
PREVENTION OF SEXUAL HARASSMENT OF WOMEN AT WORKPLACE POLICY

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Under the Sexual Harassment of Women at Workplace (Prohibition and Redressal) Act, 2013

PREFACE

- 1.1 **Gammon India Limited** 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 sexual harassment. 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 employees, is a grave offence and is, therefore, punishable.
- 1.2 The Supreme Court has also directed companies to lay down guidelines and a forum for redressal of grievances related to sexual harassment.

SCOPE AND EFFECTIVE DATE

- 2.1 This Policy extends to all employees of the Company, Visitors, and Employees of contractors, sub-contractors and third party employees
- 2.2 **Sexual harassment** would mean and include any of the following:-
- 2.2.1 unwelcome sexual advances, requests or demands for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any company activity;
- 2.2.2 unwelcome sexual advances involving verbal, non-verbal or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individual's sensibilities and affect her/his performance;
- 2.2.3 Eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy;

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2.2.4 act or conduct by a person in authority which creates the environment at workplace hostile or intimidating to a person belonging to the other sex or same sex;

2.2.5 any unwelcome gesture by an employee having sexual overtones.

2.3 **“Employee”** means any person on the rolls of the Company including those on deputation, contract, temporary, part time or working as consultants.

INTERNAL COMPLAINTS COMMITTEE

3.1 An Internal Complaints Committee has been constituted by the Management to consider and redress complaints of Sexual Harassment. The Presiding Officer and Members of the Committee are as follows:

3.1.1 **Presiding Officer**- Ms. Niki Shingade – Company Secretary – Gammon India Limited

3.1.2 **Member** – Mr. Ajit Balubhai Desai – Chief Executive Officer of the Company

3.1.3 **Member** - Ms. Kalpana Monde - Employee of the company

3.1.4 **Member** – Ms. Vinath Hegde – Independent Director

3.2 The Committee formed shall be governed by such rules as laid down in the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act 2013 as amended from time to time

3.3 The Presiding Officer and every Member of the Internal Complaints Committee shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.

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REDRESSAL PROCESS

4.1 Any employee who feels and is being sexually harassed directly or indirectly may submit a complaint of the alleged incident to any member of the Committee in writing (six copies along with supporting documents & names with addresses of witnesses) with his/her signature within 90 days of occurrence of incident. Provided further that the Internal Complaints Committee may, for the reasons to be recorded in writing, extend the time limit not exceeding three months, if it is satisfied that the circumstances were such which prevented the employee from filing a complaint within the said period.

Provided that where such complaint cannot be made in writing, the Presiding Officer or any Member of the Internal Complaints Committee, as the case may be, shall render all reasonable assistance to the woman for making the complaint in writing.

4.2 Before an enquiry is initiated the Internal Complaints Committee shall try to resolve the same through "conciliation". The Committee will maintain a register to endorse the complaint received by it and keep the contents confidential, if it is so desired, except to use the same for discreet investigation.

4.3 The Committee will hold a meeting with the Complainant within 5 days of the receipt of the complaint, but no later than 15 days in any case. On receipt of the complaint, the Complaints Committee shall send one of the copies received from the aggrieved woman to the respondent within a period of seven working days.

The respondent shall file his reply to the complaint along with his list of documents, and names and addresses of witnesses, within a period not exceeding ten working days from the date of receipt of the documents.

4.4 At the first meeting, the Committee members shall hear the Complainant and record her/his allegations. The Complainant can also submit any corroborative material with a documentary proof, oral or written material, etc., to substantiate his / her complaint. If the Complainant does not wish to depose personally due to embarrassment of narration of event, a lady officer for lady employee(s) involved and a male officer for male employee(s) involved, shall meet and record the statement.

4.5 If matter cannot be resolved through conciliation, the committee may call both the parties for a deposition before the Committee and an opportunity will be given to

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him/her to give an explanation, where after, an “Enquiry” shall be conducted and concluded.

4.6 In the event, the complaint does not fall under the purview of Sexual Harassment or the complaint does not mean an offence of Sexual Harassment, the same would be dropped after recording the reasons thereof.

4.7 In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.

ENQUIRY PROCESS

5.1 The Committee shall immediately proceed with the Enquiry and communicate the same to the Complainant and person against whom complaint is made.

5.2 The Committee shall prepare and hand over the Statement of Allegation to the person against whom complaint is made and give him / her an opportunity to submit a written explanation if she / he so desires within 7 days of receipt of the same.

5.3 The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.

5.4 If the Complainant or the person against whom complaint is made desires any witness/es to be called, they shall communicate in writing to the Committee the names of witness/es that they propose to call.

5.5 If the Complainant desires to tender any documents by way of evidence before the Committee, she / he shall supply original copies of such documents. Similarly, if the person against whom complaint is made desires to tender any documents in evidence before the Committee he/she shall supply original copies of such documents. In case photocopy of any document is submitted subject to acceptance by the management, the employee concerned shall affix his/her signatures on the respective documents to certify these to be true copies or the management may ask the employee concerned to submit photocopies duly attested by a Notary.

5.6 The Committee shall call upon all witnesses mentioned by both the parties.

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- 5.7 The Committee shall provide every reasonable opportunity to the Complainant and to the person against whom complaint is made, for putting forward and defending their respective case.
- 5.8 The Committee shall complete the “Enquiry” within 30 days and not later than 90 days and communicate its findings and its recommendations for action to the Presiding Officer. The report of the committee shall be treated as an enquiry report on the basis of which an erring employee can be awarded appropriate punishment straightaway.
- 5.9 The Head HR will direct appropriate action in accordance with the recommendation proposed by the Committee.
- 5.10 The Committee shall be governed by such rules as may be framed under the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act 2013 as amended from time to time.
- 5.11 During the pendency of an inquiry on a written request made by the aggrieved woman, the Internal Complaints Committee may recommend to the employer/HR to:
- (a) transfer the aggrieved woman or the respondent to any other workplace; or
 - (b) grant leave to the aggrieved woman up to a period of three months; or
 - (c) grant such other relief to the aggrieved woman as may be prescribed.
- (The leave granted to the aggrieved woman under this section shall be in addition to the leave she would be otherwise entitled.)

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OTHER POINTS TO BE CONSIDERED

- 6.1 The Committee may recommend to the Head HR action which may include transfer or any of the other appropriate disciplinary action.
- 6.2 The management shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this policy.
- 6.3 Where sexual harassment occurs as a result of an act or omission by any third party or outsider, company shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.
- 6.4 In case the Committee finds the degree of offence coverable under the Indian Penal Code, then this fact shall be mentioned in its report and appropriate action shall be initiated by the Management, for making a Police Complaint.
- 6.5 The HR shall arrange to organize workshops and awareness programs at regular intervals.
- 6.6 The Employer/HR shall provide necessary facilities to the Internal Complaints Committee, as the case may be, for dealing with the complaint and conducting an inquiry.

THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION & REDRESSAL) ACT 2013, THE SEXUAL HARASSMENT OF WOMEN AT WORKPLACE (PREVENTION, PROHIBITION AND REDRESSAL) RULES, 2013 AND ITS AMENDMENTS ARE APPLICABLE AS THE CASE MAY BE.

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GENERAL

**MANAGEMENT RESERVES THE RIGHT TO
ADD/AMEND/CHANGE/MODIFY/WITHDRAW THE POLICY AT ANY TIME IT MAY
DEEM FIT/ NECESSARY WITH OR WITHOUT NOTICE AND/OR ASSIGNING ANY
REASON(S) OR EXPLANATION(S) WHATSOEVER.**

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