

## **POLICY ON PREVENTION AND REDRESSAL OF WORKPLACE SEXUAL HARASSMENT**

### ***Overview***

This policy on prevention and redressal of workplace sexual harassment ("**POSH Policy**") will be applicable to the office(s) of **ROOFSOL HOMES PRIVATE LIMITED** ("**Company**") in India.

This POSH Policy has been framed in consonance with applicable law and has been introduced to prohibit, prevent, and redress grievances of workplace sexual harassment of women in a time-bound and sensitive manner.

### ***Meaning of Sexual Harassment***

Sexual Harassment means any one or more of the following unwelcome acts or behaviour:

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

Further, the following circumstances may amount to Sexual Harassment if it occurs or is present in relation to any other act of Sexual Harassment:

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

### ***Prohibition of Sexual Harassment at the Workplace***

The Company has a 'zero-tolerance' approach to any instance of Sexual Harassment. Sexual Harassment of women at Company's workplace(s), whether during or after working hours, is strictly prohibited under the law and this policy. For the purpose of this POSH Policy, it is clarified that 'workplace' also includes any place visited by an employee arising out of or during the course of employment, including transportation that may be provided by the Company.

## **Roles & Responsibilities of the Employers/Employees:**

It is the responsibility of all to respect the rights of others and to never encourage harassment.

It can be done by:

- a. Refusing to participate in any activity which constitutes harassment
- b. Supporting the person to reject unwelcome behavior
- c. Acting as a witness if the person being harassed decides to lodge a complaint.

All are encouraged to advise others of behavior that is unwelcome. Often, some behaviors are not intentional. While this does not make it acceptable, it does give the person behaving inappropriately, the opportunity to modify or stop their offensive behavior.

## ***Internal Committee<sup>1</sup>***

The Company has constituted an Internal Committee (“**IC**”) to investigate allegations of Sexual Harassment at the Company’s workplace. The Company reserves the right to add to, remove or replace the IC members from time to time.

Current nominated members of the committees are given in **Annexure A**.

## ***Complaint***

Any woman who alleges to have been subjected to any act of Sexual Harassment at the workplace may make a complaint to the IC. The aggrieved woman may request the IC to provide reasonable assistance for making the complaint in writing. In case the complainant is under any physical or mental incapacity, the complaint can be made by the legal heir or any other person authorized in writing by the complainant.

The complaint should be made in writing or via email to the IC as soon as possible, not later than 3 months from the date of occurrence of the incident alleged to constitute Sexual Harassment (in case of a series of incidents, within a period of 3 months from the date of the last incident). The IC may extend the time limit, not exceeding 3 months, if it is satisfied that there were unavoidable circumstances which prevented the aggrieved woman from filing a complaint within the said period.

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<sup>1</sup> **Note** : Please note that per the POSH Act, every IC must at least be comprised of the following members: i) A Presiding Officer: a woman employed at a senior level in the workplace; ii) Members: Not less than 2 members who are employees, preferably committed to the cause of women or who have experience in social work or have legal knowledge; and iii) External member: 1 member from non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to Sexual Harassment. At least one-half of the members of the IC are required to be women.

Hard-copy complaints should be submitted to **1003 & 1703, Lodha Supremus, Saki Vihar Rd, Powai, Tunga Village, Andheri East, Mumbai, Maharashtra 400072** and email complaints should be sent to - **ajantapal@hotmail.com**

All complaints, whether in hard-copy or email form, should be clear and should include details of the incident or incidents, supporting documents, names of individuals involved and the names and addresses of the witnesses.

On receipt of the complaint, the IC shall send one of the copies received from the aggrieved woman to the respondent within a period of 7 working days. The respondent shall file a reply to the complaint along with a list of documents, and names and addresses of witnesses, within a period not exceeding 10 working days from the date of receipt of the complaint.

If the complainant would like to initiate action under The Bharatiya Nyaya Sanhita (BNS), she may inform the IC of the same, and the Company shall provide necessary assistance to file such a complaint.

### ***Conciliation***

Before the IC initiates an inquiry into the complaint, the complainant may request the IC to settle the matter between the complainant and the respondent through conciliation before initiating an inquiry. However, no monetary settlement shall be made on the basis of the conciliation. In the event a settlement has been reached, a further inquiry shall not be conducted.

### ***Inquiry***

All claims of Sexual Harassment will be promptly and thoroughly investigated by the IC in accordance with the principles of natural justice and the provisions of law. Neither the complainant nor the respondent shall be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the IC.

In the event that the complainant or respondent fails to appear before the IC without sufficient cause for 3 consecutive hearings, the IC shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complainant.

The IC shall submit an enquiry report to the Company's authorized representative upon conclusion of the inquiry. The report of the IC shall be deemed to be the enquiry report for purposes of any disciplinary rules applicable to the employee against whom a complaint of Sexual Harassment was made. Where the IC determines that the allegation against the respondent has been proven, it may recommend to the Company to take action for Sexual Harassment as misconduct in accordance with the provisions of the Company's applicable policies and applicable law.

### **Manner of inquiry into complaint:**

- Complainant should submit the complaint along with supporting documents and the names of the witnesses
  - Upon receipt of the complaint, the committee sends 1 copy of the complaint to respondent within 7 working days
  - Respondent replies with all supporting documents within 10 working days of receiving the copy of the complaint
  - No legal practitioner can represent any party at any stage of the inquiry procedure
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- The Complaints Committee makes inquiry into the complaint in accordance with the principles of natural justice
  - In conducting the inquiry, a minimum of three committee members including the Presiding Officer is present

### **Inquiry procedure:**

All proceedings of the inquiry are documented. The Committee interviews the respondent separately and impartially. Committee states exactly what the allegation is and who has made the allegation.

The respondent is given full opportunity to respond and provide any evidence etc. Detailed notes of the meetings are prepared which may be shared with the respondent and complainant upon request. Any witnesses produced by the respondent are also interviewed & statements are taken. If the complainant or respondent desires to cross examine any witnesses, the Committee facilitates the same and records the statements.

In case complainant or respondent seeks to ask questions to the other party, they may give them to the Committee which asks them and records the statement of the other party. Any such inquiry is completed, including the submission of the Inquiry Report, within 90 days from the date on which the inquiry is commenced. The inquiry procedure ensures absolute fairness to all parties.

### **Considerations while preparing inquiry report:**

- While preparing the findings/recommendations, following are considered: •
- Whether the language used (written or spoken), visual material or physical behavior was of sexual or derogatory nature
  - Whether the allegations or events follow logically and reasonably from the evidence
  - Credibility of complainant, respondent, witnesses and evidence
  - Other similar facts, evidence, for e.g. if there have been any previous accounts of harassment pertaining to the respondent
  - Both parties have been given an opportunity of being heard
  - A copy of the proceedings were made available to both parties enabling them to make representation against the findings.

A copy of the final findings is shared with the complainant and the respondent to give them an opportunity to make a representation on the findings to the committee. Action to be taken after inquiry. Post the inquiry the committee submits its report containing the findings and recommendations to the employer, within 10 days of completion of the inquiry.

The findings and recommendations are reached from the facts established and is recorded accurately. If the situation so requires, or upon request of the complainant, respondent or witness, Management at Roofsol Homes Private Limited may decide to take interim measures such as transfer, changing of shift, grant of leave etc. to protect against victimization or distress during or subsequent to the course of inquiry, pending the final outcome.

If the allegation against the Respondent has not been proved, the Committee may recommend not to take any action in the matter.

If the IC arrives at the conclusion that the allegation against the Respondent has been proved, it shall recommend to the Employer to consider sexual harassment as a misconduct and take action in accordance with the provisions of the Service Rules of the Company.

### **Malicious Allegations:**

Where the committee 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 employer to take action against the woman or the person making the complaint.

The action recommended should be similar to the ones proposed for the respondent in case of substantiated complaints. While deciding malicious intent, the committee should consider that mere inability to substantiate a complaint need not mean malicious intent. Malicious intent must be clearly established through a separate inquiry.

### ***Confidentiality***

Complaints of Sexual Harassment shall be treated with sensitivity and confidentiality. Contents of the complaint, the identity and addresses of the complainant, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the IC and the action taken by the Company shall be treated as confidential.

***Information***

Please contact [harsh.jani@roofsol.com](mailto:harsh.jani@roofsol.com) & [priyank.jain@roofsol.com](mailto:priyank.jain@roofsol.com) for any questions or further guidance in relation to this POSH Policy.

***Modifications***

The Company reserves the right to alter, add to, vary or substitute any of the provisions of the POSH Policy at any time. If any of the provisions contained herein are found to be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired.

**Internal Complaints Committee -ROOFSOL HOMES PRIVATE LIMITED**

**Presiding Officer – Mrs. Ajanta Pal**

**Member - Mr. Priyank Jain**

**Member – Ms. Aditi Kolhe**

**Member - Ms. Namrata Tambe**

**External Member – Ms. Rikita Shah**