



JMT AUTOLTD.
An Amtek Group Company

JMT AUTO LIMITED

POSH POLICY

(Prevention of Sexual Harassment of Women at Workplace Policy)

as per

Supreme Court Guidelines

POSH Policy/ Initial Version/ Implemented - 1st October, 2014



PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

INTRODUCTION

AMTEK Group strongly opposes sexual harassment, and that such behavior against women is prohibited by the law as set down in The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules framed thereunder (hereinafter referred to as "Act") as well as the terms of employment. Commission of any act of sexual harassment as defined in the Act and in this Policy shall result in strict disciplinary action.

The Supreme Court also, through the Vishakha Guidelines, has directed companies to lay down guidelines and a forum for redressal of grievances related to sexual harassment.

The objective of this policy is to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith.

I. COMMITMENT:

Our Company is committed to provide a work environment that ensures every woman employee is treated with dignity and respect and is afforded equitable treatment.

The Company is also committed to promote a work environment that is conducive to the professional growth of its women employees and encourages equality of opportunity.

The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its women employees are not subjected to any form of harassment.

II. SCOPE:

This policy applies to all categories of employees of the Company, including permanent management and workmen, temporaries, trainees and employees on contract at its workplace or at client sites. The Company will not tolerate sexual harassment, if engaged in by clients or by suppliers or any other business associates.

The workplace includes:

1. All offices or other premises where the Company's business is conducted.
2. All company-related activities performed at any other site away from the Company's premises.
3. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

III. DEFINITION

- a. "Complainant" means a person in relation to work place whether employed or not, who alleges to have been subject to any act of sexual harassment by anyone at the workplace.
- b. "Company" means JMT AUTO Limited.
- c. "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;
- d. "Respondent" means a person against whom the aggrieved person/complainant has made a complaint.
- e. "Workplace" includes any department, plant, undertaking, establishment, enterprise institution, office or branch unit. Any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey.

IV. SEXUAL HARASSMENT:

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

- i. **Physical contact and advances; or**
- ii. **A demand or request for sexual favors; or**
- iii. **Making sexually coloured remarks; or**
- iv. **Showing pornography; or**
- v. **Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.**

In addition to the instances mentioned hereinabove, any other acts or behavior, which outrages the modesty of a female employee and/or creates a sense of fear/discomfort in the workplace, will be considered as sexual harassment.

V. COMPLAINT MECHANISM:

Whether or not such conduct constitutes an offence under law or a breach of the service rules, an appropriate complaint mechanism in the form of **"Internal Complaints Committee"** has been created in the Company for time-bound redressal of the complaint made by the victim.

VI. INTERNAL COMPLAINTS COMMITTEE:

The Company has instituted an Internal Complaints Committee for redressal of sexual harassment complaint (made by the victim) and for ensuring time bound treatment of such complaints.

In accordance with the sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the Internal Complaints Committee will comprise of the following:

1. **Chairperson** - Shall be a woman employed at a senior level at workplace amongst the employees.
2. **Two members**- Shall be amongst employees preferably committed to the cause of woman.
3. **One Member** – Representative from a Non-Governmental Organisations or associations committed to cause of woman or a lawyer.

The Name of the Members of the Internal Complaints Committee is as per **Annexure A** of this Policy and any change in such composition shall be effected in the policy

VII. COMPLAINT REDRESSAL PROCESS

Any aggrieved person may make, in writing, a complaint of sexual harassment at workplace to the committee giving details of the sexual harassment meted out to her within a period of **30 days** from the date of incident and in case of a series of incidents, within a period of 30 days from the date of last incident, which may be extended for a further period of 30 days, if circumstances warrant such extension in the opinion of the Internal Complaints Committee.

1. The Presiding Officer or any Member of the Internal Complaints Committee can render reasonable assistance to the person for making complaint in writing, in case they are unable to do so.
2. The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.
3. The Committee will hold a meeting with the Complainant within **5 working days** of the receipt of the complaint, but no later than a week in any case.
4. At the first meeting, the Committee members shall hear the Complainant and record the allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate the complaint.
5. Thereafter, the person against whom complaint is made may be called for a deposition before the Committee and an opportunity will be given to him to give an explanation, where after, an "Enquiry" shall be conducted and concluded.

6. In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.
7. In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action.

VIII. ENQUIRY PROCESS

1. The Committee shall immediately proceed with the Enquiry and communicate the same to the Complainant and the Respondent i.e. the person against whom complaint is made.
2. For conducting the enquiry the quorum of the Committee shall be of 3 members including the presiding officer.
3. The Committee shall prepare and hand over the Statement of Allegation to the Respondent and give him opportunity to submit a written explanation if he so desires within **7 days** of receipt of the same.
4. The Complainant shall be provided with a copy of the written explanation submitted by the Respondent.
5. If the Complainant or the Respondent desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es whom they propose to call.
6. If the Complainant/ Respondent desires to tender any documents by way of evidence before the Committee, she / he shall supply original copies of such documents. Both shall affix his / her signature on the respective documents to certify these to be original copies.
7. The Committee shall investigate in detail into the matter of the complaint. The Committee shall have the right to call the Complainant/ Respondent or any other witnesses as when necessary.
8. The Committee shall provide every reasonable opportunity to the Complainant and to the Respondent, for putting forward and defending their respective case. However the parties shall not be allowed to bring any legal practitioner to represent them in their case at any stage of the proceedings.
9. The Committee shall complete the Enquiry within reasonable period but not beyond **90 days**.
10. The Committee shall be governed by such rules as may be framed by the Supreme Court orders or any other legislation enacted later on.

IX. CONCILIATION

The Committee may, before initiating an inquiry, and at the Complainant's request, attempt to settle the matter through conciliation. However, the Committee shall ensure that:

- a. Monetary settlement will not be made as a basis of conciliation.
- b. Where a settlement has been arrived, the settlement terms shall be signed by both the parties and shall be provided with a copy of it.

Where, a settlement is arrived as mentioned hereinabove, no further enquiry shall be conducted by the Committee.

X. ACTION:

1. The Committee shall on completion of the enquiry provide a report of its findings within **10 days** from the date of completion of the enquiry and such report shall be made available to the concerned parties.
2. If the allegation against the respondent has not been proved, the Committee may recommend that no action needs to be taken in the matter.
3. If the Committee arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend HR to:
 - a. Take action for sexual harassment as misconduct.
 - b. To tender written apology to the complainant, issue warning, withhold promotions /increments of the Respondent, suspend/terminate the Respondent.
 - c. To deduct from salary / wages of the Respondent or issue direction for payment; such sum as it may consider appropriate to be paid to the Complainant or to their legal heirs, as it may determine.
4. The Report with the recommendation shall be submitted to the CEO for approval.
5. Such action will be taken within **60 days** of the receipt of approval.

XI. AWARENESS:

1. All the Employees, Agents, Customers, Vendors, Partners and Visitors shall have access to this Policy at any given point of time and clarification related to this Policy shall be addressed by the HR team.
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.
3. Company shall display the notice showing the name of the Committee members at its every establishment at a conspicuous place.



XII. MISCELLANEOUS:

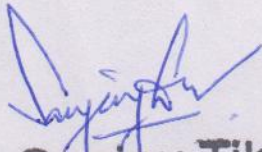
1. Company may make any alteration or amendment or rescind any of the clauses of this Policy as and when it finds it necessary to do so as long as it complies with the Act. Any such alterations or amendment or rescinding will be intimated to the employee.
2. Nothing contained in these rules shall operate in derogation of any law for the time being in force or to the prejudice of any right of any employee under any other Rules or Law.
3. The Internal Complaint Committee shall prepare an Annual Report with the following details and shall submit the same to the Company to include in its Annual Report:
 - a. Number of complaints of sexual harassment received during the year;
 - b. Number of complaints disposed of during the year;
 - c. Number of cases pending for more than 90 days;
 - d. Number of workshops or awareness program against sexual harassment carried out;
 - e. Nature of action taken by the employer.
4. The identity and address of the aggrieved person, respondent and witnesses must not be published or disclosed to the public or media.
5. The decision of Company shall be final and binding on all. However, the same is without prejudice to any recourse that Company or the individual concerned may have against the respondent and it shall not limit or restrict the rights of the Complainant and/or Company to pursue, nor shall they be precluded from pursuing, such further and other legal actions as may be available.

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INTERNAL COMPLAINTS COMMITTEE

| Sl | Name | Designation | Membership |
|----|-----------------------|-------------------|-------------------|
| 1 | Ms. Mona K Bahadur | Company Secretary | Presiding Officer |
| 2 | Mr. Abhay Sinha | GM - HR | Member |
| 3 | Mr. S N Shukla | GM – Development | Member |
| 4 | Ms. Arunima Choudhary | Executive | Member |
| 5 | Ms. Anita Ghosh | Executive | Member |
| 6 | Mr. Pradeep | Lawyer | Member |

Approved by CEO & Director



Sanjay Tiku
CEO & WT. Director
DIN - 00300566