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## CLASSIC MARBLE COMPANY

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# PREVENTION OF SEXUAL HARASSMENT (POSH) POLICY

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## **1. Objective:**

The Company, as a responsible corporate citizen has adopted a policy of Zero Tolerance to sexual harassment at the workplace. In doing so, it is committed to creating a healthy working environment that enables employees to work with dignity and equal opportunity, without fear of prejudice, gender bias and sexual harassment whether physical, verbal or psychological. This is in accordance with the Supreme Court of India's directive to corporate entities to lay down guidelines and make available a redressal forum for grievances related to sexual harassment.

## **2. Scope:**

All Employees, including but not limited to permanent/ temporary staff, supervisors, and senior officials, are required to comply with this Policy.

## **3. Guiding Principles:**

The company expects Employees at all levels to behave professionally, to exercise good judgment in work-related relationships, whether with fellow employees, business colleagues, or members of the public with whom they come into contact in the course of official duties and to take appropriate measures to prevent sexual harassment.

At the company sexual harassment in any form either at the workplace or elsewhere, if involving Employees will be considered a grave offence and therefore, punishable.

## **4. Definitions:**

- a) COMPLAINT:** means and includes any reference to an act of inappropriate behavior or sexual harassment, made by any employee to the Complaint Redressal Committee stating therein his/her name, the nature of the Complaint, the name of the person against whom the complaint is made and seeking redressal of the reference.
- b) COMPLAINANT:** means and includes any aggrieved Employee who has faced any situation of unwelcome sexual advances, requests for sexual favors and such other verbal or physical conduct of a sexual nature that may constitute to be sexual harassment and includes an employee who makes a reference to the Committee.
- c) DEFENDANT:** means and includes the Employee against whom a complaint is received by the Complaint Redressal Committee for investigation / redressal.
- d) EMPLOYEE:** means and includes any person:
  - on the rolls of the Company whether temporary and/or permanent and/or trainee which includes a Company trainee, management trainee and such other person associated with the company as a trainee,
    - on deputation,
    - on contract,

- working on part time basis;
- working as consultant;
- Who is in the premises of the company for any reason and indulges in any act that may be deemed as "sexual harassment".

**e) REFERENCE:** means and includes an application made by the Complainant to the Complaint Redressal Committee for investigating a matter of sexual harassment with a request to redress the same. Unless made in writing, mere reference cannot be termed as a Complaint and the Committee is under no obligation to investigate the same.

**f) COMPLAINT REDRESSAL COMMITTEE:** means a Committee comprising of a Chairman and 3 Members as determined under Clause 4.1.

## **5. Definition of Sexual Harassment:**

- This Policy shall provide a fair and equitable opportunity for the Complainant and the Defendant to place on record their statement of cause and explanation respectively. This Policy is based on the fundamentals of unbiased approach, impartial treatment of cause and shall at all times uphold human dignity.
- This Policy acknowledges that certain behavior, such as conditioning promotions, awards, training or other job benefits upon acceptance of unwelcome actions of a sexual nature are inappropriate.
- A victim of sexual harassment can be or a woman and may or may not be of the same sex as the harasser. The harasser can be a supervisor, co- worker, other Department employee, or a non-employee who has a business relationship with the Complainant

Unwelcome sexual advances, requests for sexual favors and other verbal or physical/non- physical conduct of a sexual nature constitute sexual harassment when:

- Any unwelcome sexual advances, requests or demand for sexual favors, made either explicitly or implicitly, in return for employment, promotion, examination or evaluation of a person towards any company activity;
- Any unwelcome conduct which unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or abusive work environment;
- Unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually colored 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 affects her/his performance;

- Eve teasing, innuendos and taunts, physical confinement against one's will which is likely to intrude upon one's privacy;
- Act or conduct by a person in authority which makes the workplace environment hostile or intimidating for an employee;
- Conduct of such an act at the workplace or outside in relation to an Employee of THE COMPANY, or vice versa during the course of employment; and any unwelcome gesture by an employee having sexual overtones;
- Giving gifts or leaving objects that are sexually suggestive;
- Off-duty, unwelcome conduct of a sexual nature that affects the work environment.

#### **6. Internal Complaints Committee:**

- In order to provide a fair and unbiased hearing to the Complainant, the Defendant respectively and for effective redressal of the Complaint, an Internal Complaints Committee (ICC) has been constituted by the Management comprising of the following:
  - Presiding Officer who shall be a woman employed at a senior level at the company from amongst the employees.
  - Not less than two Members from amongst employees preferably committed to the cause of women or who have had experience in social work or have legal knowledge.
  - One member from amongst non-governmental organizations or associations committed to the cause of women or a person familiar with the issues relating to sexual harassment.
  - At least one-half of the total Members so nominated shall be women.
- A quorum of 03 (three) members is required to be present for the proceedings to take place. The quorum shall include the Chairperson, at least two members, one of whom shall be a lady.
- The details of the current ICC have been provided in Annexure I.

#### **7. Enquiry / Redressal process:**

- Any employee who feels he or she is being sexually harassed directly or indirectly, may submit a complaint of the alleged incident to any member of the Committee in writing with his/her name, employment status (as the case may be) and signature within 10 (ten) working days of the occurrence of the incident.

- 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.
- The Committee will hold a meeting with the Complainant within 05 (five) working days of the receipt of the complaint, but no later than a week in any case.
- At the first meeting, the Committee members shall hear the Complainant and record her/his allegations. The Complainant can also submit any material in evidence with documentary proof, oral or written material, etc., to substantiate his / her complaint. If the Complainant does not wish to present himself / herself personally due to embarrassment of narration of the event, a lady officer for lady employees involved and a male officer for male employees involved, shall meet and record the statement.
- Thereafter, the person against whom complaint is made will be intimated in writing and will be asked to present himself / herself before the Committee on the designated day, date, time and venue. The person against whom the complaint is made shall also be given an opportunity to give an explanation, provide evidence in support of his/her defense. Once the person against whom the complaint is made has provided his explanation in writing the Committee shall proceed to conduct an "Enquiry".
- The Committee shall prepare and hand over the Statement of Allegation to the person against whom complaint is made and give him / her opportunity to submit a written explanation if she / he so desires within 10 (ten) days of receipt of the same.
- The Complainant shall be provided with a copy of the written explanation submitted by the person against whom complaint is made.
- 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.
- The Committee shall call upon all witnesses mentioned by both the Parties.
- The Committee shall provide every reasonable opportunity to the Complainant and to the Defendant, to put forward and defend their respective case.
- 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 there for.
- In case the complaint is found to be false, the Complainant shall, if deemed fit, be liable for appropriate disciplinary action by the Management.
- In the event the Complaint is found to be true or justified, then necessary disciplinary action will be initiated against the Defendant.

- The Committee shall complete the “inquiry” within a reasonable period but not beyond three months and communicate its findings / recommendations for action to the head – Human Resources. The report of the Committee shall be treated as an enquiry report on the basis of which an erring employee (Defendant) will be awarded appropriate disciplinary action.
- The Head –The Employer will take the action in accordance with the recommendation by the Committee.
- The Committee shall be governed by such rules if any, as may be framed by the Government in this regard from time to time and made applicable accordingly.

#### **8. Employee Education:**

- All employees will be made aware of this policy by circulating this policy and ensuring that they have read the same by getting their signoff.
- A copy of this policy will be given to all new employees on joining.

**Annexure I:**

**Internal Complaints Committee (ICC) at Head Office**

<b>ICC Member Name</b>	<b>Contact Number</b>	<b>E-mail ID</b>
<b>Mansee Bahuguna</b>	<b>9321943895</b>	<b>mansee.bahuguna@classicmarble.com</b>
<b>Renu Chaudhary</b>	<b>8104900321</b>	<b>renu.chaudhary@classicmarble.com</b>
<b>Sanjaya Samant</b>	<b>7208799291</b>	<b>sanjaya.samant@classicmarble.com</b>
<b>Jyoti Kadwey</b>	<b>7000587553</b>	<b>Jyoti.kadwey@gmail.com</b>
<b>Varun Chaudhari</b>	<b>9867502201</b>	<b>varun.chaudhari@classicmarble.com</b>
<b>Deepak Jain</b>	<b>9821037375</b>	<b>deepak.jain@classicmarble.com</b>
<b>Nishitkumar Joshi</b>	<b>9904002808</b>	<b>nishit.joshi@kalingastone.com</b>
<b>External Member – Basant Negi</b>	<b>8097976279</b>	<b>bdnegi91@gmail.com</b>

For **Classic Marble Company Pvt. Ltd.**

**Sd/-**

**Amit Shah**  
**Managing Director**