

INDO BORAX & CHEMICALS LIMITED

POLICY ON PREVENTION OF SEXUAL HARASSMENT AT WORKPLACE

I. COMMITMENT:

Indo Borax & Chemicals Limited (“**Company**”) is committed to providing work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment.

The Company is also committed to promoting a work environment that is conducive to the professional growth of its 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 employees are not subjected to any form of harassment.

II. SCOPE:

This policy applies to all categories of employees of the Company, including permanent employees and workmen, temporaries, trainees and employees on contract (“**POSH Policy**”). The Company will not tolerate sexual harassment, if engaged in by clients or by suppliers or any other business associates.

The workplace includes:

1. Head office or factory, 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 OF SEXUAL HARASSMENT:

Sexual harassment may be one or a series of incidents involving unsolicited and unwelcome sexual advances, requests for sexual favours, or any other verbal or physical conduct of sexual nature (“**Sexual Harassment**”). Sexual Harassment at the workplace includes:

1. unwelcome sexual advances (verbal, written or physical),
2. demand or request for sexual favours,
3. any other type of sexually-oriented conduct,
4. verbal abuse or ‘joking’ that is sex-oriented,
5. any conduct that has the purpose or the effect of interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment and/or submission to such conduct is either an explicit or implicit term or condition of employment and /or submission or rejection of the conduct is used as a basis for making employment decisions.

IV. RESPONSIBILITIES REGARDING SEXUAL HARASSMENT:

All employees of the Company have a personal responsibility to ensure that their behavior is not contrary to the POSH Policy. All employees are encouraged to reinforce the maintenance of a work environment free from sexual harassment.

V. COMPLAINT MECHANISM:

An appropriate complaint mechanism in the form of **Internal Complaints Committee (“IC”)** has been created in the Company for time-bound redressal of the complaint made by the victim.

VI. COMPLAINTS COMMITTEE:

The Company has instituted an IC for redressal of sexual harassment complaint (made by the victim) and for ensuring time bound treatment of such complaints. The Company reserves the right to add to, remove or replace the IC members from time to time.

Initially, and till further notice, the IC will comprise of the following four members out of which at least two members will be of the same gender as that of the complainant:

1. Women Director (**Presiding Officer**)
2. Employee Accounts & Administration Department (**Member**)
3. Factory Manager from factory (**Member**)
4. Member from an NGO/or External Member (**Member**)

The IC is responsible for:

- Investigating claims of sexual harassment in accordance with the principles of natural justice and the provisions of law
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment
- Discouraging and preventing employment-related sexual harassment

VII. PROCEDURES FOR RESOLUTION, SETTLEMENT OR PROSECUTION OF ACTS OF SEXUAL HARASSMENT:

The Company is committed to providing a supportive environment to resolve concerns of sexual harassment as under:

A. Informal Resolution Options

When an incident of sexual harassment occurs, the victim of such conduct can communicate their disapproval and objections immediately to the harasser and request the harasser to behave decently. If the harassment does not stop or if victim is not comfortable with addressing the harasser directly, the victim can bring their concern to the attention of the IC for redressal of their grievances. The IC will thereafter provide advice or extend support as requested and will undertake prompt investigation to resolve the matter. Complaints:

1. 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.
2. An employee with a harassment concern, who is not comfortable with the informal resolution options or has exhausted such options, may make a formal complaint to the Presiding Officer of the IC constituted by the Company. The complaint shall have to be in writing and can be in form of a letter, preferably within 3 months from the date of occurrence of the alleged incident, sent in a sealed envelope. Alternately, the employee can send complaint through an email. 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. The employee is required to disclose their name, department and location they are working in, to enable the Presiding Officer to contact them and take the matter forward.
3. Hard-copy complaints and email complaints should be submitted to one of the members of the IC. 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 complainant 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.

4. 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.

5. The Presiding Officer of the IC will proceed to determine whether the allegations (assuming them to be true only for the purpose of this determination) made in the complaint fall under the purview of Sexual Harassment, preferably within 30 days from receipt of the complaint.

6. In the event, the allegation does not fall under the purview of Sexual Harassment or the allegation does not constitute an offence of Sexual Harassment, the Presiding Officer will record this finding with reasons and communicate the same to the complainant.

7. If the Presiding Officer of the IC determines that the allegations constitute an act of sexual harassment, he/ she will proceed to investigate the allegation with the assistance of the Complaints Committee.

8. 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.

9. The IC shall conduct such investigations in a timely manner and shall submit a written report containing the findings and recommendations to the Women Director as soon as practically possible and in any case, not later than 90 days from the date of receipt of the complaint. 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.

10. The Women Director will ensure corrective action on the recommendations of the IC and keep the complainant informed of the same.

Corrective action may include any of the following:

- a. Formal apology
- b. Counselling
- c. Written warning to the perpetrator and a copy of it maintained in the employee's file.
- d. Change of work assignment / transfer for either the perpetrator or the victim.
- e. Suspension or termination of services of the employee found guilty of the offence

11. In case the complaint is found to be false or malicious, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management up to and including termination of employment. It is hereby clarified that mere inability to substantiate a complaint or provide adequate proof shall not attract action against the complainant.

12. If the complainant would like to initiate action under the Bharatiya Nyaya Sanhita, the Company shall provide necessary assistance to initiate appropriate action.

VIII. CONFIDENTIALITY:

The Company understands that it is difficult for the victim to come forward with a complaint of sexual harassment and recognizes the victim's interest in keeping the matter confidential.

To protect the interests of the victim, the accused person and others who may report incidents of sexual harassment, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate

under the circumstances. If any person entrusted with the duty to handle the complaint, inquiry or any recommendations of the IC, contravenes his/her confidentiality obligation, he/she shall be liable for disciplinary action, in accordance with the provisions of the Company's policies, as applicable.

IX. ACCESS TO REPORTS AND DOCUMENTS:

All records of complaints, including contents of meetings, results of investigations and other relevant material will be kept confidential by the Company except where disclosure is required under disciplinary or other remedial processes.

X. PROTECTION TO COMPLAINANT / VICTIM:

The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action. The Company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment.

However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

XI. MODIFICATIONS

The Company reserves the right to alter, add to, vary or substitute any of the provisions of this 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.

XII. CONCLUSION:

In conclusion, the Company reiterates its commitment to providing its employees, a workplace free from harassment/ discrimination and where every employee is treated with dignity and respect.