

Jaykay Enterprises Limited

Policy on Protection, Prevention & Redressal of Sexual Harassment of Women at Workplace

**Policy on Prohibition, Prevention &
Redressal of Sexual Harassment of Women
at Workplace**

of

Jaykay Enterprises Limited

PREFACE

Corporate India has a diverse workforce. Over the years, companies have been focusing on driving gender diversity and inclusivity at the workplace. Their aim is to create a comfortable environment that encourages growth and development.

Working in an environment that is hazard free is not a choice — it is the right of all employees. Today, with more and more women joining the workforce, companies need to ensure that their establishments are safe so that their women employees feel secure and can work at ease.

One of the major threats to impair this feeling of insecurity is sexual harassment of women employees at the workplace. The movement against sexual harassment in general and the protection of women has been growing. In many cases, unfortunate incidents, media reports, and people's heightened awareness have brought to the fore the dark side of the corporate coin. This led to the enactment of the Sexual Harassment of Women at the Workplace (Prevention, Prohibition, and Redressal) Act, 2013, and the Sexual Harassment of Women at the Workplace (Prevention, Prohibition, and Redressal) Rules, 2013 (hereinafter referred to as 'the Act').

In light of the above and in accordance with the provisions of the Act, the Company has devised this Policy on Protection, Prevention & Redressal of Sexual Harassment of Women at Workplace, which inter alia includes the constitution of Internal Committee, manner of filing complaint, Redressal procedure etc.

POLICY OBJECTIVE

Ignorance is no longer bliss, and the company understands that strong measures need to be adopted to curb sexual harassment at the workplace. This policy aims at providing for protection and prevention of sexual harassment of women employees at the workplace and makes them feel safe and secure. The Company understands the fact that raising a voice against sexual harassment is not an easy task. Hence, this policy aims at providing for a fair, speedy, and confidential procedure for the Redressal of complaints of sexual harassment.

Jaykay Enterprises Limited

Policy on Protection, Prevention & Redressal of Sexual Harassment of Women at Workplace

SCOPE OF POLICY

The Employee/Workman includes:-

This policy applies to all persons employed with Jaykay Enterprise Ltd. for any work either on a permanent or temporary basis, management personnel and workmen, daily wages workmen, consultants, full-time or part-time basis, employed directly or through any agent, contractors, employees on contract basis and on the roll of the Company. The policy is also applicable to trainees and apprentices, persons working voluntarily and with or without any remuneration, whether the terms of the contract are express or implied, employed in the knowledge of the Company or not.

The workplace includes:

1. All premises including Corporate Office, head office, branch offices, and all other premises, locations, establishments, institutions, units, and sites controlled directly or indirectly but the Company and/or where from business of the Company is conducted;
2. All other premises where employees of the Company visit arising out of or during the course of their employment including official events; and
3. Includes the transportation and accommodation, if any, provided by the Company for employees arising out of or during the course of employment for commutation or residence purposes.

DEFINITIONS

1. Aggrieved Woman:

In relation to a workplace, a woman of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by any employee of the Company.

2. Complainant:

A complainant means an aggrieved woman (In case an Aggrieved woman is unable to make a complaint due to her physical or mental incapacity or death or otherwise, any person (as prescribed) acting on her behalf) who makes a complaint alleging sexual harassment under this policy.

Jaykay Enterprises Limited

Policy on Protection, Prevention & Redressal of Sexual Harassment of Women at Workplace

3. District Officer:

District Officer means any officer designated as such by State Government.

4. Employee:

“Employee” means a person employed by the Company for any work on a regular, temporary, ad hoc, 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 coworker, a contract worker, probationer, apprentice or called by any other such name.

5. Internal Committee (IC)

The “Internal Committee” or (“the Committee”) means a committee formed under section 4 of the Act and shall consist of a Presiding Officer and 3 other members in the following manner: -

- a. Presiding Officer shall be a woman employed at a senior level in the Company; and
- b. Two other members from amongst the employees, one of whom shall have the legal knowledge and the other member from the HR Department of the Company; and
- c. One member, who is not in employment of the Company and independent of the management of the Company, and who is associated with any Non-Government organization or association committed to the cause of women or any person familiar with the issues of sexual harassment.

At least one-half of the members of the committee shall be women. Every member of the committee shall hold office for a maximum period of 3 (three) years only.

6. Member:

Member means a member of the Internal Committee.

7. Presiding Officer or Chairperson:

The presiding officer or Chairperson means the person presiding the chair of the Internal Complaint Committee.

8. Respondent:

Jaykay Enterprises Limited

Policy on Protection, Prevention & Redressal of Sexual Harassment of Women at Workplace

A Respondent means the person against whom a complaint of sexual harassment has been made by the complainant.

9. Sexual Harassment:

Sexual Harassment includes any one or more of the following unwelcome acts or sexually determined behavior (whether directly or by implication):

- a) unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implied or explicit
- b) physical contact and advances including touching, stalking, sounds which have, express or implied, sexual connotation/overtones, molestation; or
- c) demand or request for sexual favors; or
- d) making sexually colored remarks including but not limited to vulgar/indecent jokes, letters, phone calls, text messages, e-mails, gestures, etc.; or
- e) using sexually abusive language or signs in the presence of woman employee; or
- f) Teasing, voyeurism, innuendos and taunts, physical confinement or touches against the will and likely to intrude upon one's privacy; or
- g) Showing pornography or the likes; or
- h) Any other unwelcome physical, verbal, or non-verbal conduct of sexual nature.

The following circumstances, among others, if any, occurs or are present in relation to or connected with any act or behavior of sexual harassment that 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) Interference 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.

CONSTITUTION OF INTERNAL COMMITTEE (IC)

Internal Committee (IC) of the Company (For the Delhi Office) shall consist of the following members: -

Jaykay Enterprises Limited**Policy on Protection, Prevention & Redressal of Sexual Harassment of Women at Workplace**

SL NO.	Name	Designation	Email ID	Mobile No.
1	Ankita Shankar	Presiding Officer	ankita.shankar@jkorg.co.in	8291289439
2	Shikha Rastogi	Member	shikha.rastogi@jkorg.co.in	8860081816
3	Nitesh Kumar	Member	nitesh.Kumar@jkorg.co.in	9868870254
4	Kiran Mehta	Ext. Member	r.mehtakiran@gmail.com	9810152895

Internal Committee (IC) of the Company (For the Kanpur Office) shall consist of the following members: -

SL NO.	Name	Designation	Email ID	Mobile No.
1	Ankita Shankar	Presiding Officer	ankita.shankar@g.co.in	8291289439
2	Shikha Rastogi	Member	shikha.rastogi@jkorg.co.in	8860081816
3	Ashish Chauhan	Member	ashish.chauhan@jkorg.co.in	8090759223
4	Kiran Mehta	Ext. Member	r.mehtakiran@gmail.com	9810152895

Internal Committee (IC) of the Company (For the Bangalore Office) shall consist of the following members: -

SL NO.	Name	Designation	Email ID	Mobile No.
1	Ankita Shankar	Presiding Officer	ankita.shankar@jkorg.co.in	8291289439
2	Shikha Rastogi	Member	shikha.rastogi@jkorg.co.in	8860081816
3	Shivakumara YS	Member	shiva.ys@jkorg.co.in	8884296831
4	Kiran Mehta	Ext. Member	r.mehtakiran@gmail.com	9810152895

Internal Committee (IC) of the Company (For the Hyderabad Office) shall consist of the following members: -

SL NO.	Name	Designation	Email ID	Mobile No.
1	Ankita Shankar	Presiding Officer	ankita.shankar@jkorg.co.in	8291289439
2	Shikha Rastogi	Member	shikha.rastogi@jkorg.co.in	8860081816
3	Deepu Minz	Member	deepuminz@arpotech.org	9576589005
4	Kiran Mehta	Ext. Member	r.mehtakiran@gmail.com	9810152895

REDRESSAL PROCESS

Jaykay Enterprises Limited

Policy on Protection, Prevention & Redressal of Sexual Harassment of Women at Workplace

A. Complaint

1. Any aggrieved woman may make a complaint in writing with any member of IC, at the contact details mentioned above, preferably within a period of 3 months of the date of the incident of sexual harassment or in case of a series of incidents, within a period of 3 months from the date of last incident. The IC may extend the period of 3 months for filing any complaint if it is satisfied that circumstances were such that reasonably prevented the complainant to make a complaint within the said period.

In case, an aggrieved woman is not able to make a complaint in writing, a member of IC shall render the aggrieved woman all assistance to make the complaint in writing.

2. Where the Aggrieved Woman is unable to make a Complaint on account of her physical incapacity, a Complaint may be filed by
 - a. Her relative or friend; or
 - b. Her co-worker; or
 - c. An officer of the National Commission for Women or State Commission for Women; or
 - d. Any person who has knowledge of the incident, with the written consent of the Aggrieved Woman.

Where the Aggrieved Woman is unable to make a Complaint on account of her mental incapacity, a Complaint may be filed by –

- a. Her relative or friend; or
- b. A special educator; or
- c. A qualified psychiatrist or psychologist; or
- d. The guardian or authority under whose care she is receiving treatment or care; or
- e. Any person who has knowledge 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;

Where the Aggrieved Woman for any other reason is unable to make a Complaint, a Complaint may be filed by a person who has knowledge of the incident, with her written consent;

Where the Aggrieved Woman is dead, a Complaint may be filed by any person

Jaykay Enterprises Limited

Policy on Protection, Prevention & Redressal of Sexual Harassment of Women at Workplace

who has knowledge of the incident, with the written consent of her legal heir(s).

3. The Complainant shall file a minimum of six copies of the complaint.
4. The complaint shall consist of the name of the Respondent(s), date and details of the incident of sexual harassment, name and details of the witness, if any, along with the supporting documents.
5. On receipt of the complaint, IC shall send a copy of the complaint to the Respondent, within 7 (seven) working days.
6. The Respondent shall file his reply to the complaint along with his list of documents, names and addresses of witnesses, within a period not exceeding ten working days from the date of receipt of the document specified under sub rule (1) of rule 7 of the Act.

B. Procedure for Resolution, Settlement, or Prosecution:

1. Conciliation – The IC may, before initiating an inquiry, at the request of the Aggrieved Woman, take steps to settle the matter between her and the Respondent.

No monetary settlement shall be made as a basis of conciliation.

The settlement terms shall be recorded in writing and forwarded to the Board of Directors of the Company. Copies of the same shall be provided to the Aggrieved Woman and the Respondent.

Where a settlement has been arrived at, no further inquiry shall be conducted by the IC.

OR

2. If the above is not possible, the Internal Committee shall proceed to make an inquiry into the Complaint in such manner as prescribed hereunder:
 - i. The IC shall investigate the complaint and provide its report to the Board of Directors of the Company, as promptly as possible, no later than 90 working days from the date of the Complaint. Further, if the Aggrieved Woman informs the IC that any term or condition of a settlement arrived at through conciliation proceeding has not been complied with by the Respondent, the Internal Committee shall proceed to make an inquiry into the Complaint.
 - ii. The IC shall follow principles of natural justice in all its proceedings and subject thereto, shall maintain confidentiality of the identity of

Jaykay Enterprises Limited

Policy on Protection, Prevention & Redressal of Sexual Harassment of Women at Workplace

the Complainant, and the witnesses, as also the contents of the Complaint. Where the Respondent is subject to any applicable service rules of the Company, the proceedings of the IC shall be conducted, as far as practically possible, in accordance with such service rules, and to the extent provided therein and in accordance with applicable law.

- iii. A copy of the Complaint as recorded by IC shall be given to the Respondent as well as the Complainant. The Respondent shall be required to submit her/his response to the Complaint as well as to indicate whether the Respondent wishes the IC to examine any witnesses or furnish any evidence. The Complainant shall also be required to indicate in writing whether the Complainant wishes the IC to examine any witnesses or furnish any additional evidence.
- iv. The Respondent shall not be permitted to compel the Complainant to be a witness, although the Complainant may choose to give evidence in relation to the alleged act of Sexual . In the event the Respondent wishes to question the Complainant, any such questions which the Respondent wishes to ask of the Complainant shall be submitted to the IC in writing, and it shall provide them to the Complainant, with such edits as it deems necessary.
- v. Upon receipt of the responses from the Respondent and the Complainant, the IC shall conduct a hearing at such venue or venues as are convenient to the Complainant, where both the Complainant and the Respondent shall be heard in person. The IC shall notify both the Respondent and Complainant (as well as the witnesses, if any) of the time and venue of each hearing. Any records of the proceedings of such or any other hearings or meetings of the Internal Committee shall be maintained strictly confidential.
- vi. In the event the Respondent is not present in person at a hearing of the Internal Committee, the hearing shall be adjourned to a date not later than three (3) days from the date of the original hearing, to be held at a time and venue convenient to the Complainant. The hearing shall be conducted on such adjourned date irrespective of whether the Respondent is present or not. Provided that nothing contained herein shall preclude the Internal Committee from adjourning such hearing for a longer period subject to recording its reasons for such adjournment.

Jaykay Enterprises Limited

Policy on Protection, Prevention & Redressal of Sexual Harassment of Women at Workplace

- vii. The Internal Committee shall be empowered to call upon such of the Employees who may have been witness to the incident(s) of Sexual Harassment and/or connected in any manner thereto.
- viii. All Employees shall extend their fullest co-operation to the Internal Committee and any failure to co-operate, or the giving of wrong or misleading information, or withholding information shall be a violation of this Policy and shall be dealt with appropriately by the Company. Such failure to cooperate or willful or deliberate giving of wrong or misleading information or withholding of information may also constitute misconduct under applicable policies and codes of conduct, etc. of the Company.
- ix. The Company shall provide necessary facilities to the Internal Committee for dealing with the Complaint and conducting the inquiry. It shall assist in securing the attendance of the Respondent and witnesses before the Internal Committee and shall make available such information to the Internal Committee as it may require having regard to the Complaint.

C. Inquiry Report

Upon completion of the hearing, the IC shall prepare its written report which shall include a summary of the proceedings, the evidence adduced by the parties and the witnesses, and shall submit the same to the Board of Directors of the Company. The said report shall further set out the Internal Committee's conclusions on whether an offense of Sexual Harassment, or any other violation of this Policy, has been committed or occurred, or whether the Complaint made by the Complainant is either false or unproven, as also the reasons/ rationale for the Internal Committee's arriving at such conclusion. The said report shall

further set out the Internal Committee's recommendations on the disciplinary action(s) to be taken against the Respondent or Complainant (as the case may be). All members of the Internal Committee shall sign the said report.

D. Actions during the pendency of inquiry

During the pendency of the inquiry, on a written request made by Complainant, the Internal Committee may recommend the Company to:

- (i) Transfer the Complainant or the Respondent to any other

Jaykay Enterprises Limited

Policy on Protection, Prevention & Redressal of Sexual Harassment of Women at Workplace

workplace; or

- (ii) Grant leave to the Complainant up to a period of three months; or
- (iii) Restrain the Respondent from reporting on the work performance of the Complainant or writing her confidential report, and assign the same to another officer.

Note: the leave granted to the aggrieved woman under this section shall be in addition to the leave she would be otherwise entitled to.

E. Punishment

1. Where the IC arrives at a conclusion that the allegations against the Respondent have been proved, it shall recommend the following to the Board of Directors of the Company:
 - i. To take action for sexual harassment as an act of misconduct in accordance with the rules/regulations of the Company governing 'conduct and discipline as applicable to the Respondent; and/or
 - ii. To deduct such amounts from the salary or wages of the Respondent as may be considered appropriate to be paid to the Complainant as per this Policy.
2. In addition to the above, the recommendations to the Board of Directors of the Company may also include one or more the following:
 - Written apology;
 - Warning;
 - Reprimand or Censure;
 - Withholding of promotion;
 - Withholding of pay rise or increments;
 - Termination of service of the Respondent.

The Board of Directors of the Company shall take action on the recommendations of the IC within a period of 60 (sixty) days.

3. If the Board of Directors of the Company is unable to deduct the salary or wage of the Respondent for reasons such as his absence from duty or cessation of employment, he may direct the Respondent to pay the said amount of money to the Complainant directly.

Jaykay Enterprises Limited

Policy on Protection, Prevention & Redressal of Sexual Harassment of Women at Workplace

If the Respondent fails to pay the amount referred to above, the IC may forward the order for recovery of the said amount as an arrear of land revenue to the District Officer.

4. IC shall keep in mind the following while deciding the amount to be paid to the Complainant:

- The mental trauma, pain, suffering, and emotional distress caused to the Complainant;
- The loss of the Complainant's career opportunity due to the incident of sexual harassment;
- Medical expenses incurred by the Complainant;
- The income and financial status of the Respondent; and
- Feasibility of such payments in lump sum or installments.

5. Punishment for malicious complaint or false evidence

If an Employee is found to have raised a malicious or false Complaint or given any false evidence against another person in order to prejudice that person, the complainant or such person making evidence may also be subject to appropriate disciplinary action, which may include termination of employment, engagement or relationship with the Company, as the case may be.

* A process flow chart is attached herewith as Annexure 'A'.

D. Confidentiality & Secrecy:

Except in the cases, as may be prescribed in the Act, the Complainant's identity and all other aspects of the matter shall be kept confidential.

E. Time period

The Internal Committee (IC) shall complete the inquiry within a period of 90 (Ninety) days from the date on which the Complaint is lodged.

F. Appeal

Any person aggrieved from the recommendations made by the committee or non-implementation of such recommendations may prefer an appeal to the appellate authority as per the provisions of the Act.

Jaykay Enterprises Limited

Policy on Protection, Prevention & Redressal of Sexual Harassment of Women at Workplace

G. Records

A copy of the final report, notes of meetings and interviews, evidence, and documentation relating to any action taken as a result of an investigation will be retained by the Internal Committee. These records should not be placed on personnel files unless the Complaint results in disciplinary action against one or more of the parties involved in the Complaint, in which case any appropriate records may be placed on the disciplined Employee's file.

ANNUAL REPORT

The IC shall prepare an annual report in each calendar year specifying:

1. Number of complaints of Sexual Harassment received in the year.
2. Number of complaints of Sexual Harassment disposed of during the year.
3. Number of cases of Sexual Harassment pending for more than 90 days.
4. Number of workshops or awareness programs against Sexual Harassment carried out.
5. Nature of action taken by the Company

This report must be submitted to the Board of Directors of the Company and the District Officer by IC in each calendar year, who will in turn forward it to the state government.

DUTIES OF THE COMPANY

The Company shall undertake the following preventive measures to ensure that Sexual Harassment does not occur:

- a) Provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;
- b) Placing a copy of this Policy on the website of the Company or such prominent places as a continual reminder to the Employees of the Company's Policy on Sexual Harassment;
- c) Providing a copy of the Policy to all the Employees and communicating the process of reporting Sexual Harassment to all the Employees; and
- d) Sensitizing the Employees and providing training related to Sexual Harassment issues to its Employees.
- e) Display at any conspicuous place (like notice boards) in the workplace, posters against Sexual Harassment with the contact details of the Internal Committee members and the penal consequences of Sexual harassment.
- f) Allowing women employees to raise their concerns and issues on sexual

Jaykay Enterprises Limited

Policy on Protection, Prevention & Redressal of Sexual Harassment of Women at Workplace

harassment in the workplace at appropriate forums for affirmative discussion from time to time

RIGHT OF AMENDMENT/MODIFICATION

Any or all provisions of this Policy would be subject to revision/amendment by the Board of Directors on its own or on the recommendations of the Internal Committee or else in accordance with the Regulations on the subject as may be issued by the relevant statutory authorities from time to time.

Any revision/amendment to the Policy as a result of such regulatory changes shall be carried out with the approval of the Managing Director.

By Order of the Board of Directors



Mr. Abhishek Singhania
Managing Director



Mr. Maneesh Mansingka
Director

Annexure A



