

POLICY ON PREVENTION OF SEXUAL HARASSMENT

Company : ANSAL BUILDWELL LIMITED (ABL)
(Hereinafter referred to as “ABL”)

Approver : Shri Gopal Ansal, Chairman cum Managing Director

Effective from: 13th February, 2018

Note: ABL at its option may change, delete, suspend or discontinue parts or policy in its entirety at any time without prior notice. In the event of a policy change, employees will be notified. Any such action shall apply to existing as well as to future employees.

In the event of any dispute or ambiguity, the interpretation of this policy shall be decided by ABL management.

Approved by:

Name: Shri Gopal Ansal
Chairman cum Managing Director

Name: Shri Subhash Verma
Independent Director

Prevention of sexual harassment at workplace –

Objective

The occurrence of sexual harassment in the workplace, any reference to sexism, gender stereotyping or gender based discrimination and need for healthy, safe environment for all workers including women has been taken note of and the Hon'ble Supreme Court has laid down guidelines for its prevention and deterrence in 1997. Whereas the sexual harassment results in violation of fundamental rights of a women to equality under Article 14 and 15 of the Constitution of India ("Constitution") and right to life and live with dignity under Article 21 of the Constitution and her right to practice any profession or to carry on any occupation, trade or business which includes right to safe working environment.

The protection against sexual harassment and right to work with dignity are universally recognized human rights by international conventions and instruments such as Convention on the Elimination of all Forms of Discrimination against Women ("Convention"), which has been ratified on 25th June, 1993 by the Government of India. Based on the guidelines framed by the Hon'ble Supreme Court of India in Vishaka versus State of Rajasthan and the statute ratified vide Convention, the Government of India, Ministry of Law and Justice has constituted the "The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 ("the Act") and made it effective from December 09, 2013.

In deference to the aforesaid guidelines, Ansal Buildwell Ltd., Regd. Office. 118, UFF, Prakashdeep Building, 7, Tolstoy Marg, New Delhi-110 001 (ABL) committed to providing and promoting a safe, healthy and congenial atmosphere irrespective of gender, caste, creed or social class of the employees. "ABL" in its endeavour to provide a safe and healthy work environment for all its employees has developed a policy to ensure zero tolerance towards verbal, physical, psychological conduct of a sexual nature by any employee or stakeholder that directly or indirectly harasses, disrupts or interferes with another's work performance or creates an intimidating, offensive or hostile environment such that each employee can realize her maximum potential.

This policy is meant to sensitize the employees about their fundamental right to have safe and healthy environment at their workplace and what conduct constitutes sexual harassment, the ways and means which we are adopting to prevent occurrence of any such event, and in the chance of an occurrence, to enable a fair mechanism for dealing with such conduct “ABL” has constituted an Sexual Harassment & Prevention Committee (SHPC) under the Chairmanship of Shri Gopal Ansal, Chairman cum Managing Director, Smt. Ritu Ansal, Member along with one Independent Director Shri Subhash Verma, and Company Secretary of the Company acts as the Secretary of the Committee as per the guidelines of the Act. Hereinafter, SHPC shall collectively be referred to as the “**Committee**”

Scope

The Prevention of Sexual Harassment Policy is applicable:

- a) To all consultants and employees of “ABL” which as per section 2(f) of the Act, means any person who has been employed as regular, temporary, adhoc or on daily wages basis either directly/through an agent, including a contractor with or without the knowledge of the principal employer, whether for remuneration or not or working on a Voluntary basis or otherwise, whether the terms of employment are expressed or implied and shall include contract worker/probationer/apprentice/Executive Trainee/Management Trainee etc. hereinafter defined as “Employees/Consultants”.
- b) To employers, which as per section 2(g) of the Act, shall mean any person authorized/designated to be the employer within the means of the Act by the “ABL”
- c) On office premises and all areas which can be termed as notional extension of employer’s premises. It also includes any place visited by the employee arising out of or during the course of employment including transportation provided by the employer for undertaking such journey. The incident is covered during/after office hours.
- d) All the visitors & vendors associated with us & visiting any premises of the Company, or whose premises our employees visit during the course of business.

The respective SHPC is required to enquire all Compliant made under the provisions of the Act and as per this Policy/guideline in just and fair manner and submit their report to the respective Employer (s), as the case may be. It is pertinent to mention that the Employer only has the right to punish any accused hereunder and SHPC is an advisory body to meet the ends of justice.

Any act of sexual behavior is included if such an act is perceived to be detrimental to a healthy and congenial work environment. This act is only applicable when both or either the alleged harasser i.e. the Respondent (defined hereinafter) & a person who has been subject to Sexual Harassment i.e. the Complainant (defined hereinafter) are employees/consultants of the Company. In the event any employee experiences any act of sexual harassment at any place other than its workplace and/or extended workplace, the Employer is obligated to provide all the assistance, support and help to the said employee for redressal of her Complaint.

In any unfortunate happening, the "SHPC" (presiding Officer/Members) will immediately bring it to the notice of the Police under Indian Penal Code (IPC), if they find it appropriate. Detailed report will thereafter be submitted by the "SHPC".

Guidelines

It is mandatory on all employees/consultants to follow this policy and the guidelines formulated herein. Sexual Harassment at the work place will be deemed to be a violation/breach of terms of employment, and a criminal offence in addition to violation of gender equality guaranteed under the constitution.

Definition of Sexual Harassment

- For the purpose of this Policy, Sexual Harassment shall include:
- Any form of verbal or physical behaviour which is unsolicited and interferes with an individual's work performance by creating an intimidating/insecure working environment.

- Unwelcome sexually determined behavior (whether directly or by implication) in any form, such as:
 - Physical contacts and advances
 - A demand or a request for sexual favours
 - Sexually coloured remarks
 - Showing pornography
 - Any other unwelcome physical, verbal/non-verbal conduct of sexual nature

- Where any of these acts is committed in circumstances where the Complainant has a reasonable apprehension that in relation to the Complainant's employment or work whether drawing salary, or honorarium or voluntary. Whether in public or private enterprise such conducts can be humiliating and may constitute a health and safety problem.

This list is illustrative and not exhaustive and applicable irrespective of gender.

Definitions for reference

Complainant: can be a Person who has been subject to Sexual Harassment and/or any Person reporting an incident of Sexual Harassment. A third party can also be a Complainant; however, a written Complaint from the Person who has been subject to Sexual Harassment is mandatory to be filed with the respective SHPC as the case may be.

Respondent: The person who is alleged/reported to have committed an act of Sexual Harassment.

Reporting of Sexual Harassment Complaints

Any aggrieved person who feels/presumes that she has been subject to sexual harassment by a person, including a supervisor, manager, employee of other organization or vendor by way of any action or words should immediately report or complain the incident to the respective SHPC as set forth below as the case may be or to any member of respective

SHPC within one month from the date of occurrence of the said incident and in case of a series of incidents within a period of one month from the date of the last incident. Delay in reporting makes it more difficult to establish the facts of a case and may contribute to the repetition of offensive behavior.

If a Complaint cannot be made in writing, any member of the respective SHPC as the case may be shall render all reasonable assistance to the aggrieved person for making the Complaint in writing.

If the Committee is satisfied that the circumstances were such that prevented the Complainant from filing the complaint within said period, they can extend the time limit not exceeding 3(three) months.

Confidentiality

The company will do everything consistent with enforcement of this policy and with the law to protect the privacy of the individuals involved and to ensure that the Complainant and the Respondent are treated fairly. Information about individual Complaints and their disposition is considered confidential and will be shared only on a “need to know” basis. However, the SHPC members and/or Employer shall not be held responsible under present confidentiality clause in the event the Complaint is filed by the third party and/or material facts with regard to Complaint are already known to other persons/individuals.

Further, once the Complaint is redressed by the respective SHPC, as the case may be the Employee should share information with all employees with regard to the filing, redressal and disposal of the Complaint in a fair and timely manner without disclosing name of the Complainant and Respondent.

Enquiry Procedure

1. A timely enquiry of Complaints of sexual harassment is of utmost importance. Normally, the enquiry shall be concluded and acted upon at the earliest from the date of the Complaint being made in writing.

2. The respective SHPC, as the case may be will conduct an enquiry and provide an opportunity to the Complainant as well as the Respondent to represent their case and explanations/reasoning thereto.
3. In the event any Complaint is received, the following procedure shall be followed by the respective SHPC:
 - a) An enquiry is initiated through the members of respective SHPC, as the case may be as advised by the Chairperson at the earliest after receiving the Complaint in writing/email.
 - b) The enquiry seeking detailed information/explanation/reasoning will be conducted with the Complainant as well as Respondent independently by the respective SHPC.
 - c) The enquiry proceedings convened by respective SHPC should always be minuted and/or video recorded and same to be saved and maintained for records by the respective SHPC as the case may be. The proceedings of the enquiry (while the witness makes his/her submission.) should be recorded on camera.
 - d) On submission of report the respective SHPC shall consider the report at the earliest and, on being satisfied for the need, may order full enquiry into the Complaint.
 - e) In the event that there are no eyewitnesses, the respective SHPC may have to resolved a sexual harassment claim based on the credibility of the parties. Circumstantial evidence also would play important role during the decision making process by the Committee.
 - f) The employer may seek clarification from the respective SHPC on the recommendation and will implement the same.
 - g) The final decision shall be communicated to the Complainant and the Respondent.
 - h) A enquiry in connection with any Complaint may be initiated/continued irrespective of the fact that police proceeding has also been initiated in connection with the said Complaint.

Procedure for Submission

The enquiry Committee/member/s of the Committee should be prepared to deal with the Complainant's embarrassment and anger by patiently, but firmly, explaining the detail and documentation that are needed for an accurate enquiry.

1. The Complainant should be interviewed first, to ensure that all important details and witnesses are identified promptly and if any material object is provided the same should be received, numbered and preserved.
2. It is important for the respective SHPC to be objective and no-judgmental and allow the Respondent to respond to each allegation. The respective SHPC should inform the Respondent of the type of disciplinary action that may be taken if the Complaints are found to be true.
3. Both parties should be told to avoid contact with one other, and ways to minimize contact should be implemented.
4. The Complainant should report any further incidents of harassment or retaliation during the continuance of enquiry.
5. Witnesses should be told as little as possible about the details of the Complaint in order to maintain confidentiality under the Policy.

Criminal Proceedings

1. The respective SHPC would provide assistance to the aggrieved if they chose to file Complaint under the Indian Penal Code.
2. The respective SHPC would ensure that Complainants or witnesses are not victimized or discriminated against while dealing with Complaints of sexual harassment.

Mala Fide Complaints

1. If the enquiry reveals that the Complaint is unjustified or Complainant had raised the concern with ulterior motives, Employer or any person duly authorized by the

Employer will counsel the Complainant and recommend suitable action to prevent recurrence.

2. However, the Employer or any person duly authorized by the Employer will ensure that the Complainant is not victimized.
3. Requisite penal actions may be invoked against Mala Fide Complainant.

Professional Consequence of Violation of the Policy

1. Any employee, supervisor or manager who is found to have violated the harassment policy (whether sexually harassing another employee of opposite sex or the same sex or if any person falsely accuses another person of sexual harassment) shall be subject to appropriate disciplinary action.
2. The organization shall not tolerate any form of retaliation against employees for bringing bona fide Complaints or providing information about harassment.
3. However, as per the findings of the enquiry of a Complaint it is found out that the Complaint was false or was made with a mala fide intent, the Complainant may be subject to disciplinary actions, up to and including termination.
4. If any act of sexual harassment occurs as a result of an act or omission by any third party or outsider, the respective Employer will take all steps necessary and reasonable to assist the affected person in terms of support and preventive action.

Conclusion

At “ABL”, we endeavour to provide conducive and healthy work environment where the relationship amongst the employees as well as with the Employer are cordial and supporting in all aspects, so that each employee shall have an enriching experience. The objective of this policy is to ensure our employees that “ABL” is determined to provide them excellent, comfortable, safe and healthy work environment, so that they can come out with their best in all facets.