



## **LAXMI GOLDORNA HOUSE LIMITED**

**CIN: L36911GJ2010PLC059127**

**Registered Office:** Laxmi House, Opp. Bandharano Khacho, M G Haveli Road, Manek Chowk, Ahmedabad -380001, Gujarat, India

### **POLICY ON PREVENTION OF SEXUAL HARASSMENT OF WOMEN AT WORKPLACE**

#### **1. BACKGROUND:**

The protection against sexual harassment and the right to work with dignity are universally recognised human rights by international conventions and instruments such as Convention on the Elimination of all Forms of Discrimination against Women, which has been ratified by the Government of India on the 25<sup>th</sup> June, 1993.

In furtherance to the above, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 has been notified on 23<sup>rd</sup> April, 2013 and also notified the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 on 9<sup>th</sup> December, 2013 and pursuant to which, every employer is required to formulate the Policy on Prevention of Sexual Harassment of Women at Workplace (the “Policy”) for prohibition, prevention and redressal of sexual harassment at the workplace intended to promote gender sensitive safe spaces and remove underlying factors that contribute towards a hostile work environment against women and also required to set up the Internal Complaints Committee having at least equal participation of females subject to one Presiding Officer who shall be a female employee appointed at senior level.

The Company has complied with the provisions relating to the Constitution of Internal Complaints Committee under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013. There was no case filed or registered with the Committee during the year, under the Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013. Further Company ensures that there is a healthy and safe environment for every women employee at the workplace and made the necessary policies for safe and secure environment for women employee.

This Policy shall be uploaded on the Company's website [www.laxmilifestyle.co.in](http://www.laxmilifestyle.co.in)

## **2. OBJECTIVES OF THIS POLICY:**

The objectives of this Policy are as under including others:

- i. to provide protection against sexual harassment of women at workplace and for the prevention and redressal of complaints of sexual harassment and for matters connected therewith or incidental thereto;
- ii. to provide a work environment free from any kind of harassment and in particular, a work environment that does not tolerate sexual harassment;
- iii. to uphold mutual respect and positive regard and also uphold dignity of employees;
- iv. to provide healthy and safe working environment that enables the employees to work without fear of prejudice, gender bias and sexual harassment;
- v. to ensure compliance with the guidelines/directions issued by the regulatory/statutory authorities from time to time in the matter;
- vi. to ensure the compliance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and also the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 as amended from time to time.

## **3. DEFINITIONS:**

- i. **“Act”** means the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 as amended from time to time;
- ii. **“Aggrieved woman” or “Complainant”** in relation to a workplace means a female employee, who alleges to have been subjected to any act of sexual harassment by the respondent;
- iii. **“Board of Directors” or “Board”** means the Board of Directors of Laxmi Goldorna House Limited;
- iv. **“Company”** means Laxmi Goldorna House Limited;
- v. **“Employee”** means female employees on the rolls of the Company including those on deputation, contract, temporary or part time;
- vi. **“Incident”** means an incident of sexual harassment;
- vii. **“Internal Complaints Committee” or “Committee”** means a Committee constituted by the Board of Directors of the Company as required under the Act;
- viii. **“Person familiar with issues relating to sexual harassment”** means a person who has expertise on issues relating to sexual harassment and may include any of the following:-
  - a.) A social worker with at least five years’ experience in the field of social work which leads to creation of societal conditions favorable towards empowerment of women and in particular in addressing workplace sexual harassment;
  - b.) a person who is familiar with labour, service, civil or criminal law.
- ix. **“Presiding Officer”** means the Presiding Officer of the Committee nominated under Section 4 of the Act;
- x. **“Respondent”** means a person against whom the aggrieved woman has made a complaint of sexual harassment under Section 9 of the Act;

- xi. **“Rule”** means the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Rules, 2013 as amended from time to time;
- xii. **“Sexual harassment”** would mean and includes any one or more of the following unwelcome acts or behavior (whether directly or by implication) namely:
- a.) physical contact and advances; or
  - b.) a demand or request for sexual favours; or
  - c.) making sexually coloured remarks; or
  - d.) showing pornography; or
  - e.) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;
- Further, the following circumstances, among other circumstances, if it occurs, or is present in relation to or connected with any act or behavior of sexual harassment, may amount to sexual harassment:
- implied or explicit promise of preferential treatment in her employment; or
  - implied or explicit threat of detrimental treatment in her employment; or
  - implied or explicit threat about her present or future employment status; or
  - interference with her work or creating an intimidating or offensive or hostile work environment for her; or
  - humiliating treatment likely to affect her health or safety.
- f.) **“Workplace”** means the registered office and all the branch offices of the Company;
- g.) **“The Policy” or “This Policy”** means Policy on Prevention of Sexual Harassment of Women at Workplace;

#### **4. INTERNAL COMPLAINTS COMMITTEE:**

An Internal Complaints Committee (“Committee”) shall be constituted by the Board of Directors of the Company as required under Section 4 of the Act, to redress any complaints of sexual harassment. The members of the Committee may change from time to time as nominated by the Board of Directors of the Company.

The Committee consists of the following Presiding Officer and Members:

| <b>Members</b>                 | <b>Category</b> |
|--------------------------------|-----------------|
| Mrs. Rupalben Jayeshbhai Shah  | Chairperson     |
| Mr. Kshamaben Pravinkumar Shah | Member          |
| Mr. Jugal Rajendrakumar Dave   | Member          |
| Mr. Manish Mahendrabhai Jain   | Member          |

#### **5. PROCEDURE FOR REDRESSAL OF COMPLAINT:**

- i. An Aggrieved Woman/Complainant shall make a complaint of sexual harassment at workplace either in writing or by e-mail to the Committee within a period of three months from the date of incident and in case of a series of incidents, within a period of three months from the date of last incident. The Presiding Officer/Committee Member(s) shall provide all reasonable assistance to the Aggrieved Woman/Complainant for making the complaint in writing where such complaint

cannot be made in writing;

- ii. Where the aggrieved woman is unable to make a complaint on account of her physical or mental incapacity or death or otherwise, her legal heir may make a complaint under this Policy;
- iii. The Presiding Officer will then determine whether the allegations made in the complaint fall under the purview of sexual harassment, preferably within seven days from the date of receipt of complaint. If the allegations does not fall under the purview of sexual harassment, the Presiding Officer will record this finding with reasons and communicate the same to the Complainant;
- iv. If the Presiding Officer determine that the allegation falls under the purview of sexual harassment, the Presiding Officer will conduct the inquiry of complaint with the help of Committee members and hold a meeting with the Complainant within ten days from the date of receipt of complaint;
- v. Where both the parties are employees, the parties shall, during the course of inquiry, be given an opportunity of being heard and a copy of the findings shall be made available to both the parties enabling them to make representation against the findings before the Committee;
- vi. The Committee shall complete the inquiry within a period of ninety days from the date of receipt of complaint and communicate its findings and recommendations for appropriate action(s) to the Presiding Officer.
- vii. On the completion of an inquiry, the Committee shall provide an Inquiry Report of its findings to the Company within a period of ten days from the date of completion of the inquiry and such report be made available to the concerned parties;
- viii. The report of the Committee shall be treated as an Inquiry Report on the basis of which the Respondent shall be given the appropriate punishment by the Presiding Officer, which may include the followings:
  - a.) take action for sexual harassment as misconduct in accordance with the provisions of the service rules applicable to the Respondent;
  - b.) deduct from the salary or wages of the Respondent such sum as it may consider appropriate to be paid to the aggrieved woman;
  - c.) direct to the Respondent to pay such sum as may be fixed by the Presiding Officer to the aggrieved woman;
  - d.) apology by the Respondent, either written or over email;
  - e.) Warning, reprimand or censure to the Respondent;
  - f.) withholding of promotion;
  - g.) withholding of pay rise or increments;
  - h.) suspension or termination of service of the employee found guilty of the offence;

i.) undergoing a counseling session or carrying out community service.

While fixing the sums to be paid to the aggrieved woman by the respondent, the Committee shall have regard to the following:-

- the mental trauma, pain, suffering and emotional distress caused to the aggrieved woman;
- the loss in the career opportunity due to the incident of sexual harassment;
- medical expenses incurred by the victim for physical or psychiatric treatment;
- the income and financial status of the respondent;
- Feasibility of such payment in lump sum or in installments.

- ix. The Company shall act upon the recommendations of the Presiding Officer/Committee within sixty days of receipt of Inquiry Report;
- x. An Aggrieved Woman/Respondent who is not satisfied with the outcome/recommendations of the Presiding Officer/Committee, may prefer an appeal to the Metropolitan Magistrate or a Judicial Magistrate of the first class;
- xi. Where the Committee arrives at a conclusion that the allegation against the Respondent is malicious or the aggrieved woman made the complaint knowing it to be false or the aggrieved woman produced any forged or misleading document, the Committee / Management shall take appropriate disciplinary action(s) against her;
- xii. The Management of the Company shall provide necessary facilities, information and assistance to the Committee for dealing with the complaint and conducting inquiry and also for taking other required actions in the matter;

## **6. MANNER OF INQUIRY INTO COMPLAINT:**

- i. On receipt of the complaint of sexual harassment, the Committee shall communicate the same to the Respondent within a period of seven working days from the date of its receipt;
- ii. The Respondent shall file his reply to the complaint along with his list of documents, names and addresses of witnesses, within a period of ten working days from the date of receipt of intimation mentioned hereinabove;
- iii. The Committee shall make inquiry into the complaint in accordance with the principles of natural justice;
- iv. The Committee shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint, if the Complainant or Respondent fails, without sufficient cause, to present herself or himself for three consecutive hearings convened by the Presiding Officer, provided that such termination or ex-parte order may not be passed without giving a notice in writing, fifteen days in advance, to the party concerned;

- v. The parties shall not be allowed to bring in any legal practitioner to represent them in their case at any stage of the proceedings before the Committee;
- vi. In conducting the inquiry, a minimum of three Members of the Committee including the Presiding Officer shall be present;

**7. DISCLOSURE IN DIRECTORS' REPORT:**

The Company shall in each year disclose in the Directors' Report, the confirmation of constitution of Committee, the details of the complaints filed with the Committee, disposed of and pending during the respective financial years.

**8. AMENDMENTS / MODIFICATIONS OF THIS POLICY:**

This Policy may be amended/ modified, as may deem fit and proper by the Board of Directors of the Company in the line with directives/guidelines/amendments notified by the competent regulatory/statutory authorities from time to time.

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