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VLCC HEALTH CARE LTD

Corp. Office: Magnum City Centre, 2nd Floor,
Sector - 63A, Golf Course Extension Road,
Gurgaon, Haryana - 122011

regd.office@vlccgroup.com

+91 124 4719700

www.vlcc.in

VLCC

VLCC HEALTH CARE LIMITED

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POLICY ON PREVENTION OF SEXUAL HARRASMENT OF WOMAN AT WORKPLACE

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POLICY ON PREVENTION OF SEXUAL HARASSMENT OF WOMEN ATWORKPLACE

1. INTRODUCTION & OBJECTIVE

- a. VLCC is an equal employment opportunity Company and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and in a harassment free workplace to all employees without regard to race, caste, religion, colour, ancestry, marital status, gender, age, nationality, ethnic origin or disability. The Company also believes that all employees of the Company have the right to be treated with dignity. Sexual harassment at the work place or other than work place if involving an employee or employees is a grave offence and is therefore, punishable.
- b. At VLCC, all employees are expected to uphold the highest standards of ethical conduct at the workplace and in all their interactions with business stakeholders. This means that employees have a responsibility to:
 - Refrain from any unwelcome behaviour that has sexual connotation (of sexual nature)
 - Refrain from creating hostile atmosphere at workplace via sexual harassment
 - Report sexual harassment experienced and/or witnessed to appropriate authorities and abide by the complaint handling procedure of the Company.
- c. This policy has been framed in accordance with the provisions of "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013" and rules framed thereunder. Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail. If any aspect relating to sexual harassment not explicitly covered in this policy is provided for by the law, then the law will be applicable. In case of any conflict between the policy and the law, the law will prevail.
- d. This policy provides protection against sexual harassment of women at workplace and the prevention and redressal of complaints of sexual harassment and matters related to it.

This version of the policy is effective from 15th February 2024 and supersedes all prior policies and communication on this matter.

2. COVERAGE & DEFINITIONS

2.1 Coverage: This policy is applicable to all employees of the Company. All contract employees, retainers, subcontractors, trainees, apprentices, ad hoc or daily wage basis, probationer, vendors, fixed time hires and third party personnel who visit and/ or work in the Company premises. The Company prohibits harassment, discrimination, and retaliation in the workplace and in any work-related setting outside the workplace, such as during business trips, meetings, and business-related social events.

2.2 Definitions:

- a. **Aggrieved Woman** means any Woman Employee of any age whether employed or not, who alleges to have been subjected to any act of sexual harassment by another employee (hereinafter referred to as 'Respondent') and who has lodged a written complaint of Sexual harassment.
- b. The "Workplace" includes:
 - i. All offices or other premises where activities in relation to the Employer's business are undertaken or conducted including but not limited to Office/Company or other premises, or any other place away from Company's premises.

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- ii. Any place visited by an employee arising out of or during the course of employment including transportation provided by the Employer for undertaking such journey. (Hereinafter collectively referred to as "**Workplace**"). The meaning of Workplace shall also cover any sexual harassment through online medium in connection with official obligations while working from home.
- c. **Employee:** A person employed at a workplace for any work on 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 co- worker, a contract worker, probationer, trainee, apprentice or called by any other such name
- d. **Employer:** Shall mean Head of the Company or any person or persons who is/are responsible for the management, supervision and control of the workplace and management includes the person or board or committee responsible for formulation and administration of policies for such Company.
- e. **Respondent:** A person against whom the Aggrieved Woman has made a complaint.
- f. **Complainant:** The person reporting an incident of sexual harassment of self or another colleague(s).
- g. **Internal Committee (IC):** An Internal Committee constituted by the Employer of a workplace where total number of employees is 10 or more to handle such cases.

3. POLICY

3.1 Sexual harassment may be one or a series of incidents involving, unsolicited and unwelcome sexual advances, requests or demand for sexual favours, or any other verbal or physical conduct of sexual nature. Sexual harassment at workplace shall include but not limited to, any unwelcome sexually determined behaviour (whether directly or by implication):

a. Physical Harassment shall include but not limited to:

- i. Physical contact and advances
- ii. Intentional touching, pinching, grabbing, brushing against someone else
- iii. Sexual assault
- iv. A demand or request for sexual favours; or making sexually coloured remarks
- v. Cornering, trapping or blocking another's pathway

b. Verbal Harassment shall include but not limited to:

- i. Gesture based harassment & sexually colored remarks
- ii. Making sexually suggestive or off color comments, threats, slurs, sexual propositions
- iii. Sexual jokes or teasing, sexually coloured gender specific joke
- iv. Comments about how someone looks, especially physically
- v. Catcalls, whistles

c. Written or Graphic Harassment shall include but not limited to:

- i. Showing pornography
- ii. Written material that is sexual in nature such as letters, email, notes etc. containing a sexual comment
- iii. Leering or staring at someone and sexually suggested gesturing
- iv. Displaying sexually visual material such as cartoons, computer programs/ applications, catalogues of sexual nature etc.

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d. 'Quid pro quo' & 'hostile work environment' sexual harassment shall include but not limited to:

- i. A demand or request for sexual favours over promises related to employment such as work conditions, promotion, increments or in any other context
- ii. Implied or explicit promise of preferential treatment in her employment
- iii. Implied or explicit threat about her present or future employment status
- iv. Interference with her work creating an intimidating or offensive or hostile work environment for her
- v. Humiliating treatment likely to affect her health or safety

Any other unwelcome physical, verbal or non-verbal conduct of Sexual orientation or nature.

4. PROCEDURES AND GUIDELINES

4.1 INTERNAL COMMITTEE (IC)

4.1.1 In line with the provisions of the Act and Rules, the Company has set up the Internal Committee ("Committee") at each administrative units or office of the said Company, to redress Complaints of Sexual Harassment. The Committee would work towards preventing and prohibiting inappropriate, intimidating, or otherwise offensive sexually-related conduct towards Women Employees of the Company.

4.1.2 **Constitution of the Committee:** The constitution of the IC as per the Act consists of the following members: Please refer Annexure 1 for IC member's details.

- i. **Presiding Officer**, a woman employed at a senior level
- ii. at least two members from amongst employees, preferably committed to the cause of women or who have had experience in social work or have legal knowledge.
- iii. One member from amongst Non-Governmental Organizations (NGO) or an Association committed to the cause of women or a person familiar with the issues relating to sexual harassment. ("**Independent Member**").

Provided however at least one half of the total members of the Committee shall be women. The persons referred to under Para (ii) and (iii) of 4.1.2 above shall hereinafter referred to as "Members".

4.1.3 A **quorum** of three (3) Members is required to be present for the proceedings to take place. The quorum must include the Presiding Officer, and at least two (2) Members, one of whom shall be a Woman.

4.1.4 Every member including the Presiding Officer of the Committee shall hold office **for 3 years** from the date of nomination as may be specified by the Employer.

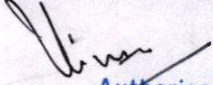
4.1.5 The Employer may delegate the power to the Committee comprising Managing Director & Group CEO, Chief Financial Officer and Chief Business Officer to change the committee members from time to time, and can also nominate the names of other members for a particular enquiry, in case any of the members is interested, biased, victim or non-available for attending the enquiry, in that particular case.

4.1.6 The Employer should display/notify, at any conspicuous place in the workplace, the name and contact details of all the Members of the Committee, from time to time to enable the Aggrieved Woman to file the complaint.

4.1.7 The committee shall be responsible for:

- i. Receiving complaints of sexual harassment at the workplace
- ii. Initiating and conducting inquiry as per the established procedure
- iii. Submitting findings and recommendations of inquiries
- iv. Coordinating with the Employer in implementing appropriate action

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- v. Maintaining strict confidentiality throughout the process as per established guidelines
- vi. Submitting annual reports in the prescribed format.

4.2 SEXUAL HARASSMENT REDRESSAL PROCESS

4.2.1 Filing of Complaint:

In order to ensure that a free and fair investigation takes place without any prejudice to any of the parties, the following guidelines must be followed:

- a. Any Woman Employee i.e an Aggrieved Woman who has been subjected to any act of Sexual Harassment at the Workplace may file a written complaint of Sexual Harassment ("**Complaint**") before the Committee within a period 3 (three) months from the date of the incident. Further, in the case of a series of instances of Sexual Harassment, a complaint may be filed within a period of 3 (three) months from the date of occurrence of the last incident. The Aggrieved Woman shall submit 6 (six) copies of the complaint to the Committee along with documentary proof, oral or written material, etc., name and addresses of the witnesses (if any), to substantiate the complaint.
- b. The aforesaid period not exceeding 3 (three) months for filing of complaint by an Aggrieved Woman, may be extended by the Committee, if the Committee is satisfied that the circumstances were such, which prevented the Aggrieved Woman from filing the complaint within the aforementioned period. Further, the Committee is required to record the reasons for delay in filing of the complaint by the Aggrieved Woman in writing.
- c. Complaints expressed anonymously WILL NOT BE investigated.
- d. Where the complaint by the Aggrieved Woman cannot be made in writing, the Presiding officer or any Member of the Committee shall render all reasonable assistance to the Aggrieved Woman for making the complaint in the writing.
- e. Where the Aggrieved Woman is unable to make the complaint due to her mental or physical incapacity or death or otherwise, complaint may be filed by:
 - i. her relative or friend;
 - ii. a special educator;
 - iii. a qualified psychiatrist or psychologist;
 - iv. the guardian or authority under whose care she is receiving treatment or care;
 - v. any person who has the knowledge of the incident
 - vi. any person who has the knowledge of the incident with the written consent of her legal heir, in case of death of the Aggrieved Woman.
- f. Upon receipt of a complaint from an Aggrieved Woman the Committee shall hold a meeting with the Aggrieved Woman within five (5) days of the receipt of the complaint, but no later than seven (7) days in any case.
- g. On receiving complaint, the Committee may advise the alleged harasser to refrain from contacting the Aggrieved Woman, even if they share work relationship that needs contact or communication in the discharge of their duties. In such circumstances, the contact and communication shall only be held via their Managers.

4.2.2 Settlement and Conciliation

- a. The Committee may, before initiating an inquiry and at the request of the Aggrieved Woman take steps to settle the matter through conciliation, provided that no monetary settlement shall be made as a basis of conciliation.

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- b. After the matter has been settled between the Aggrieved Woman and Respondent, the Committee shall record the terms of the settlement and send a copy of the same to the Employer to take such necessary actions as may be recommended by the Committee. Copies of the settlement shall also be provided to the Aggrieved Woman and the Respondent.
- c. In cases where a settlement has been reached no further inquiry shall be conducted by the Committee. However, if the terms of the settlement have not been complied with by the Respondent, the Committee shall initiate an inquiry in relation to the complaint immediately.

4.2.3 Investigation & Inquiry Process

- a. In case the Aggrieved Woman does not wish to settle in accordance with Para 4.2.2 above, the Committee shall initiate a formal inquiry into the complaint and take appropriate steps for resolving the complaint. The Committee shall upon initiation of an inquiry communicate the same to both the Aggrieved Woman and the Respondent.
- b. The Committee will hold a meeting with the Aggrieved Woman within 5 (five) days of the receipt of the complaint, but not later than 7 (seven) days from receipt of a complaint. The Committee shall hear the Aggrieved Woman and record the allegations. The Committee shall prepare a statement of the allegations made by the Aggrieved Woman and provide the Respondent with a copy of the complaint within 7 (seven) working days from the date of receipt of the complaint by the Aggrieved Woman.
- c. The Respondent, shall file his reply along with all supporting documents, names and addresses of the witnesses within 10 (ten) working days from the date of receipt of the complaint.
- d. During the course of inquiry, both the parties will be given an opportunity of being heard. The Committee shall record its finding with reasons and shall provide both the Aggrieved Woman and Respondent with copies of the findings of the Committee to enable them to make their representations against the findings of the Committee.
- e. The Aggrieved Woman and Respondent shall file their representations within 10 (ten) days of receipt of the findings of the Committee.
- f. The Committee shall conduct the inquiry based on the representations filed by the Aggrieved Woman and the Respondent and shall call upon all witnesses, if any, mentioned by both the parties in their respective representations.
- g. The Committee shall conduct the inquiry in accordance with the Principles of natural justice.
- h. In this process it should be ensured that at all times the dignity of both the Aggrieved Woman and the Respondent is respected and the matter conducted in strict confidentiality.
- i. The Committee shall complete the inquiry within 90 (ninety) days from the date of receipt of the complaint.
- j. The Inquiry report has to be issued within 10 days from the date of completion of inquiry by the Committee. The report will be submitted not only to the Employer but also a copy of the same shall be submitted to the Aggrieved Woman and Respondent.
- k. Committee may give their recommendations to the Employer and the final decision i.e. whether the charges are proved, what is the severity and what punishment should be given will be decided by him who is an independent entity.
- l. During the conduct of an inquiry in relation to a complaint filed by an Aggrieved Woman, the Committee shall have the same powers as are vested in a civil court under the Civil Procedure Code, 1908 when trying a suit in respect of the following matters:
 - i. summoning and enforcing attendance of any person and examining him/her on oath;

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- ii. requiring the discovery and production of documents; and
- iii. any other matter as may be prescribed under the Act and the Rules made thereunder.
- m. The Committee shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the Complaint, if the Complainant or Respondent fails, without sufficient cause, to present themselves, for 3 (three) consecutive hearings convened by the Presiding Officer. Provided that such termination or ex-parte order may not be passed without giving a notice in writing, 15 (fifteen) days in advance, to the party concerned.
- n. The Complainant and the Respondent shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the POSH Committee.

4.2.4 Reliefs to the Aggrieved Woman during pendency of inquiry:

The Committee may, during the pendency of the inquiry, upon receipt of a written request from the Aggrieved Woman, recommend to the Employer to grant the following reliefs to the Aggrieved Woman:

- i. transfer the Aggrieved Woman or Respondent to another workplace; or
- ii. grant leave to the Aggrieved Woman (other than as the Aggrieved Woman is entitled to as per Employer's leave policy) upto a period of 3 (three) months; or
- iii. grant such other relief to the Aggrieved Woman as may be prescribed by the Committee and/or the applicable provisions of the Act.
- iv. Prevent the respondent from assessing her work performance.

The Committee, at the written request of the Aggrieved Woman, may recommend to restrain the Respondent from reporting on the work performance of the Aggrieved Woman or writing her confidential report.

4.2.5 Recommendations by the Committee

- a. If the Committee arrives at the conclusion that the allegation against the Respondent has not been proved, it shall recommend to the Company that no action is required to be taken in the matter.
- b. If the allegation against the Respondent has been proved, the Committee may recommend the Employer to take actions for Sexual Harassment as a misconduct in accordance with the service rules if applicable or where no service rules exists, recommend the following actions:
 - i. A written apology
 - ii. Warning
 - iii. Reprimand or censure
 - iv. Withholding of promotion
 - v. Withholding of pay rise or increments
 - vi. Termination of service of the Respondent
 - vii. Providing counselling session to the Respondent
 - viii. Making Respondent to carry out any community service
 - ix. To deduct such amount as it may consider appropriate from the salary or wages of the Respondent to be paid to the Aggrieved Woman determined in accordance with the applicable provisions of the Act and Rules.

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4.2.6 Complaints made with malicious intent

- a. In the event, the Committee arrives at the conclusion that the complaint made by the Aggrieved Woman or any other person making the complaint, is malicious or false or the Aggrieved Woman has produced any forged or misleading document appropriate disciplinary action may be taken by the Employer.

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- b. Where the Committee arrives at a conclusion that any witness has given false evidence or produced any forged or misleading document, action will be taken against them as well.
- c. The POSH Act further clarifies that the mere inability to substantiate a complaint or provide adequate proof need not mean that the complaint is false or malicious.

4.3 INQUIRY REPORT AND IMPLEMENTATION

- a. Upon completion of an inquiry, the Committee shall provide a copy of the report to the Employer within a period of 10 (ten) days from the date of completion of the inquiry.
- b. The Employer will direct appropriate action (as specified under section 4.2.5) in accordance with the recommendations proposed by the Committee and act upon the recommendations of the Committee within 60 (sixty) days of receipt of the report by her. A copy of the report shall also be provided to the Aggrieved Woman and the Respondent.
- c. Upon receipt of a report in the manner specified above, the Employer shall implement the recommendation of the Committee as specified in the report, within the timeframes mentioned above, and thereafter within 10 (ten) days of implementation, provide the Committee with a report confirming such implementation.

4.4 GRIEVANCE ARISING ON ACCOUNT OF SEXUAL HARASSMENT FROM A THIRD PARTY

Where sexual harassment occurs as a result of an act or omission by any third party or outsider, Company, will take all steps necessary to assist the affected employee in terms of support and preventive action required.

4.5 SUBMISSION OF ANNUAL REPORT BY THE COMMITTEE

- a. The Committee shall in each calendar year, prepare and submit an annual report with respect to the complaints of Sexual harassment, in such form as prescribed as per the provisions of the Act and Rules, to the Employer and the District officer.
- b. The annual report to be submitted by the Committee shall include the following details:
 - i. number of complaints of sexual harassment received in the year;
 - ii. number of complaints disposed off during the year;
 - iii. number of cases pending for more than 90(ninety) days;
 - iv. number of workshops or awareness program against the Sexual harassment carried out;
 - v. nature of action taken by the Employer or the District officer.

4.6 PROTECTION AGAINST RETALIATION

- a. Regardless of the outcome of the complaint made in good faith, the employee lodging the complaint and any person providing information or any witness, will be protected from any form of retaliation.
- b. While dealing with complaints of sexual harassment, the Committee shall ensure that the Complainant or the witness are not victimized or discriminated against by the accused.
- c. Any unwarranted pressures, retaliatory or any other type of unethical behavior from the Respondent against the Complainant while the investigation is in progress should be reported by the Complainant to the Committee as soon as possible.
- d. Disciplinary action will be taken by the Committee against any such complaints which are found genuine.

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5. CONFIDENTIALITY

- a. Recognizing the sensitivity attached to matters pertaining to sexual harassment, the Act attaches significant importance to ensuring that the complaint and connected information are kept confidential. The Act specifically stipulates that information pertaining to workplace Sexual harassment shall not be subject to the provisions of the Right to Information Act, 2005.
- b. The Act further prohibits dissemination of the contents of the complaint, the identity and addresses of the Complainant, Respondent, Witnesses, any information relating to conciliation and inquiry proceedings, recommendations of the IC and the action taken to the public, press and media in any manner.
- c. Breach of the obligation to maintain confidentiality by a person entrusted with the duty to handle or deal with the complaint or conduct the inquiry, or make recommendations or take actions under the statute, is punishable in accordance with the provisions of the service rules applicable to the said person.

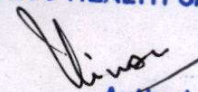
6. APPEAL

Any person aggrieved by the recommendation of IC may prefer an appeal under the relevant provisions of the Act and Rules.

7. AMENDMENT

This Policy can be amended / modified withdrawn at any point of time without any notice, at the discretion of the Employer.

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Annexure 1

INTERNAL COMMITTEE UNDER SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) ACT, 2013

The Company has constituted an IC in compliance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

In case of any complaints / grievance relating to the above, please get in touch with the following presiding officer / members:

Name	Designation	Contact Number	Email ID.
Monika Arora	Presiding Officer	9810604830	monika.arora@vlccgroup.com
Pooja Kohli	IC Member	9999815200	pooja.kohli@vlccgroup.com
Roopam Sondhi	IC Member	9350104187	roopam.sondhi@vlccgroup.com
Rupesh Ranjan	IC Member	8527888467	rupesh.ranjan@vlccgroup.com
Vanessa Singh	IC External Member	981037447	vanessa@brb-legal.com

