POLICY ON SEXUAL HARASSMENT OF EMPLOYEES IN EMPLOYMENT OF THE RELIABLE VENTURES INDIA LIMITD; BHOPAL

1.0 BACKGROUND:

1.1 The RELIABLE VENTURES INDIA LTD. (RVIL) is a listed company owning a hotel undertaking in the name and style of "Noor -Us-Saba Palace" located at VIP Road, Koh-e-fiza, Bhopal,. Madhya Pradesh. RVIL provides equal employment Opportunities disregarding age, disability, gender, race, color, religion, sexual orientation, and is committed to the creation of a healthy working environment in the in its hotel undertaking as well as its corporate office enabling employees to work without fear of prejudice, gender bias and sexual harassment and with the right to be treated with dignity. Sexual harassment at the work place or other than work place if involving employees is therefore treated as a grave offence.

1.2 The government of India, in the Ministry of Women And Child Development has enacted law in the name and style of "Sexual Harassment of Women at Workplace) Prevention, Prohibition and Redressal) Act 2013 which came into effect from 9th day of December, 2013 and provisions of which are applicable in establishments all over India having women on their rolls and the employers are under legal obligation to provide a safe working environment at the work place which shall include safety of women from the persons coming into contact at the work place and to display at any conspicuous place in the workplace, the penal consequences of sexual harassments and the order constituting the Internal Complaint Committee under and in accordance with the Act. Accordingly, to comply with these legal provisions, RVIL has formulated a policy as contained hereunder.

2.0 SCOPE OF POLICYH AND EFFECTIVE DATE

2.1 This Policy extends to all employees of the Company and is deemed to be shall be part and parcel of existing Staff Rules of the RVIL and treated as an addendum thereto and comes into effect immediately.

Important terms defined:

2.2 "Sexual harassment" means and includes any and/or more of the following:

i) unwelcome sexual advances, requests or demand for sexual favours, either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any company activity;

ii) 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 individuals sensibilities and affect her/his performance;

iii) eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy; iv) 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;

iv) conduct of such an act at work place or outside in relation to an Employee of TPC, or vice versa during the course of employment; and

v) any unwelcome gesture by an employee having sexual overtones

2.3 **"Employer"** means any person responsible for the management, supervisions and control of the work place.

2.4 "Employee" means any 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 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 call by any other such name.

2.5 **"Complainant" or "complainant woman "** means a female employee who makes complaint under the Act against the respondent

2.6 **"Respondent"** means any employee against whom any complaint of sexual harassment has been made to the ICC.

2.7 **"Management"** means and includes the person or Board of Directors or any committee, Disciplinary officer / Authority prescribed in the Staff Policy, responsible for formulation and administration of policies RVIL

3.0 INTERNAL COMPLAINT REDRESSAL COMMITTEE(ICC)

Constitution of ICC:

3.1 In term of Section 4(2) of the Act, The Internal Complaints Committee shall comprise at least of following members"

i) **Chairman : One** : a woman employed at a senior level at workplace from Amongst employees

ii) **Members : not less than two** : from employees preferably committed to the cause of women or who have experience in social work or have a legal knowledge

iii) **Member : One** : from amongst non governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment

Explanation: "a person familiar with the issue relating to sexual harassment" means

a social worker with at least 5 years experience in the field of social work which leads to creation of societal conditions favourable towards empowerment of women and in particular in addressing workplace sexual harassment, **OR**

a person who is familiar with labour, service, civil or criminal law as per Section 4 of the Rules.

3.2 A Committee comprising of the following four persons presently on the roll of the company be and is hereby constituted by the Management to receive, consider, here and redress complaints of sexual Harassment as defined hereinabove.

Tenure of the ICC Members

3.3 In term of Section 4(3) of the Act, The Chairman and every members of the Internal Committee shall hold office for a period not exceeding three years from the date of nomination as member.

Change in the constitution of Committee:

3.4 In case before completion his tenure as member of the ICCI, any member cease to be employee of the RVIL, the RVIL Management by order shall provide immediate substitute thereof on the ICC and notify the change to all the employees suitably.

Quorum for meeting of ICC:

3.5 A quorum of 3 members personally present shall constitute quorum for the ICC meetings. Of these three members, one shall be Chairman and out of other one must be female member. This quorum must be present during the full currency of every meeting.

3.6 The provisions contained in the Staff Rules, if any, shall govern issuance of notice of the meeting of ICC too.

4.0 COMPLIANT REDRESSAL PROCESS

Submission of written complaint to ICC

4.1 Any employee who feels that she is being sexually harassed directly or indirectly at her workplace or outside in connection with the workplace assignments by any persons in the employment with her may submit a written complaint duly signed by her of the alleged incident to any member of the Committee within 10 days of occurrence of the alleged incident.

ICC TO maintain a register of complaints

4.2 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.

Meeting of the ICC

4.3 The Committee will hold a meeting with the Complainant within five days of the receipt of the complaint, but no later than a week in any case.

Business to be transacted at the fist meeting of ICC:

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

ICC to Issue of summon to respondent

4.5 Thereafter, the respondent (person against whom complaint is made) shall be summoned for a deposition before the Committee and an opportunity will be given to him to put his version of explanation with respect to the complaint / allegation made against him and thereafter" Enquiry" shall be conducted and concluded by the Committee,

4.6 Admissibility of conciliation inquiry:

On the request of the complainant women, the ICC before initiating inquiry against the Respondent shall take steps to settle the matter between her and the respondent through conciliation. However, no monetary settlement shall be made basis for conciliation.

Action by ICC on Conciliation

4.7 Where the settlement has been arrived at between the complainant woman and the respondent, no further inquiry shall be made by the ICC. The ICC shall record the settlement so arrived at and forward the same to the management to take action based on its recommendations. The ICC shall also provide a copy of the settlement to the complainant women and the Respondent employee.

4.8 However, if the aggrieved woman informs the ICC that any term or condition of the settlement has not been complied with by the respondent, the ICC or the LCC shall reopen the case and proceed to make an inquiry into the complaint or on need basis forward the complaint to the police. (Section 11(1) of the Act)

How ICC will deal with false complaints:

4.6 In the event, the committee after detailed fact finding exercise finds that the complaint does not fall under the purview of Sexual Harassment as defined under the Act or the complaint does not constitute an offence of sexual harassment, the complaint shall be dropped recording the reasons of the drop page thereof and a copy thereof shall be delivered to the complainant, defendant and the Head of the Personnel/ HR Department.

Action on false complaint:

4.7 In case the complaint is found to be false and otherwise dropped, the Complainant woman shall, if deemed fit, be liable for appropriate disciplinary action by the Management in accordance with the staff Rules applicable to her.

5.0 ENQUIRY PROCESS OF ICC

Nature of proceedings by the ICCI

I CC to communicate the complaint to respondent:

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

Handing over of charge statement to parties to the complaint

5.2 The Committee shall prepare and hand over the Statement of Allegation to the respondent (a person against whom complaint is made) and give him opportunity to submit a written explanation if 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 respondent (the person against whom complaint is made.)

5.4 If the Complainant or the Respondent (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.

Submission of documentary evidences to ICC:

5.5 If the Complainant desires to tender any documents by way of evidence before the Committee, she shall supply original copies of such documents. Similarly, if the Respondent (person against whom complaint is made) desires to tender any documents in evidence before the Committee he shall too supply original copies of such documents. Both shall affix his / her signature on the respective documents to certify these to be original copies.

Summoning of Witnesses by ICC

5.6 The Committee shall call upon all witnesses mentioned by both the parties, listen them and record their statements for use as evidence in the inquiry proceedings.

Applicability of principle of Natural Justice:

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 cases the principle of Natural Justice shall be applicable.

Completion of proceedings by ICC

5.8 The Committee shall complete the "Enquiry" within reasonable period but not beyond three months and communicate its findings and its recommendations for action to the VP-HR. 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.

Management of the RVIL to order punishment:

5.9 The Officer holding charge of HR/Personnel Department or any other persons authorized by the Management of RVIL will consider and order appropriate action in accordance with the recommendation made by the ICC.

The Policy to conform to applicable Laws at all the time:

5.10 The Committee shall be governed by such rules as may be framed by the Supreme Court, Govt notification, orders or any other legislation enacted at any time and from time to time and the policy shall be subject which the change and/or amendments in the laws dealing with the matter of Sexual harassment of women a work place.

6.0 OTHER VITAL POINTS

6.1 The Committee may recommend to the VP-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, TPC shall take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

6.4 The Committee shall analyze and put up report on all complaints of this nature at the end of the year for submission to VP- HR.

6.5 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.

6.6 The contents of the complaint, identity and address of the complainant woman , respondent and witness, information relating to conciliation and inquiry proceedings , recommendations of the ICC and the action taken by the employer shall not be published, communicated or made known to the public, press and media.

6.7 If any person contravenes the provisions of clause 6.6 hereof he shall be liable to penalty in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist, in such manner as may be prescribed under the Act and rules framed and notifications issued there under.

6.8 Any persons aggrieved form the recommendations of ICC, including non-implementation thereof, may prefer an appeal to the Court or tribunal in accordance with the provisions of staff rules applicable to him/her within 90 days of submission of recommendation by the ICC.

6.9 This Policy is subject to the provisions contained under the Act and Rules formulated, order and notifications issued there under, if any

For Reliable Ventures India Ltd.

RAJENDRA MALPANI
EXECUTIVE DIRECTOR

Bhopal: Feb 02, 20