

Policy No.	Human Resource Policy Manual	Effective Date
HR-5.2	<u>THE PREVENTION & REDRESSAL OF SEXUAL HARASSMENT POLICY</u>	01 November 2019

Prelude:

GTPL Hathway Limited (refer scope) is committed to providing all its employees, business partners and visitors, an environment free of gender-based discrimination. In furtherance of this commitment, GTPL Hathway Limited strives to provide equal opportunity conditions of employment, free from gender-based coercion, intimidation, or exploitation.

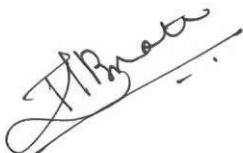
GTPL Hathway Limited has zero tolerance for harassment, intimidation or humiliation of any kind at workplace and is dedicated to ensuring enactment, observance and adherence of guidelines and best practices that prevent and prosecute acts of sexual harassment. GTPL Hathway Limited firmly believes that all employees, business partners and visitors have the fundamental right to be treated with dignity.

Scope:

- This policy, framed under the Sexual Harassment of Women at Workplace Act, 2013, is applicable to all the on-roll employees of GTPL Hathway Limited and its wholly/partially owned subsidiary companies; joint venture companies; and associate concerns, working at corporate office; branch offices; unit offices; warehouse; control rooms; data centers and SPOC offices (all together referred as GTPL here-after).
- For this Policy, employees shall mean and include employees of GTPL, interns of GTPL, trainees of GTPL and employees of service providers, contractors, and consultants working at/from GTPL's premises.
- This policy applies to all allegations of sexual harassment made by an employee of GTPL against another employee irrespective of whether sexual harassment is alleged to have taken place within or outside GTPL premises. This policy is also applicable to all individuals (refer foregoing paragraph) who are on GTPL's premises or on any other property/place where GTPL conducts its business.

Note:

If any individual commits an act in violation of this policy, whether such individual is an employee of GTPL or a third party interacting with GTPL, GTPL will take appropriate remedial measures suitable to the circumstances as prescribed under this policy, including measures to mitigate the potential for repetition, and to discipline any of its employees who may have participated in such a conduct, or may have failed to stop such a conduct when she/he had the authority to do so.



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Guidelines:

It is obligatory for all employees to follow this policy and the guidelines formulated herein. Sexual Harassment at the workplace 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 of India.

For this Policy, Sexual Harassment shall include any one or more of the following unwelcome acts or behavior (whether directly or by implication)

- A. Physical contact & advances,
- B. A demand or request for sexual favors,
- C. Making sexually colored remarks,
- D. Showing pornography, and
- E. Any unwelcome physical, verbal or non-verbal conduct of sexual nature.

It is further clarified that any form of verbal or physical behavior which is unsolicited, unwelcome and interferes with an individual's work by creating an intimidating/ insecure working environment also constitute sexual harassment.

In addition, following circumstances, if present in relation to or connected with any act or behavior of sexual harassment may amount to sexual harassment:

1. Any implied or explicit promise of preferential treatment for employment or
2. Any implied or explicit threat of detrimental treatment to employment or
3. Any implied or explicit threat about employee's present/future employment status or
4. Interference with employee's work or creating intimidating or offensive or hostile work environment for the employee or
5. Intimidating treatment likely to affect employee's health and/or safety.

Confidentiality:

- GTPL will undertake necessary actions for enforcement of this policy, consistent with the applicable / relevant law to protect the privacy of the individuals involved and to ensure that the complainant and the accused are treated fairly.
- Information about complaints, complainant, witnesses, accused person, their disposition, enquiry proceedings, and recommendations is considered strictly confidential and will be shared only on a "Need to Know" basis and shall not be disclosed to public, press or media in any manner, except to use the same for discreet investigation.
- In case, any information related to a case is required to be shared with public, press or media, such information shall be provided only after an explicit formal joint permission of the Managing Director (MD) and the Chief People Officer (CPO) and information leading to identification (directly/indirectly) of complainant shall never be disclosed.



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- In case, the above-mentioned information is disclosed (in any form) to public, press or media without the formal permission of the MD and CPO, the management shall take suitable disciplinary action as per the applicable service rules, against the person(s) disclosing the information.

Internal Complaints Committee:

Internal Complaints Committees (called "ICC" hereinafter) constituted by GTPL under this Policy will deal with all cases of alleged sexual harassment whether brought to its notice by any employee or taken up *suo moto* by the ICC, to prevent and deal with sexual harassment and to otherwise implement the policy. One ICC at the Corporate Office shall be constituted, and its scope shall be as mentioned in the 'Scope'.

Constitution and Procedure:

1. The ICC shall consist of minimum 6 employees of GTPL who (1) are familiar with gender-based harassment, (2) understand and demonstrate the values / norms / ethics of the organization, and (3) are sensitive to the concerns raised by the employees and one independent member from a Non-Governmental Organization (NGO) or Non-Profit Organization (NPO) of repute, who has contributed towards empowerment of women leading to a favorable situation and in particular someone who has addressed the workplace sexual harassment or a person who is familiar with labor, service, civil or criminal law, etc.
2. The ICC shall be presided over by a senior women employee of GTPL and such an employee shall be nominated by the CPO in consultation with the MD.
3. At least half the members of the ICC shall be women.
4. Members of the ICC shall not hold membership of committee for more than 3 years from date of nomination to the ICC.
5. A member of the ICC shall be removed if any disciplinary action under any policy or rule of GTPL has been taken against such a member or any inquiry under any law is pending against such a member or such a member has violated the confidentiality conditions under this Policy or has so abused his/her position in GPTL to render his/her continuance in the ICC prejudicial to the interest of GTPL and this policy.
6. To ensure that proceedings are unbiased, and principles of natural justice are followed, a member of ICC should not remain part of the committee, if he/she is the complainant or witness or accused. In such a case, a substitute member should be nominated by the CPO on immediate basis for completing such proceedings.
7. The independent member shall be paid an allowance of INR 2500 (Two Thousand Five Hundred only) per meeting or such other amount as may be prescribed under the relevant law for attending the ICC proceedings. In addition, the travel / stay allowance for attending the meeting shall also be paid in case the independent member is residing outside Ahmedabad.



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Filing a Complaint:

Any aggrieved employee who feels and is being sexually harassed directly or indirectly can file a complaint by approaching any ICC member or writing to email id, "feelsafe@gtpl.net" mentioning the alleged incident of sexual harassment. If an aggrieved employee is physically/mentally challenged/incapacitated, the complaint can be filed by a relative or a friend or a co-employee or any other person with the knowledge of the incident (with consent of the aggrieved employee where feasible).

1. An aggrieved employee can complain in writing either to any ICC member or to the CPO or write to "feelsafe@gtpl.net". If the complaint is made orally, the aggrieved employee shall be asked/helped to submit a written complaint (6 copies) to any ICC member. The complainant and the details of complaint shall be accorded full & strict confidentiality.
2. If a complaint has been made to the CPO, the complaint shall be referred to any ICC member within maximum 5 working days of the receipt of the complaint. The ICC will then convene a meeting within 5 working days of receipt of the complaint and will give advance formal intimation to the complainant.
3. At this meeting, the complainant will be entitled to remain present personally.
4. At the first meeting of the ICC, the complainant shall be heard. The oral allegations of the complainant will be recorded by the ICC in writing. The complainant's recorded statement shall then be read out to him/her and a signature on the statement confirming the allegations will be taken. The ICC shall then decide whether the complaint requires to be proceeded with or not; if it decides that the complaint does not merit to be proceeded with, it should inform the complainant formally of its decision with reasons for the same.
5. If the ICC decides to proceed with the inquiry, the designated ICC member shall approach the accused person and formally inform him/her of the allegation.
6. Before initiating an enquiry, where the complainant desires not to pursue the complaint, the ICC may take steps to settle the matter. While pursuing settlement, the ICC must ascertain the absence of undue pressure on complainant and any monetary basis for compromise. Such amicable settlement, if reached between the complainant and accused person, should be reduced to writing and shall be sent to the CPO. In such cases, no further enquiry shall be made.



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Proceedings of the ICC Meeting:

1. Within 7 days of the decision of proceeding ahead with the complaint, the ICC shall hand over statement of allegation to the accused person(s) by hand delivery or by registered post. The ICC may also forward the copy of complaint to the accused in same manner as above.
2. During proceedings of ICC, a quorum of 3 members shall be maintained. The quorum shall include the Presiding Officer and at least two members, one of whom shall be a female.
3. Only the ICC members, complainant, accused person and witness(es) shall attend the proceedings of the ICC and all proceedings should be held in-camera and recorded with due permission from all concerned.
4. If the accused person desires to tender any written explanation to the statement of allegation, he/she may submit the same to the designated member of the ICC in person or send it by the registered post to the Presiding Officer. The reply/explanation shall be filed within 10 days of the receipt of the statement of allegation or hand-delivered copy of the complaint from the ICC.
5. The enquiry shall be conducted in accordance with the Principles of Natural Justice. The ICC shall give every reasonable opportunity to the complainant and the accused person for putting forth and defending their respective cases and to ensure that the complainant and accused person have full opportunity to present their claims, witnesses and evidences which may establish their claims. Both the parties shall be given adequate notice (minimum 2 working days) of meetings of the ICC.
6. Complainant and accused person must take approval of the CPO before proceeding on leave during the pendency of investigation.
7. Complainant and accused person shall have the right to submit supporting evidences and to bring their respective witnesses, if any, and shall have the opportunity to cross-examine witnesses examined by the ICC. However, neither complainant nor accused person shall be allowed to bring Legal Practitioner to represent themselves at any stage of proceedings before the ICC.
8. Proceedings of the ICC shall be recorded and the same together with the statement of witnesses shall be endorsed by complainant and accused person(s) in token of authenticity thereof.
9. The inquiry proceedings of ICC shall ordinarily be written completed within a period of 90 days from the date of the complaint.
10. If the ICC is convinced about the valid ground for absence of either complainant or accused person(s) or both, it may adjourn that meeting and to that an extent, the inquiry period may suitably be extended.



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11. During inquiry proceedings, the ICC may pass an *ex-parte* order {wherein the complainant or accused person(s) do not appear before the ICC or do not put forth any defense by way of reply, evidence etc. for 3 consecutive meetings} by either terminating the enquiry proceedings or by making a reasoned decision/report/recommendation based on the material placed before it. However, a written notice of 15 working days must be given to complainant and/or accused person(s) before such an *ex-parte* order is passed by the ICC.
12. The ICC shall complete the inquiry and make a report of its findings on the complaint and its recommendations within a period of 10 days from the conclusion of the inquiry procedure set out herein.
13. The report of the ICC shall also include recommendations for imposition of penalty and the reasons for such recommendations and this report shall be submitted to the MD and the CPO. The ICC shall also provide a copy of the report and recommendations to the complainant and accused person(s) as well.
14. At any stage of inquiry, if complainant desires to seek legal remedy under any law, the CPO shall provide the help in consultation with the MD and the Chief Legal Officer.
15. Any complaint against the employer (person responsible for the management, supervision and control of the workplace including all offices), shall be dealt with by the Local Complaints Committee (constituted as per the law by the District Officer).

Implementation of Recommendations of the Committee:

1. The MD and the CPO shall consider recommendations and findings of the ICC and take a decision in relation to action(s) to be taken against the accused person(s) within 10 working days of the submission of the report by the ICC.
2. The CPO on behalf of the management may issue such an order and/or direction as deemed fit. The CPO shall inform management's final decision to the complainant, accused person(s) and the ICC. The decision of the management shall be final and binding to all concerned.
3. The management shall provide all necessary assistance for ensuring full, effective, transparent and speedy implementation of complaint resolution procedure for investigating any complaint of sexual harassment at workplace in accordance with this Policy.
4. The final action taken, the recommendations and the inquiry report shall be put in concerned employees' personal files.

Punishment for Sexual Harassment:

The management can impose any of the following penalties, one or more, in order of severity, on an employee held to be guilty of sexual harassment.

1. Written warning duly acknowledged by the receiving employee(s)
2. Withholding of increment/promotion of the person(s) found guilty of sexual harassment



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3. Reduction in grade of the person(s) found guilty of sexual harassment
4. Termination of services of the person(s) found guilty of sexual harassment

The person(s) found guilty of sexual harassment can also be asked to submit a written apology and upon failure to do so, the punishment can be enhanced.

In addition to the above penalties, management may deduct a suitable amount from the salary of the person(s) found guilty of sexual harassment or recover the required amount from him/her. The amount to be so deducted or recovered should be determined having regard to the mental trauma, pain and suffering caused to the complainant, loss in career opportunity due to incident complained about, medical expenses (if incurred by complainant on himself/herself for physical or psychiatric treatment) and income of the accused person(s). The amount so determined shall be payable to the complainant. The mode of payment shall be as desired by the complainant.

Protection against Victimization:

1. During the pendency of the inquiry proceedings, GTPL shall, in the event where accused person(s) is/are the complainant's Supervisor/Superior, relocate the employee (complainant/accused) within GTPL and ensure that the complainant is not subject to supervision and/or appraisal by the accused person(s).
2. GTPL shall ensure that any sort of retaliatory action against the complainant or witness(es) is not taken in any manner by anyone connected directly or indirectly with the accused person(s). Any act of reprisal, including internal interference, coercion and restraint, by the accused person(s), whether directly or indirectly, shall result in appropriate disciplinary/legal action against accused person(s) by the management in consultation with the ICC.
3. Where the accused person(s) is an outsider, during the pendency of the investigation of the complaint and even thereafter, if he/she is found guilty, the accused person(s) shall not be allowed to enter GTPL premises except for the purpose of attending the ICC proceedings.
4. Where accused person(s) and the complainant are both employees of GTPL, then during the pendency of the investigation of the complaint and thereafter {if the accused person(s) is found guilty}, the accused person(s) shall not write the appraisal / performance evaluation reports of the complainant, if he/she is otherwise so authorized.
5. If ICC during the enquiry of a complaint concludes that the complaint was false and made with malafide intention by the complainant, it shall submit inquiry report and recommend such appropriate measures, in consultation with the CPO, against the complainant, as it may deem necessary. The similar penalties as under this policy may be imposed on the complainant in such a case.



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Workshops and Annual Report:

GTPPL shall conduct workshops, sensitization sessions and awareness programs at regular intervals for sensitization of employees regarding gender discrimination challenges at the workplace and about the applicable law. It shall further conduct orientation programs for members of the ICC.

The ICC shall prepare an Annual Report for each financial year (FY) and submit the same to MD & CPO and District Officer (usually District Magistrate or Sub-divisional Magistrate is notified as District Officer) by end of April every year. The Annual Report shall contain the following information:

- Number of complaints received in the FY
- Number of complaints disposed in the FY
- Number of cases pending for more than 90 days
- Number of workshops, sensitization sessions and awareness programs conducted and number of participants
- Brief on actions taken by the Management for the complaints disposed

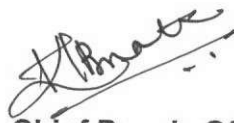
The ICC shall generally meet at least once a quarter and minutes of such meeting and other relevant updates in relation to this policy shall be shared with the Compliance Officer of GTPPL Hathway Limited.

Accountability:

- Process Owner: Managing Director
- Process Supervisor: Chief People Officer
- Approval Authority: Managing Director

General:

- Any exception to this policy shall require joint approval of the MD & CPO.
- GTPPL reserves the right to modify and/or review the provisions of this Policy to comply with the applicable legal requirements, internal policies/norms of behavior/code of conduct or with a view to finetune or alter the provisions of this Policy to the extent deemed necessary by GTPPL from time to time.
- This policy shall be reviewed once in two years for its effectiveness in the month of March.



Chief People Officer

Managing Director

