



**KALAMANDIR JEWELLERS LIMITED**  
**(CIN: U45100GJ2009PLC143790)**

## **Prevention of Sexual Harassment Policy**



### **1. Commitment:**

Our Company is committed to providing work environment that ensures every employee is treated with dignity and respect and afforded equitable treatment. The Company is also committed to promoting a work environment that is conducive to the professional growth of its employees and encourages equality of opportunity. The Company will not tolerate any form of sexual harassment and is committed to take all necessary steps to ensure that its employees are not subjected to any form of harassment.

### **2. Scope:**

The policy follows the universal practice of explaining sexual harassment and is specifically applicable to any instance of harassment of women at the workplace, or in the case of an employee outside the workplace regardless of who was involved in the act.

### **3. Objective:**

The purpose of this Policy is to ensure the following actions with respect to all employees and stakeholders, especially women.

- Treat all employees with dignity and respect at all times.
- Not display any unwelcome behaviour that has connotations of sexual harassment.
- Avoid creating a situation of oppression or hostility at the workplace by using sexual harassment as a tool.
- Follow the law and rules (related to sexual harassment) and ensure that others also follow the laws and rules. Take prompt action on instances of alleged harassment at the workplace, by reporting all such instances.

### **4. Primacy of the Act:**

It is specifically provided that the provisions contained in the Act shall prevail wherever there is any conflict with this policy or where there is any doubt or clarification required on any aspect of the policy.

### **5. Definitions:**

**“Sexual Harassment”** includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication), but is not limited to:



Any unwelcome sexually determined behaviour, or pattern of conduct, that would cause discomfort and/or humiliate a person at whom the behaviour or conduct was directed namely:

- i. Unwelcome sexual advances involving verbal, non-verbal, or physical conduct, implicit or explicit.
- ii. Physical contact and advances including (but not limited to) touching, stalking, sounds which have explicit and/or implicit sexual connotation/overtone, molestation.
- iii. Teasing, Voyeurism, innuendos and taunts with an implicit sexual connotation, physical confinement and /or touching against one's will.
- iv. Demand or request for sexual favours.
- v. Sexually coloured remarks or remarks of a sexual nature about a person's clothing or body.
- vi. Display of pictures, signs etc. with sexual nature/ connotation/ overtones in the work area and work-related areas.
- vii. Showing pornography, making or posting vulgar/ indecent/ sexual pranks, teasing, jokes, demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS, gestures, etc.
- viii. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes.
- ix. Giving gifts or leaving objects that are sexually suggestive.
- x. Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy; persistent watching, following, contacting of a person; and
- xi. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature.

The following circumstances if it occurs or is present in relation to any sexually determined act or behaviour amount to sexual harassment:

- a. Implied or explicit promise of preferential treatment in employment.
- b. Implied or explicit threat of detrimental treatment in employment
- c. Implied or explicit threat about the present or future employment status.
- d. Interference with the person's work or creating an intimidating or offensive or hostile work environment.
- e. Humiliating treatment likely to affect health or safety.

## **6. Policy:**

- The Company has a policy of zero tolerance to any instance of sexual harassment and shall take all necessary steps to investigate and take necessary action with respect to such incidents.
- The purposes of such investigation and action are Internal Complaint Committees (ICC).



- Whereas the Internal Complaints Committee will be responsible for the investigation of any complaints of sexual harassment.
- The ICC will in the first instance see if a conciliation between the complainant and the accused person is possible. In that case, the ICC will resolve the issue to the satisfaction of the Complainant. It may issue an appropriate warning or other action against the accused person.
- If conciliation is not possible, the ICC will investigate the complaint fully, using principles of natural justice. If the complaint is proven it will take appropriate disciplinary action.
- If it emerges during the course of the investigation that a false or malicious complaint was deliberately filed, appropriate action will be initiated against the Complainant.

This policy applies to all employees of the Company and those working for the company at all locations. All workers, including supervisors and managers, will be subject to discipline, up to and including discharge, for any act of sexual harassment they commit.

#### **7. INTERNAL COMPLAINT COMMITTEE (ICC):**

An Internal Complaints Committee (hereinafter called as 'the Committee') has been constituted by the Board of Directors of the Company to consider and redress complaints of Sexual Harassment under the provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (hereinafter called as 'Act') and as per the provision(s) of any other enactment, if any, for the time being in force in India and as per the Rules there in as per the notification issued by Ministry of Women and Child Development. (Hereinafter called as 'Rule').

The ICC has been constituted by the Company to consider and redress complaints of Sexual Harassment from all branches of the Company.

Guidelines for the composition of Internal Complaint Committee (ICC) are as under:

1. At least 50% of the members of the ICC should be women.
2. The Chairperson of the ICC should be a women employed at a senior level at the workplace.
3. Not less than two members from amongst Employees preferably committed to the cause of women or who have had experience in social work or legal knowledge.
4. One member from NGO/Associations committed to the cause of women and familiar with the issues related to Sexual Harassment. She/he should be paid fees/allowances as decided by the Company for holding the proceedings of ICC.
5. A quorum of 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 should be lady.



6. The presiding officer and every member of the ICC shall hold office for such period, not exceeding three years from the date of nomination of the relevant member/presiding officer of the Company.

The Committee shall have the power to:

1. Summon and enforce attendance of any person and examine him / her;
2. Require the discovery and production of documents; and
3. Any other power as prescribed.

The Committee may direct such person to produce such documents / information by serving a notice in writing, summoning the person, or calling for such documents or information at such place and within such time as may be specified.

Where any relevant document or information is recorded or stored by means of a mechanical, electronic or other device, the Committee shall have the power to direct that the same be produced, or that a clear reproduction in writing of the same be produced.

Upon production of documents / information called for by it, the Committee shall have the power to;

1. make copies of such documents / information or extracts there from; or
2. retain such documents / information for such period as may be deemed necessary for purposes of the proceedings before it.

The Committee shall have the right to put questions to witness, seek clarification of documents and/or other material available on record.

The Committee shall have the power to issue interim directions to any employee participating in the proceedings before it.

The Committee shall have the power to recommend the action to be taken against any person found guilty of:

- a) sexually harassing the complainant;
- b) retaliating against / victimizing the complainant or any other person before it; and
- c) making false charges of sexual harassment against the accused person;
- d) giving false evidence during enquiry into the allegations of sexual harassment; and
- e) forging documents to substantiate a false charge or support a false defense.

## **8. Procedure:**

Any complaint/grievance should be reported to ICC through any of the following:

- Reporting Manager;
- Functional Head ;
- Business Head and



- HR Head;

The Complainant may also directly file a complaint to ICC by mailing at [hr@kalamandirltd.com](mailto:hr@kalamandirltd.com).

The complaint needs to be filed, in writing along with supporting documents and the names and address of witnesses, preferably within three months from the date of occurrence of the alleged incident or the date of last incident (in case of a series of incidents).

The ICC shall handover one copy of the Complaint to the accused person within a period of seven working days of receipt of the complaint and give him the time not exceeding ten days to respond.

Before commencing enquiry, ICC may and at the request of aggrieved party, take steps to settle the matter through conciliation. No monetary settlement shall be made as a basis of conciliation.

Where settlement has been arrived through conciliation, ICC shall record the settlement so arrived and forward the same to the Company to take appropriate actions and provide the copies of the same to the parties.

After settlement, no further inquiries shall be conducted by ICC.

In case no settlement is agreed between the parties, ICC shall proceed with the inquiry proceedings.

ICC shall complete the inquiry within a period of three months after registration of complaint. 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 ICC.

ICC shall provide every reasonable opportunity to the complainant and accused for putting forward and defending their respective case.

The ICC shall have the right to terminate the inquiry proceedings or to give an ex-parte decision on the complaint if the complainant or accused fails without sufficient cause, to present herself or himself for three consecutive hearing

For conducting the inquiry, a minimum of three members of ICC including the President/Chairperson are required.

After completion of an inquiry, ICC shall provide its report to the company and the parties within 10 days from completion of inquiry.



In case allegation is not proved, no action is required to be taken in the matter.

In case the allegation is proved, ICC shall recommend the company to:

- I. take action for sexual harassment as a misconduct in accordance with service rules or manner as may be prescribed;
- II. deduct from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the aggrieved party or to her legal heirs having regard to the (a) mental trauma, pain, suffering and emotional distress caused to the aggrieved woman; (b) loss in the career opportunity due to the incident of sexual harassment; (c) medical expenses incurred by the victim for physical or psychiatric treatment; (d) the income and financial status of the respondent; and (e) feasibility of such payment in lump sum or in instalments. The company shall act upon the recommendations of ICC within 60 days of receipt from ICC.

The disciplinary action by the company may include a written apology, warning, reprimand or censure, withholding of promotion, withholding of pay rise or increments and termination of employment.

In case any such conduct amounts to specific offence under the Indian Penal Code or under any other law, the company may initiate appropriate action in accordance with the law by lodging a complaint with the appropriate authority.

In case of any malicious/false allegations or false evidence or where documents produced are found to be forged / misleading, the ICC may recommend to the company to take appropriate action against such person, in accordance with the service rules or in such manner as may be prescribed.

## **9. PROTECTION TO COMPLAINANT / VICTIM**

The Company is committed to ensuring that no employee who brings forward a harassment concern is subject to any form of reprisal. Any reprisal will be subject to disciplinary action. The Company will ensure that the victim or witnesses are not victimized or discriminated against while dealing with complaints of sexual harassment. However, anyone who abuses the procedure (for example, by maliciously putting an allegation knowing it to be untrue) will be subject to disciplinary action.

Conclusion: In conclusion, the Company reiterates its commitment to providing its employees, a workplace free from harassment/ discrimination and where every employee is treated with dignity and respect.

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