

**BHARAT ALUMINIUM CO. LTD****Document: BALC/WCC/POL/001/V 1.2****POLICY FOR PREVENTION, PROHIBITION AND
REDRESSAL OF SEXUAL HARASSMENT OF WOMEN
AT WORKPLACE****Document Control****Document Information**

Title	POLICY FOR PREVENTION PROHIBITION AND REDRESSAL OF SEXUAL HARASSMENT OF WOMEN AT WORKPLACE	Version	1.2
-------	-----------------------------------------------------------------------------------------------------	---------	-----

Revision History

Version	Release Date	Description	Created/Revised By	Approved By
1.0	04.07.2013	Policy defined and approved.	Rina Sriwastwa	Amit Joshi
1.1	09.09.2014	Clause for appeal to Tribunal/ Court included. Annexure-B updated.	Rina Sriwastwa	Amit Joshi
1.2	09.03.2016	Policy amended based on Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013	Rina Sriwastwa	Kumud Kumar

Sign Off

	Process Owner	Revised By	Approved By
Signature			
Name	Rina Sriwastwa	Rina Sriwastwa	Kumud Kumar
Designation	Chairperson ICC (Head IT)	Chairperson ICC (Head IT)	Head HR
Date	09.03.2016	09.03.2016	09.03.2016

**BHARAT ALUMINIUM CO. LTD****Document: BALC/WCC/POL/001/V 1.2****POLICY FOR PREVENTION, PROHIBITION AND
REDRESSAL OF SEXUAL HARASSMENT OF WOMEN
AT WORKPLACE**

**POLICY FOR PREVENTION, PROHIBITION AND REDRESSAL OF
SEXUAL HARASSMENT OF WOMEN AT WORKPLACE**

BHARAT ALUMINIUM COMPANY LIMITED

1.0 POLICY

1.1 The BHARAT ALUMINIUM COMPANY LIMITED (hereinafter referred as "the Company"), is an equal employment opportunity company and is committed to creating a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Company also believes that all employees of the Company have the right to be treated with dignity. Sexual harassment at the work place or other than work place involving employees is a grave offence and is, therefore, punishable.

1.2 The Supreme Court has also directed companies to lay down guidelines and a forum for redressal of grievances related to sexual harassment. This policy further takes cognizance of the latest legislation by the Government of India "The Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act 2013 (hereinafter referred as "the Act") and its rules notification published on 9th December 2013. The aforesaid legislation has been enacted 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.

2.0 OBJECTIVE

The purpose of this policy is to create and maintain a healthy and conducive work environment, free of sexual harassment, helping the employees to contribute to company's goals effectively and to put in place an effective mechanism to deal with any issue arising out of Sexual Harassment. This includes discrimination on any basis, including gender and any form of sexual harassment.



BHARAT ALUMINIUM CO. LTD



Document: BALC/WCC/POL/001/V 1.2

POLICY FOR PREVENTION ,PROHIBITION AND
REDRESSAL OF SEXUAL HARASSMENT OF WOMEN
AT WORKPLACE

3.0 SCOPE AND COVERAGE

This Policy is applicable to all employees of the Bharat Aluminium Company Limited and is deemed to be incorporated in the service conditions of all employees and comes into effect immediately.

It includes all categories of employees of the Company, including permanent management and workmen, temporary appointees, trainees and employees on contract at its workplace or at client sites.

It shall also include any unwelcome behavior of a sexual nature mentioned in the policy by any other employees, customers, consultants, visitors, vendors, contractors or other non-employees during the course of a business relationship, to any of our employees.

The rules and procedures contained in this policy shall be applicable to all complaints of sexual harassment made by a woman employee of the Company provided the harassment has taken place at Workplace or in the course of official duties.

4.0 DEFINITION AND EXPLANATION

4.1 "Workplace" includes:

1. All offices or other premises where the Company's business is conducted.
2. All company-related activities performed at any other site away from the Company's premises including transportation provided by the employer for undertaking such a journey.
3. Any social, business or other functions where the conduct or comments may have an adverse impact on the workplace or workplace relations.

However, Workplace shall not include any visit wherein the travel has not been arranged by the company or any personal visit made by the employee in due course of employment.



BHARAT ALUMINIUM CO. LTD



Document: BALC/WCC/POL/001/V 1.2

POLICY FOR PREVENTION ,PROHIBITION AND
REDRESSAL OF SEXUAL HARASSMENT OF WOMEN
AT WORKPLACE

4.2 "Employee" means a person employed at a workplace for any work on regular, temporary, ad hoc or daily wage basis, either directly or 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 express or implied and includes a co-worker, a contract worker, probationer, trainee, apprentice or called by any other such name"

4.3 "Sexual harassment" includes such unwelcome sexually determined behavior (whether directly or by implication) as:-

- a) Physical contact and advances such as touching, staking, sounds which have explicit and /or implicit sexual connotation/overtones, molestation;
- b) Demand or request for sexual favour/ implied or expressed threat of reprisal, for refusing to comply with a sexual request;
- c) Sexually colored remarks;
- d) Display in workplace of graphic and sexually suggestive objects, pictures or graffiti;
- e) Any other unwelcome physical, verbal or non-verbal conduct of sexual nature;
- f) Reprisal or threat of reprisal against an individual for any action they take following this policy and its procedures;
- g) Any implied or expressed reward for complying with a sexually oriented advance or request;
- h) Showing pornography or the likes;
- i) Teasing, Voyeurism, innuendos and taunts, physical confinement and/or touching against one's will and likely to intrude upon one's privacy

The type of behavior described above is unacceptable not only in the workplace, but also in other work related settings, and not limited to, such as business trips or business related social events.

- "Unwelcome sexually determined behaviour" : Unwelcome sexually determined behaviour includes but is not limited to:-



BHARAT ALUMINIUM CO. LTD



Document: BALC/WCC/POL/001/V 1.2

POLICY FOR PREVENTION, PROHIBITION AND
REDRESSAL OF SEXUAL HARASSMENT OF WOMEN
AT WORKPLACE

- Subjecting another person to an unwelcome act of physical intimacy including grabbing, brushing, touching, including sexual flirtations, advances or propositions.
- Making any unwelcome remark with sexual connotations like sexually explicit, remarks, cracking jokes or using sentences with sexual connotations or making sexist remarks, etc.
- Showing any sexually explicit visual material in the form of pictures / cartoons / pin-ups / calendars / screen-savers on computers / any offensive written or electronic material.
- Engaging in any other unwelcome conduct of a sexual nature, verbal or even nonverbal, etc.
- Sending unwelcome communication of a sexual nature, through e-mail, letter, mobile technology or any other form of written or electronic communication, exhibiting conduct of a sexual nature.

Sexual harassment does not refer to normal conversation that all parties affected find acceptable. It does not refer to office relationships that are freely entered into without intimidation or coercion.

Definitions not defined and matters not specifically mentioned in the policy will be as defined and dealt with in accordance with the 'Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules'.

4.4 "Complainant" means the person reporting an incident of Sexual Harassment.

4.5 "Aggrieved Woman" means a woman of any age who alleges to have been subjected to any act of sexual harassment by the respondent.

4.6 "Respondent" means a person against whom the aggrieved woman has made a complaint under section 9 of the Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act 2013.

4.7 "Executive Committee" means the disciplinary authority comprising the Head HR, Head Corporate Communications and Head Legal, and will be responsible for considering the report and approving the recommendations of the Complaints Committee.

5.0 COMPLAINT MECHANISM

Whether or not such conduct constitutes an offence under law or a breach of the service rules, an appropriate complaint mechanism in the form of "Internal Complaints Committee" has been created in the Company for time-bound redressal of the complaint made by the aggrieved woman/complainant.

5.1 Internal Complaints Committee (ICC)

The Internal Complaints Committee will comprise of the following:

1. **Presiding Officer/Chairperson** - Shall be a woman employed at a senior level at workplace amongst the employees.
2. **Two members** - Shall be amongst employees preferably committed to the cause of woman or who have an experience in social work or have legal knowledge.
3. **One Member** - amongst Non-Governmental Organisations or associations committed to cause of woman or a person familiar with the issues relating to sexual harassment.

Provided that at least one half of the total Members so nominated shall be women.

The Company has instituted an ICC for redressal of sexual harassment complaint and for ensuring time bound treatment of such complaints.

The present composition of the ICC is provided in *Annexure A*.

Additional members will be added as may be required from time to time.

5.2 The Chairperson and Members of Internal Complaints Committee shall be appointed by the Executive Committee.

5.3 The Chairperson and every member of ICC shall hold office for a period not exceeding three years from the date of their nomination.



BHARAT ALUMINIUM CO. LTD



Document: BALC/WCC/POL/001/V 1.2

POLICY FOR PREVENTION ,PROHIBITION AND
REDRESSAL OF SEXUAL HARASSMENT OF WOMEN
AT WORKPLACE

The ICC is responsible for:

- Investigating every formal written complaint of sexual harassment.
- Taking appropriate remedial measures to respond to any substantiated allegations of sexual harassment.
- Discouraging and preventing employment-related sexual harassment.

The ICC shall submit a report to the Executive Committee in respect of each complaint, containing the evidence and findings of the inquiry along with its recommendations.

5.4 The complaints can be dropped in complaint box placed at the following locations-

- a) Plant-II Comprehensive Building
- b) Plant-I Engineering Building
- c) Administrative Building
- d) CPP-I
- e) Kawardha
- f) Mainpat

The complaints can also be sent to any of committee member through email

5.5 Committee composition shall be displayed at the notice board of the company and the policy document shall be available at company's portal widely circulated.

5.6 The ICC, in accordance with section 21 of the Act, shall in each calendar year prepare in the prescribed format, an annual report and submit the same to the Executive Committee and the District Officer.

6.0 REDRESSAL PROCESS

The Policy provides for a formal process for redressal:



BHARAT ALUMINIUM CO. LTD



Document: BALC/WCC/POL/001/V 1.2

POLICY FOR PREVENTION ,PROHIBITION AND
REDRESSAL OF SEXUAL HARASSMENT OF WOMEN
AT WORKPLACE

6.1 Procedure for a formal grievance redressal:

The aggrieved person may make, in writing, a complaint of sexual harassment at the workplace to ICC, 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 the last incident.

Provided where such complaint cannot be made in writing, the Member of the Committee shall render all reasonable assistance to the aggrieved for making the complaint in writing.

If the Committee finds that the circumstances were such which prevented the aggrieved from filing a complaint within the said period, then the Committee may extend the time limit. However the extension cannot exceed three months. Also the reasons for extension of time limit have to be recorded in writing.

6.2 (I) Where the aggrieved is unable to make a complaint on account of her physical incapacity, a complaint may be filed by aggrieved person's-

- a) Relative or friend; or
- b) Co-worker; or
- c) An officer of the National Commission for Women or state Women's
- d) Commission; or
- e) Any person who has knowledge of the incident, with the written consent of the aggrieved.

(II) Where the aggrieved is unable to make a complaint on account of her mental incapacity, a complaint may be filed by the aggrieved person's:-

- a) Relative or friend; or
- b) A special educator; or
- c) A qualified psychiatrist; or
- d) The guardian or authority under whose care she is receiving treatment or care; or
- e) Any person who has knowledge of the incident jointly with the aggrieved's relative or friend or a special educator or qualified psychiatrist or psychologist or guardian or authority under whose care the aggrieved is receiving treatment or care;

**BHARAT ALUMINIUM CO. LTD****Document: BALC/WCC/POL/001/V 1.2****POLICY FOR PREVENTION ,PROHIBITION AND
REDRESSAL OF SEXUAL HARASSMENT OF WOMEN
AT WORKPLACE**

(III) Where the aggrieved for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with the aggrieved's written consent;

(IV) Where the aggrieved is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of the aggrieved's legal heir.

6.3 Once a complaint is received, ICC may, at the request of the aggrieved, take steps to settle the matter between the aggrieved and the respondent through conciliation. Monetary settlement cannot be the basis of conciliation. Once the settlement is arrived at, ICC shall record the settlement arrived at and forward the same to the Executive Committee to take action as specified in the recommendation.

The ICC shall provide the copies of the settlement to the aggrieved and the respondent.

Where a settlement is arrived, no further inquiry shall be conducted by ICC. However if the aggrieved informs ICC that any term or condition of the settlement arrived at has not been complied with by the respondent, ICC shall proceed to make an inquiry into the complaint or forward the complaint to the police. Where both the parties are employees, the parties shall during the course of inquiry be given an opportunity of being heard.

6.4 During the pendency of inquiry, ICC may recommend to the Executive Committee such relief to the aggrieved as it may consider appropriate and in line with all the applicable statutory laws. The Executive Committee shall implement such recommendations, and send report of such implementation to ICC.

6.5 On completion of the inquiry, ICC shall provide a report of its findings to the Executive Committee, within a period of 10 days from the date of the completion of the inquiry and such reports can be made available to the concerned parties.



BHARAT ALUMINIUM CO. LTD



Document: BALC/WCC/POL/001/V 1.2

POLICY FOR PREVENTION ,PROHIBITION AND
REDRESSAL OF SEXUAL HARASSMENT OF WOMEN
AT WORKPLACE

6.6 Where the allegation of the respondent is proved before ICC, it shall recommend the Executive Committee to grant such relief to the aggrieved which shall be in line with the applicable statutory laws. Where ICC comes to a conclusion that the allegation against the respondent is not proved, it shall recommend to the Executive Committee that no action shall be taken in the matter.

6.7 The Executive Committee shall act upon the recommendation within 60 days of the receipt of the recommendation.

7.0 INQUIRY PROCESS

7.1 At the time of filing the complaint, the complainant shall submit 6 copies of the complaint along with the supporting documents and the names and addresses of the witness, to ICC.

7.2 On receipt of the complaint, ICC shall send one of the copies received from the aggrieved to the respondent within 7 working days.

7.3 The respondent then has to file its reply to the complaint along with its list of documents and names and addresses of witnesses, within 10 working days from the date of receipt of documents by the respondent.

7.4 In case the respondent or the complainant fails to present themselves for three consecutive hearings convened by the Presiding Officer, ICC shall have the right to terminate the inquiry proceedings or make an *ex parte* decision on the complaint. The Committee however cannot terminate or pass an *ex parte* decision unless a notice is given in 15 days advance to the parties concerned. The Committee shall see to it that it shall act fairly at the time of inquiry into the complaint.

7.5 The parties shall not be allowed to bring any legal practitioner to represent them in their case in any stage of the proceedings before ICC.

7.6 Minimum three members of ICC, including the Presiding Officer, shall be present at the time of conducting the inquiry.



7.7 The Committee shall be governed by the provisions of the Sexual Harassment at Workplace (Prevention, Prohibition and Redressal) Act 2013.

7.8 A copy of the Inquiry Report shall be made available to both parties by the ICC.

8.0 PUNISHMENT FOR FALSE AND MALICIOUS COMPLAINTS

8.1 If ICC arrives at a conclusion that:-

- the allegation against the respondent is malicious; or
- the aggrieved or any other person making the complaint has made a complaint knowing it to be false; or
- the aggrieved or any other person making the complaint has produced any forged or misleading document;

then, it may recommend to the executive committee to take necessary action against the complainant or the person who has made a complaint.

However, a mere inability to substantiate a complaint or provide adequate proof need not attract action against the complainant. A malicious intent on part of the complainant can be established only after conducting an inquiry into the complaint.

8.2 If ICC arrives at a conclusion that during the inquiry any witness had given false evidence or produced any forged or misleading document, it may recommend to the Executive Committee, to take action against the witness as may be prescribed in the provisions of the statutory laws.

Manner of taking action:

Where ICC arrives at a conclusion that the allegation against the respondent has been proved, it shall recommend to the Executive Committee to take any or more of the following actions:

- Written apology
- Warning
- Reprimand or censure

**BHARAT ALUMINIUM CO. LTD****Document: BALC/WCC/POL/001/V 1.2****POLICY FOR PREVENTION ,PROHIBITION AND
REDRESSAL OF SEXUAL HARASSMENT OF WOMEN
AT WORKPLACE**

- Withholding of promotion
- Withholding of pay rise or increments
- Terminating the respondent from service
- undergoing a counselling session
- conducting a community service

9.0 CONFIDENTIALITY IN PROCEEDINGS

Prohibition of publication or disclosing the content of complaint or inquiry proceedings:

The contents of the complaint made, the identity and addresses of the aggrieved, respondent and witnesses, any information relating to conciliation and inquiry proceedings, recommendations of ICC and the action taken by the Executive Committee shall not be published, communicated or made known to the public, press or media in any manner.

Any person who violates the above shall be penalised by the Executive Committee with such amount as may be prescribed in the applicable statutory rules. However justice secured to any aggrieved woman of sexual harassment can be disseminated without disclosing the details mentioned above.

10.0 FINDINGS AND CONCLUSION OF THE INQUIRY

10.1 The ICC shall analyse and submit periodical inquiry reports on all such complaints with the Executive Committee within 10 days of the completion of the inquiry.

10.2 Where the ICC arrives at a conclusion that the allegations against the respondent have not been proved, it shall recommend to Executive Committee that no action is required.

10.3 Where an incident of Sexual Harassment has been determined by the Committee, corrective/disciplinary action based on gravity of the offence may be recommended to the Executive Committee.

**BHARAT ALUMINIUM CO. LTD****Document: BALC/WCC/POL/001/V 1.2****POLICY FOR PREVENTION ,PROHIBITION AND
REDRESSAL OF SEXUAL HARASSMENT OF WOMEN
AT WORKPLACE**

10.4 The range of corrective measures/disciplinary actions and such suitable measures and action which the ICC may recommend to Executive Committee, may include but not limited to:

- a) A communication /letter of warning be sent to the respondent employee and a copy of which shall be placed in personal file of such employee by HR department;
- b) Immediate transfer or any other appropriate disciplinary action;
- c) Stoppage of increment with or without cumulative effect;
- d) Reduction in rank;
- e) Termination/dismissal from services of the Company; and
- f) Filing a complaint before the relevant statutory /police authorities/court of law.

10.5 The Management of the Company shall provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of this Policy.

10.6 Where the conduct of sexual harassment amounts to specific offence under the Indian Penal Code, 1860 or under any other law; it shall be the duty of the ICC to immediately inform the complainant about her right to initiate action in accordance with law with the appropriate authority, and to give advice and guidance regarding the same. Any such action or proceedings initiated shall be in addition to proceedings initiated and /or any action taken under this Policy. Further, nothing in this Policy shall prevent the Complainant or the person against whom the complaint was made, from pursuing formal legal remedies or resolution through competent authorities empowered by law or regulation or courts of law in India.

10.7 The disciplinary action shall be commensurate with the nature and impact of the sexual harassment. Non-adversarial modes of redressal and resolution could also be considered in appropriate cases which may include verbal warning, verbal apology, promise of good behaviour, counselling, etc.

10.8 A second and repeated offence shall on the recommendation of the ICC attract an enhanced penalty.



vedanta

BHARAT ALUMINIUM CO. LTD



Document: BALC/WCC/POL/001/V 1.2

POLICY FOR PREVENTION ,PROHIBITION AND
REDRESSAL OF SEXUAL HARASSMENT OF WOMEN
AT WORKPLACE

11.0 APPEAL TO THE COURT

Any person, who is aggrieved from the recommendations made by the ICC or non-implementation of recommendation by the Executive Committee, may prefer an appeal to the competent Court or Tribunal as may be prescribed under the provisions of the Act. This appeal shall be made within a period of 90 days from the date of such recommendations.

12.0 SAVINGS

In the event of any provision contained herein above in this Policy is found to be contrary or opposed to the provisions of the Act or any other law for the time being in force, then the provisions of the Act or any other law shall prevail.