant to the subject or context thereof, the words and expression as stated below shall have the following meanings:

- (i) SHWW- sexual harassment of women at workplace (prevention, prohibition and redressal) act, 2013.
- (ii) CE- Complainant Employee: Refers to any woman employee (as per section 2 (a) of SHWW Act) who has lodged a complaint of sexual harassment at workplace and has been subjected to any act of sexual harassment by another employee (hereinafter referred to as respondent)
- (iii) IC- Internal Committee
- (iv) Management- Management means Company's Managing Director/Director/Manager or such other officer or officers/nominee or nominees as may be authorized in this behalf by the Managing Director/Director and notified in the Notice Board of the establishment.
- (v) RE- Respondent Employee: Refers to any employee against whom the complaint for sexual harassment has been lodged.
- (vi) Workplace- Refers to clause of the SHWW Act and also includes all offices, branches and workshops located anywhere in India. It also includes any place visited by the employees arising out of or during the course of employment including transportation provided by the Management of the establishment for undertaking the journey.

4. Preamble

Sexual harassment is not only a serious misconduct but criminal offence also, which can destroy human dignity and freedom. The Company endorses a "zero tolerance" policy aimed at preventing all such inappropriate acts or behaviour. As a result, the Company may take corrective actions, up to and including possible dismissal, when policy violations occur. In an effort to promote the well-being of all women employees at the workplace, this Policy envisages as under:

- (1) It shall be the duty of the Management of the establishment to prevent or deter the commission of any act of sexual harassment at the workplace.

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(2) Sexual Harassment will be considered as misconduct and action will be taken based on the findings of the enquiry in this context.

(3) The definition of sexual harassment will be as defined in section 2 (n) of SHWW Act as represented below

"Sexual harassment" includes any 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 colored remarks; or
- (iv) showing pornography; or
- (v) any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

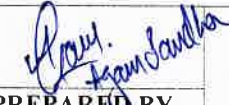
(4) The following circumstances, among other circumstances, if it occurs or is present in relation to or connected with any act or behavior of sexual harassment

- (i) Implied or explicit promise of preferential treatment in her employment; or
- (ii) Implied or explicit threat of detrimental treatment in her employment; or
- (iii) Implied or explicit threat about her present or future employment status; or
- (iv) Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
- (v) Humiliating treatment likely to affect her health or safety.

(5) some examples of workplace behaviours that may not constitute sexual harassment:

- (i) Following-up on work absences.
- (ii) Requiring performance to job standards.
- (iii) The normal exercise of management rights.
- (iv) Work-related stress e.g. meeting deadlines or quality standards.
- (v) Normal Conditions of works.
- (vi) Constructive feedback about the work mistake and not the person.

5. Internal Committee (hereinafter referred to as IC)-This is a committee which is being constituted as per section 4 of the SHWW Act read with its Rules.

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The IC will comprise of the following:

- Presiding Officer of IC
- Company Members
- Outside Member (Subject Matter Expert)

Every Member of the IC shall hold office for a period not exceeding three years, from the date of their nomination as may be specified by the Management and one-half of its members should be female and it is headed by a female employee of the Company.

The quorum of three members is required for the proceedings to take place including the Presiding Officer.

IC would be strictly governed by section 4 of the SHWW Act.

For any amendment in the policy or the quorum of the committee, the IC can pass a resolution in the meeting having 3 members present including the presiding officer. (The composition is at Annexure-A)

6. Procedure of filing a Complaint

(1) The complaint should be made by an aggrieved woman or any other authorized person on her behalf in case she is unable to, within a period of three months from the date of occurrence of incident and in case of a series of incidents, within a period of three months from the date of last incident. The complaint by an aggrieved woman employee or the authorized person shall be made to IC in writing and be sent either by post or given in person to the IC of the establishment or any officer authorized by IC in writing.

(2) Informal Complaints - In order to assure that further incidents do not occur, employees who believe that they have been subjected to sexual harassment should promptly inform the harasser that such conduct is inappropriate, offensive, and unwelcome. The matter could be reported to immediate manager or advisors (from HR) or IC member who could talk to the harasser and informally resolve the problem.

(3) Formal Complaints - Employee has to submit his / her complaint in writing on the occurrence of such an incident at their respective location mentioning the date and nature of the harassment.

(4) Upon receipt of the formal complaint from the employee IC will initiate investigation on the veracity / strength of the complaint. Confidentiality will be maintained during the investigation.

(5) Organization will not tolerate any form of reprisal or retaliation against an employee or applicant reporting any incident of claimed sexual harassment.

(6) False accusations of harassment will not be tolerated and would be viewed seriously.

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(7) The IC may, for the reason to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the employee from filling a complaint within the said period. Where the employee is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir may make a complaint under this section.

(8) Where the aggrieved woman is unable to make a complaint on account of her physical incapacity, a complaint may be filed by

- (i) her relative or friend ; or
- (ii) her co-worker; or
- (iii) an officer of the National Commission for Woman or State Women’s Commission; or
- (iv) any person who has knowledge of the incident with the written consent of the aggrieved woman. To the IC.

(9) Where the aggrieved woman is unable to make a complaint on account of her mental incapacity, a complaint may be filed to IC by-

- (i) her relative or friend; or
- (ii) a special educator; or
- (iii) a qualified psychiatrist or psychologist; or
- (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 qualified psychiatrist or psychologist, or guardian or authority under whose care she is receiving treatment or care.

(10) Where the aggrieved woman 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 her written consent to the IC.

(11) Where the aggrieved woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of her legal heir to the IC.

7. Procedure to be followed post receipt of Complaint

- (1) A quorum of minimum 3 members including the chairperson is required to start the enquiry process and proceed further.
- (2) If the complaint is raised against a Committee member by the Complainant, the Committee shall ensure that the defendant should not be the part of the Committee and not allowed to be part of the proceedings / interfere in the proceedings.

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- (3) IC shall maintain a register to endorse the complaint received. The details are to be recorded and maintained as per format required.
- (4) IC members shall hear the Complainant and record his/her allegations. The Complainant / defendant can submit any corroborative material with a documentary proof, written material, etc. in original which is self-attested to substantiate his / her complaint. If the Complainant (if Female) does not wish to depose personally due to embarrassment of narration of event, a female co-employee shall meet and record the statement.
- (5) Thereafter, the defendant shall 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 and concluded.
- (6) In case the complaint is proved true, employer shall initiate necessary action as recommended by the IC.
- (7) In the event, the complaint does not fall under the purview of Sexual Harassment; the same would be dropped after recording the reasons thereof.
- (8) IC shall complete the "Enquiry" within 90 days from the date of complaint and communicate its findings and its recommendations for action to the employer.
- (9) Where sexual harassment occurs as a result of an act or omission by any third party or outsider, the IC shall take steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- (10) In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police Complaint.
- (11) The IC would go through the details of the complaint and evaluate if there is a prima facie case or not while doing that, IC will keep in mind that the CE is not subjected to enquiry more than once. However, if the complaint complexity requires that the CE is to be called for more than once for enquiry, then utmost sensitivity should be displayed and adequate precaution would be taken to ensure that there is no loss of dignity to the CE.
- (12) The IC will send notice to the Respondent within 7 days of receiving the copy of the complaint. And 10 days time will be given to give representation.
- (13) The IC shall complete the process of Inquiry within 90 days from the initiation of the proceedings.
- (14) The IC shall submit the report to employer after completing the enquiry, and submit its recommendation to the Management with recommendations of the penalty to be imposed within 10 days of completion of the inquiry to the employer.
- (15) The employer shall take actions for the implementation of recommendations within 60 days.

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(16) The IC may, before initiating an enquiry and at the request of the CE, take steps to settle the matter between CE and the RE through conciliation, provided that no monetary settlement has been arrived during conciliation, the IC shall record the settlement and forward to the employer to take action. However, if the terms arrived during conciliation have not been complied with by the RE, the IC shall proceed to make an enquiry into the complaint or as the case maybe forward the complaint to the police. The copies of the settlement as recorded during conciliation shall be provided to the both the parties.

(17) In case no settlement is arrived the IC, shall where the Respondent is an employee, proceed to make inquiry into the complaint in accordance with the provisions of the service rules applicable to the respondent and where no such rules exist, in such manner as may be prescribed or in case of domestic worker, the Committee shall, if prima facie case exists, forward the complaint to the police, within a period of seven days for registering the case under section 509 and 354A of the Indian Penal Code (45 of 1860) and any other relevant provisions of the said code where applicable.

(18) Where both the parties are employees, the parties shall, during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the committee.

(19) Notwithstanding anything contained in section 509 of the Indian Penal Code (45 of 1860), the court may, when the respondent is convicted of the offence, order payment of such sums as it may consider appropriate to the aggrieved woman by the respondent, having regard to the provision of section 15 pertaining to determination of compensation.

(20) The HR/Personnel/ Administrative Department will extend full cooperation in facilitating to conduct the proceedings by the IC.

(21) In conducting the inquiry, a minimum of three members of the IC under the Code of Civil Procedure, 1908 (5 of 1908) when trying a suit in respect of the including the Presiding Officer or the Chairperson, as the case may be, shall be present.

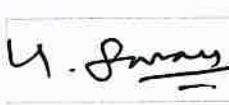



Important Note: For the purpose of making an inquiry under sub section (1), the Internal Committee shall have the same powers as are vested in a civil court following matters, namely

- a. Summoning and enforcing the attendance of any person and examining him an oath;
- b. Requiring the discovery and production of documents; and
- c. Any other matter which may be prescribed.

Improper Complaints

This policy shall not be used to bring frivolous or malicious complaints against anyone. Making a knowingly false complaint subjects the complaint to disciplinary or corrective action. However, failure to prove a claim of sexual harassment does not constitute proof of a false and / or malicious accusation.

8. Guidelines to be kept in mind by IC while recommending action

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- (1) To conduct the enquiry as per the Principles of natural justice and in a confidential manner.
- (2) In cases where the IC has recommended to Management for compensation to be made to the CE, then the said amount shall be deducted from the salary of the RE and paid to the CE or her legal heir/s.
- (3) In case the RE fails to pay the sum referred as above, the IC may forward the order for recovery of the sum as an arrear of land revenue to the concerned District Officer.
- (4) Where the IC arrives at a conclusion that the allegation against the RE is malicious or the CE has made the complaint knowing it to be false or the CE has produced forged or misleading document, it may recommend to the Management of the establishment to take action against the CE as stipulated by section 14 of the SHWW Act.
- (5) Where the IC arrives at a conclusion that during the enquiry any witness has given false evidence or produced any forged or misleading document, it may recommend to the Management to take appropriate action.
- (6) Prohibition of Victimization

No person shall be victimized for anything said or done in relation to any complaint. A person victimizes another person if the person subjects the other person or threatens to subject the other person to any detriment in connection with employment or recruitment or promotion because such person





- (i) Has brought proceedings against any person;
- (ii) The other person associates with the complainant;
- (iii) Has given evidence or information or produced a document, in connection with any proceedings.

- (7) Follow-up with the complainant

Finally, IC shall affirmatively follow up with the complainant after one month of decision to determine

- (i) whether the inappropriate activity has stopped;
- (ii) whether any retaliatory or related activity has been initiated against the complainant by the defendant;
- (iii) Depending on the situation, it may also be advisable to interview co-workers or supervisors of the harasser in order to ascertain whether inappropriate activity has continued with respect to the original victim or other parties.

- (8) Disciplinary Action:

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After completing the inquiry, the IC will submit its report with recommendations of the penalty to be imposed on respondent if the charges are proved. After this inquiry being act of sexual harassment, the management will not be required to further conduct a formal inquiry.

The inquiry report/recommendations of the Internal Committee will be deemed as if the disciplinary proceeding were conducted in accordance with the rules to punish the guilty respondent and management will take action on such report/recommendations of IC.

The punishment may include issuance of warning, transfer, withholding promotion/increments, suspension or even dismissal of the respondent apart from other punishments as mentioned in the service rules of the organizations. This action shall be in addition to any legal recourse sought by the complainant.

All such actions will be taken within Sixty (60) days of the receipt of the receipt of report from the IC.

(9) Documentation:

The IC shall keep complete and accurate documentation of the complaint, its investigation and enquiry proceedings and the resolution thereof. The incident would be documented in both the complainant and the respondent's files with the full report of the IC.




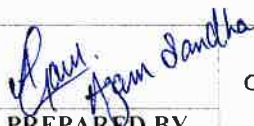
9. Appeal by the aggrieved person

Any person aggrieved from the recommendations made by the IC enquiring with the allegations against the respondent has not proved, or the IC arrived at a conclusion that during the enquiry any witness has given false evidence or produced any forged or misleading documents or contravenes the provision of section 17 of the SHWW Act or when the persons entrusted with the duty to handle or deal with the complaint, the enquiry or recommendations makes known the contents of the complaint and the enquiry proceedings, or non-implementation of such recommendations may prefer an appeal to the court or tribunal within 90 days of the passing of such an order in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist then, without prejudice to provisions contained in any other law for the time being in force, the person aggrieved may prefer an appeal. The appeal will lie before the Appellate Authority notified under clause (a) of section 2 of the Industrial Employment (Standing Orders) act, 1946.

10. Employer (Management of the establishment) to Ensure:

(1) That in case there is a complaint against any of the IC member; Management will have to reconstitute the IC. In all such cases the guidelines as defined in the above clauses would be inclusive of the time taken to reconstitute the said committee.

(2) The management will provide assistance to the CE, if she so chooses to file a police complaint in relation to the offence under the Indian Penal Code or any other law for the time being in force.

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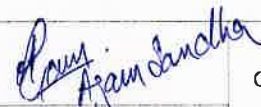
- (3) The management will also initiate action under the Indian Penal Code or any other law for the time being in force, against a perpetrator, where the perpetrator is not an employee of the establishment and there is complaint of Sexual Harassment against the said perpetrator in the workplace where the harassment took place.
- (4) The IC will submit an annual report to the Management outlined in the SHWW Act and it is the responsibility of the Management to ensure that the said annual report is also filed with the District Officer as per the format applicable.
- (5) The Management will direct HR/Personnel/Administrative Department to ensure to display at conspicuous places the guidelines as given in section 19 (b) of the SHWW Act.
- (6) Training cum Awareness session for employees (men and women).
- (7) Training cum Awareness session for IC members
- (8) Training cum Awareness session for Human Resources teams and Senior Management.
- (9) The management will assist in ensuring the attendance of the RE and witnesses before the IC as the case may be.
- (10) The Management will monitor timely submission of reports. For this, the management will conduct periodic update meetings with the IC and HR/Personnel/Administrative Department to ensure that the said policy is being implemented in letter and spirit.

11. Modifications

This policy will be periodically reviewed and is subject to alteration/amendment/rescind/modification 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 amendment or waiver of any provision of this Code must be recommended by the IC and duly approved in writing by the Board/Management of the Company and promptly disclosed on the Company's website, if any and in applicable regulatory filings pursuant to applicable laws and regulations, together with details about the nature of the amendment or waiver. Any such alterations or amendment or rescinding will be intimated to the employee immediately.

12. Conclusion:

At Company, we endeavor to provide conducive and healthy work environment where the relationship amongst the employees are cordial and supporting in all aspects, so that each employee shall have an enriching experience. With this policy Company is determined to provide its employees excellent, comfortable, safe and healthy work environment, so that they can come out with their best in all facets.

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