



## ANTI SEXUAL HARASSMENT POLICY IN NARMADA CLEAN TECH

At Narmada Clean Tech, we believe that all the employees should work with dignity and respect, and there should not be any gender bias in the organization. We have accordingly created fair, safe and harmonious relations between the employees of the organization.

Our organization also strives to make environment safe for women in order to protect them against sexual harassment at the workplace. In accordance with this initiative we have framed an anti sexual harassment policy, pursuant to the “Sexual harassment of women at workplace (Prevention, Prohibition and redressal) Act, 2013”, which came into force from 9<sup>th</sup> December, 2013.

### SCOPE:

The Policy extends to all categories of employees of Narmada Clean Tech and their associates, irrespective of their appointments on the regular, contractual or on daily wages basis and the policy also extends to the employees of the clients or contractor who works on the premises of the organization.

### DEFINITIONS:

#### ❖ Sexual harassment:

- Sexual harassment includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely;
  - Physical contact and advances; or
  - A demand or request for sexual favors; or
  - Making sexually colored remarks or;
  - Showing pornography; or
  - Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;
- Over and above the said activities, if the following conduct are found anywhere in the organization, it is also considered as sexual harassment;
  - Implied or explicit preferential treatment in her employment; or
  - Implied or explicit threat of detrimental treatment in her employment; or
  - Implied or explicit threat about her present or future employment status; or
  - Interference with her work or creating an intimidating or offensive or hostile work environment for her; or
  - Humiliating treatment likely to affect her health or safety.



❖ **Aggrieved women:** aggrieved women means;

- In relation to a workplace, a women, of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent; (“**Victim**”)

❖ **Employee:**

- 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 principle employer, whether for remuneration or not, or working on a voluntary basis or otherwise, whether the terms of employment are expressed or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name;

❖ **Workplace:**

- Workplace includes any department, organization, undertaking, establishment, enterprise, institution, office, branch or unit which is established, owned, controlled by the company or any units wholly or substantially financed by funds provided directly or indirectly by the appropriate government or the local authority or a government company
- 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.

❖ **Employer:**

- Employer means management of Narmada Clean Tech in relation to any department, organization, undertaking, establishment, enterprise, institution, office, branch or unit. the head of that department, organization, undertaking, establishment, enterprise, institution, office, branch or unit or such other officer, as the case may be;
- Any workplace not covered under above mentioned clause , any person responsible for the management, supervision and control of the workplace.
- In relation to workplace covered under both the above mentioned clauses , the person discharging contractual obligations with respect to his or her employees.



## DUTIES OF EMPLOYER

Following are the duties of the employer to make the environment of an organization free from misconduct.

- To maintain a safe working environment in the organization
- To display in the organization at conspicuous locations of workplace, the penal consequences of sexual harassment.
- To organize awareness program at the workplace about the anti sexual harassment policy.
- To provide assistance to the women to file a complaint with the local authority against sexual harassment incidents
- To include the sexual harassment policy in the service rule by treating the sexual harassment as misconduct and also providing for action against such misconduct.

## Preventive Steps

NCT has promoted necessary actions in the organization for prevention of sexual harassment;

- All working areas are easily approachable and illuminated adequately.
- Adequate number of women's toilets are provided in the work places.
- All individual work locations like cabins / closed offices have been provided with see through glass windows.
- We also promote the policy by improving the awareness of employees on this subject.
- We provide transportation facilities to employees to reach at home timely & safely.
- We are not allowing the women to work in any odd shift timing, etc.



## INTERNAL COMPLAINT COMMITTEE:

The Company has framed the internal complaint committee to handle the cases of sexual harassment, the procedure of the committee is time bound and all the cases referred in the committee are required to be disposed within the time limit as prescribed.

The Company has formed the committee with the following four members out of which half of the committee members are women.

Mr Alok Kumar, CEO, : Presiding officer

**Mrs Preksha Pandya, HR Head, : Member**

Mr Magan A Sanpa, Sr Manager, Member

**Mrs Meenakshi Bhardwaj, Member (NGO)**

## MECHANISM FOR REDRESSAL PROCEDURE

When any cases of misconduct arise in the organization, the company has framed internal complaint committee to deal with these cases.

Two types of mechanism are established in the organization to resolve such cases;

### INFORMAL PROCESS:

For any case arising out of sexual harassment in the organization, the victim should warn the respondent to behave in decent manner.

On warning from the victim, if the respondent does not behave in a decent manner then such case should be referred to the internal complaint committee and committee shall take the further actions to resolve the case.

### REDRESSAL MECHANISM

This is the formal procedure to redress the complaint.

The victim, on misconduct by a person in the organization (“the respondent”), shall make the complaint in writing to the presiding officer of internal complaint committee along with full details including name, contact number and position so that the presiding officer can easily reach to the victim.

The complaint should be in the sealed cover and should be directed to the presiding officer of internal complaint committee, or the complaint can be emailed by mailing [at alok.kumar@nctc.co.in](mailto:at alok.kumar@nctc.co.in).

The victim should make the complaint to the presiding officer of committee within a period of three months from occurrence of incident. The committee has also power to extend such period of three months to



further three months if it finds that the victim was unable or prevented in any way to make such a complaint.

In case the victim is physically or mentally unable, or in case of death of the victim, the legal heirs of the victim have the power to make the complaint.

On receipt of complaint from the victim, the committee takes the following steps to resolve the complaint.

The committee on initiating the procedure to resolve the matter, gives an option to the victim either to make the conciliation with the respondent or to inquire into the matter.

If the victim opts for the conciliation, the committee arranges to listen to both the parties and allow the parties to settle the matter. If both the parties agree to settle the matter, the committee records the settlement so arrived between the parties, and forwards the settlement details to the management to take the action accordingly.

But, if the circumstances arise that the respondent does not follow the settlement condition then the committee takes the necessary action against the respondent at the discretion of management.

If the victim is not ready to settle the matter through conciliation procedure, the committee takes the action to inquire into the matter.

### **Inquiry into the complaint:**

When the victim opts for inquiry, the committee initiates actions accordingly,

The committee has the power to summon both the parties and enforce their attendance during the inquiry procedure, allowing both the parties to produce their documents, witness, if any. The procedure of inquiry should be completed within a period of 90 days.

After completion of inquiry, the internal complaint committee should submit the inquiry report to the management within 10 days of completion of inquiry. The report should also be made available to both the parties.

If the committee arrives at the conclusion that there is no case of misconduct with the Complainant, then no such case arise for harassment, and the committee recommends to the management that no actions are required to be taken in the matter.

If the committee finds that there is indeed a case of misconduct with the victim then the actions are required to be taken against the respondent. The action against the respondent is taken at the discretion of management. The committee is required to take the action as directed by the management within 60 days.

Action against the respondent may be in the form of formal written apology by the respondent, or transfer at any other place of employment, demotion from the post, and suspension from employment or termination from the employment. The decisions for action against the respondent are only at the discretion



of management. The action taken by the management is on the basis of seriousness of the misconduct with the victim.

The procedure of inquiry along with the finding and recommendation are required to be strictly confidential. The matter should not be accessible to any associate in the organization or to public.

If the internal complaint committee finds that there is a specific type of misconduct which is required to be forwarded to the appropriate local authority, the complaint should be resolved by that authority instead of the management of the organization as provided in “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013”.

The committee also takes the action against the complainant, if the committee finds that the complaint is false and malicious.

## **Action by the management to restore the dignity and respect of Victim**

If the committee proves the misconduct with the victim, the management takes the following action as a part of responsibility towards victim to restore her dignity and respect in the organization.

- Ensure that the victim is at a safe workplace.
- To compensate the victim in case the victim suffers from mental and emotional distress, if such misconduct affects the career opportunity, or it affects the income and financial status at such time the adequate compensation will be offered to the victim.
- If the victim is affected physically, the management will bear the expense to restore the position of the victim to normalcy.
- To grant adequate leave to the victim to restore normalcy.
- If anyone is found discriminating against the victim, then the action is taken against such person by the management.



## COMPLIANCE BY THE COMPANY:

- The procedure related to the complaint is confidential and no one is authorized to access the data except the management, committee and concerned person of the case.
- The Internal Complaint Committee is required to prepare the annual report in each calendar year, the report should consist of number of cases arise in an organization for sexual harassment and disposal of such cases.
- The internal Complaint Committee shall submit such information to the management of the organization.
- The details of number of cases of harassment and disposal of such cases are required to be included in the Annual Report of the organization.

## CONCLUSION:

This Policy is applicable to all the employees of Narmada Clean Tech including temporary employees or employees on contractual basis or any person / client visiting the workplace of an organization.

The policy shall be strictly followed in the organization and is applicable to all persons irrespective of their positions.

The Company through this policy ensures healthy and safe environment in the organization and allows all the employees to work with dignity and respect.

Rev 02/Feb 14, 2017

*Megha Soni, member replaced by Preksha Pandya*

**Chief Executive Officer  
Narmada Clean Tech**