

**POLICY FOR PREVENTION, PROHIBITION AND REDRESSAL OF
SEXUAL HARASSMENT OF WOMEN AT WORK PLACE**

1. PREAMBLE

- 1.1. The Company strongly believes in equality amongst all employees and their right to be treated with dignity.

Consequently, the Company is committed to provide a healthy work environment which enables all the employees to work without fear of prejudice, gender bias and/or sexual harassment.

- 1.2. In consonance with the above philosophy, the Company considers it imperative to lay down guidelines and procedures for Prevention, Prohibition and Redressal of Sexual Harassment of Women so as to ensure that all the women employees feel free from sexual harassment, intimidation and exploitation at the place of work.

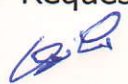
2. OBJECTIVES

- 2.1. To promote an environment which will create awareness about and deter acts of sexual harassment of women so as to enable prevention of sexual harassment at work place.
- 2.2. To provide an effective mechanism for resolution of sexual harassment related complaints and a frame work for Redressal in the event of acts of sexual harassment, if any.

3. DEFINITIONS

- 3.1. The following will constitute sexual harassment of women, if the same involves unwelcome, sexually oriented behaviour / mannerism / act such as-

- i. Sexual advances
- ii. Requests for sexual favours



- iii. Verbal or physical conduct of a sexual nature.
- iv. Loaded comments, remarks , jokes, letters, phone calls, SMSs, emails or gestures
- v. Exhibition of pornography,
- vi. Lewd / indecent stares, physical contact, stalking and sounds or display of a derogatory nature.

It is clarified that it is the reasonable perception of the woman employee that would be relevant in determining whether any conduct was sexually harassing in nature.

- 3.2. "Employee" for the purpose of this policy includes a person employed for any work directly or by / through any agency (including a contractor), with or without the knowledge of the principal employer, whether for remuneration or not or working on a voluntary basis, whether the terms of employment are express or implied and includes any person employed as a temporary, casual, piece-rated or contract worker, probationer, trainee, apprentice or by any other name called.
- 3.3. "Management" means Head of the respective Function / Division (President or a higher authority) in the case of BGR Energy Systems Limited and the Head of the Respective Company (President or a higher authority) in the case of Group Companies.
- 3.4. "Workplace" means
 - i. Any Office, Factory or Project site of the Company
 - ii. Any place visited by the employee for official purposes including travel for such purposes



4. SCOPE & APPLICABILITY

- 4.1. This policy shall be applicable to all employees of BGRESL and Group Companies and cover all complaints of sexual harassment made against a male employee by a woman employee of the Company.
- 4.2. However, this policy is applicable only if such harassment has taken place at workplace.

5. RESPONSIBILITIES OF THE COMPANY

- 5.1. To ensure a safe environment free from sexual harassment for women employees including prevention and deterrence of sexual harassment.
 - 5.2. The Company will prominently display the policy spreading awareness about prevention of "Sexual harassment at the Workplace" and giving information for the redressal mechanism that has been put in place and encouraging women employees to file their related grievances, if any.
 - 5.3. The Company will organise awareness programs for sensitizing all employees as to the definition of sexual harassment and procedures for redressal.
 - 5.4. The Company will constitute a Committee to deal with Sexual Harassment Complaints and extend all required support / assistance so as to ensure its smooth functioning for resolution of sexual harassment complaints. The Company will notify the constitution of the Committee for information of all the employees.
 - 5.5. The Management will promptly act on the report submitted by the Committee and initiate appropriate action.
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6. PREVENTION OF SEXUAL HARASSMENT

- 6.1. The Company will take steps for gender sensitization and orient all its employees towards "Anti Sexual harassment"
- 6.2. The Company will promote and facilitate measures to create a work environment that is free of sexual harassment of women.
- 6.3. The Company will publicise the policy against sexual harassment widely, on notice boards, intranet etc.,

7. REDRESSAL OF COMPLAINTS ON SEXUAL HARASSMENT

- 7.1. In spite of the organisation's best efforts for prevention of sexual harassment of women, in case of unfortunate occurrence of sexual harassment, the Company will ensure that it institutionalises a mechanism to address the same.
- 7.2. The Company will create an environment to encourage the woman employee subjected to such sexual harassment, if any, to seek redressal of the grievance.
- 7.3. The Company shall have a mechanism in place to deal with such cases in a fair manner and take appropriate action.

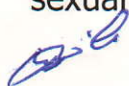
7.4. COMPLAINTS

- i. Any aggrieved woman employee may make in writing, a complaint of sexual harassment at her work place along with supporting documents, if any, to the Committee constituted to deal with sexual harassment, within a period of 3 months from the date of the incident.
 - ii. Complaints can be lodged directly with any member of the Committee.
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- iii. If the Complainant is not in a position to make a written complaint, it will be reduced in writing by the Complaints Committee member receiving the complaint and the same will be authenticated by the Complainant under her signature / thumb impression and the date of complaint.
- iv. All complaints made to any Committee member must be received and recorded by the member in the Complaints Register, who will then inform the Presiding Officer about the complaint, who in turn will call a meeting of the Committee.
- v. The Company will not alter the conditions of service of the Complainant / Witness, to their prejudice, as a consequence to the filing, participation or holding of an enquiry under this Policy. In other words, filing of a complaint will not adversely affect the Complainant's status / job / salary / promotion / grade etc., during the pendency of an enquiry and till the final determination of the complaint.

7.5. CONSTITUTION OF THE COMMITTEE

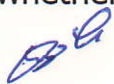
- i. An Internal Complaints Committee (ICC) will be constituted to deal with the sexual harassment grievances. The Committee will consist of the following members :
 - A Presiding Officer who will be a senior woman employee of the Company.
 - Three members from amongst employees and
 - One external member from amongst non-governmental organisations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.



- ii. At least half of the total Committee members will be women.
- iii. All members of the Committee should be neutral and unbiased.
- iv. No person who is a Complainant, witness or Defendant in any complaint of sexual harassment will be a member of the Committee.
- v. The term of each Committee member will be three years. However, the member whose term has expired will continue to remain a part of the Committee till such time a new member is nominated.
- vi. In the event of expiry of the term of a Committee member during the pendency of an enquiry, the member will continue to be a part of the Committee till the submission of the Enquiry Report to the Management.
- vii. The conclusions of the Committee will be based on broad consensus. However, in cases where consensus could not be arrived at, the conclusion of the Committee will be based on the majority vote.

7.6. ENQUIRY PROCESS

- i. Within ten days of the receipt of a complaint, the Committee must determine whether *prima facie*, a case of sexual harassment is made out. It will carefully consider the complaint and may hear the Complainant and the Defendant and/or any other relevant person, separately, so as to ensure freedom of expression and an atmosphere free of intimidation. Based on the preliminary interactions, the Committee will determine whether an enquiry is to be instituted.



- ii. After due deliberations, if the Committee decides not to conduct an enquiry into a complaint, it will record the reasons for the same. The Committee will communicate the reason(s) for rejection to the Complainant in writing.
- iii. If the Committee decides to proceed further with the enquiry, the Committee will prepare a summary of the complaint such as the allegation which is being enquired into, the location, date and time on which the incident is alleged to have occurred and will communicate the same to the Complainant and the Defendant along with a certified copy of the Complaint.
- iv. Where the conduct of sexual harassment amounts to a specific offence under the Indian Penal Code (45 of 1860) or under any other law, it will be the duty of the Committee to immediately inform the Complainant of her right to initiate action in accordance with law with the appropriate authority.
- v. While communicating particulars of the charges made against him, the Defendant should be given a period of 5 days to respond to the charges. The explanation submitted by the Defendant will be duly examined by the Committee before taking further course of action.
- vi. The Committee will provide fair and reasonable opportunity to the Complainant and the Defendant for presenting and defending her/his case. The committee will also permit the Complainant/defendant to produce their witnesses in support of their complaint/defence, if they so desire. Such witnesses will also be provided reasonable opportunity to explain the facts of the case as known to him/her.



- vii. In conformity with the principles of natural justice, the Committee will provide the Defendant and the Complainant, an opportunity to cross examine each other after they make their statements. Similarly, both of them will have the opportunity to cross examine the witness of the other party as well as the witnesses who may have been summoned directly by the Committee.
- viii. The Committee shall have the right to disallow any question if the same is considered to be irrelevant or derogatory or gender insensitive.
- ix. The Committee will inform the Complainant that she can give her answers to questions of a sensitive nature in writing at the enquiry proceedings, in case she so desires.
- x. The Complainant / Defendant will be allowed to be accompanied by another employee (representative) during the enquiry after informing in advance. Such a person shall have only observer status and her / his presence during the proceedings will be restricted to the testimony of the individual she/he is accompanying.
- xi. The Committee may call any person to appear as a witness if it is of the opinion that the same will be in the interest of justice.
- xii. The Committee shall also have power to summon any official papers or documents pertaining to the complaint under enquiry.
- xiii. In the event of submission of any document as evidence by either party, the Committee will provide a true copy thereof to the other party. Similarly, a true copy of any document relied upon by the witness or any document summoned by the



Committee should also be provided to the Complainant as well as the Defendant.

- xiv. The Committee shall have the right to give an ex-parte decision on the complaint, should the Complainant/Defendant fail, without valid ground, to present herself/himself for three consecutive hearings convened by the Committee.
- xv. All proceedings of the Committee will be recorded in writing and signed by the complainant / defendant / witness. All the participants to the enquiry will maintain confidentiality, violation of which will call for appropriate action.
- xvi. The Committee will enquire into the complaint of sexual harassment following the procedures in conformity with the principles of natural justice and gender sensitivity.
- xvii. Committee will make efforts to ensure that the Complainant and / or the witnesses are not victimised or discriminated against while it is dealing with the complaint. In case such instance comes to the notice, the Committee will take up the matter with the Management for suitable action.
- xviii. The Committee can ask for the suspension/ transfer of the Defendant, during the pendency of the enquiry if his presence is likely to interfere with the enquiry.
- xix. The identities of the Complainant, Defendant and the witnesses will throughout be protected and kept confidential by the Committee.



- xx. All information relating to the enquiry including the complaint, details of the Complainant, Defendant, witnesses, findings and / or any other related information will be held in trust / kept confidential by the Committee and its members and / or any of the persons associated with the matter and the same will not be made available to public.
- xxi. Any person associated with the matter will be liable for appropriate action/penalty, in case he/she is found to have resorted to publicising the details of the case.
- xxii. Committee will endeavour to ensure the safety of the Complainant and witnesses during the pendency of the enquiry and in the event of allegations of harassment or intimidation of the Complainant/witness by the Defendant, the Committee will recommend to the Management to initiate appropriate action.
- xxiii. In the case of third party/ outsider harassment, if any, with the consent of the aggrieved woman / person, the Committee will recommend to the Management to take up the matter with the appropriate authority.

7.7. FINDINGS OF THE COMMITTEE

- i. After concluding its enquiry, the Committee will carefully and judiciously analyse the statements of the Complainant, Defendant, the witnesses and the material evidence available on record and arrive at its findings as to whether the Defendant has been found to be guilty of the charges beyond reasonable doubts or not.
- ii. No observations regarding the work and/or behaviour of either the Complainant or Defendant which are not related to the alleged act of sexual harassment will be taken into account.

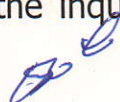


However, the Committee may consider any earlier complaint of sexual harassment against the Defendant, if the same is considered to be relevant.

- iii. Thereafter, the Committee will prepare a detailed written enquiry report which will contain the details of the charges levelled against the defendant, a detailed discussion of the statements made / material evidence on record and reasons based on which the findings have been arrived at by the Committee.
- iv. Such Enquiry Report will be submitted by the Committee to the Management within a period of 90 days from the date of receipt of the Complaint. In the event of any delay in submission of the Enquiry Report, the reasons for the same will be recorded in writing by the Committee.
- v. If the Committee finds the complaint proven on a balance of probabilities, it will give a detailed and reasoned finding to that effect.
- vi. If the Committee arrives at a conclusion that the allegation against the defendant is malicious and/or the Complainant has made the complaint knowing it to be false or has produced any forged or false or misleading document, it will recommend to the Management to take appropriate action against the Complainant.

However, mere inability to substantiate a complaint or provide adequate proof need not attract action against the Complainant.

- vii. Similarly, if the Committee arrives at a conclusion that during the inquiry, the witness has given false evidence or produced



any forged or misleading document, it may recommend to the Management to take appropriate action against such witness.

7.8. ACTION TO BE TAKEN BY THE MANAGEMENT

- i. Enquiry Report, as above, will be submitted to the Management by the Internal Complaints Committee, for taking appropriate action.
- ii. A copy of the Enquiry Report will be provided by the Management to both Complainant as well as the Defendant, inviting their comments, if any.
- iii. In case the Defendant is not found guilty of the allegations made against him, the Management will give an opportunity to the Complainant to appeal against the same within fifteen days from the date of receipt of such communication from the Management.
- iv. In case the Defendant is found guilty of the allegation, Management will give the Defendant an opportunity to reply to the findings of the Committee through a written representation in accordance with the principles of natural justice within fifteen days from the date of receipt of such communication from the Management.
- v. The Management will carefully evaluate the explanation submitted by the Complainant / Defendant and the findings of the Committee and take a final decision in the matter. If the Defendant is found guilty beyond reasonable doubt, the Management will decide the penalty to be awarded to the Defendant.

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8. INTERPRETATION & AMENDMENT

- 8.1. Where a doubt arises as to the interpretation of any of the above conditions of the policy, the same will be referred to HR department for final decision.
- 8.2. The above policy may be amended, modified partially or fully from time to time and all such amendments, modifications or additions / deletions will take effect from the date stated therein.



S Venkataraman
Group President-HR