

Approved By:-
Mr. Archit Gupta: Director
Mr. Arpit Gupta: Director
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AMBEY LABORATORIES LIMITED

(Effective from April, 2021)

ANTI-SEXUAL HARASSMENT POLICY PREVENTION OF SEXUAL HARASSMENT AT WORK PALCE (Under POSH Act, 2013)

1. Introduction to the policy

This policy has been framed in accordance with the provisions of “**The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013**” and rules framed thereunder (hereinafter “the Act”) to prohibit, prevent or deter the commission of acts of sexual harassment at workplace and to provide the procedure for the redressal of complaints pertaining to sexual harassment.

Accordingly, while the policy covers all the key aspects of the Act, for any further clarification reference shall always be made to the Act and the provisions of the Act shall prevail.

AMBEY LABORATORIES LIMITED (“the Company”) believes in equal employment opportunity. We do not tolerate verbal or physical conduct creating an intimidating, offensive, or hostile environment for employees. Harassment of any kind including sexual harassment is forbidden in the Company and every employee has the right to be protected against it.

We at **AMBEY LABORATORIES LIMITED**, are committed to create a healthy working environment that enables employees to work without fear of prejudice, gender bias and sexual harassment. The Company believes that all employees of the Company have the right to be treated with dignity.

2. Definitions

2.(i). **Sexual harassment** may occur not only where a person uses sexual behaviour to control, influence or affect the career, salary or job of another person, but also between co-workers. It may also occur between **AMBEY LABORATORIES LIMITED** employee and

any other person the employee deals with in the course of his/her work who is not employed by the Company.

“Sexual Harassment” includes any one or more of the following unwelcome acts or behaviour (whether directly or by implication):

- a) 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. Physical contact and advances;
 - ii. Demand or request for sexual favours;
 - iii. Sexually coloured remarks or remarks of a sexual nature about a person's clothing or body;
 - iv. Showing pornography, making or posting sexual pranks, sexual teasing, sexual jokes, sexually demeaning or offensive pictures, cartoons or other materials through email, SMS, MMS etc.;
 - v. Repeatedly asking to socialize during off-duty hours or continued expressions of sexual interest against a person's wishes;
 - vi. Giving gifts or leaving objects that are sexually suggestive;
 - vii. Eve teasing, innuendos and taunts, physical confinement against one's will or any such act likely to intrude upon one's privacy;
 - viii. Persistent watching, following, contacting of a person; and
 - ix. Any other unwelcome physical, verbal or non-verbal conduct of sexual nature

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

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

The reasonable person standard is used to determine whether or not the conduct was offensive and what a reasonable person would have done. Further, it is important to note that whether harassment has occurred or not, does not depend on the intention of the people but on the experience of the aggrieved woman.

(ii) **Aggrieved woman:** In relation to a workplace, a woman, of any age, whether employed or not, who alleges to have been subjected to any act of sexual harassment by the respondent and includes contractual, temporary, visitors.

(iii) **Respondent:** A person against whom a complaint of sexual harassment has been made by the aggrieved woman under section 9 of the Act.

(iv) **Employee:** A person employed at the 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 by any other such name.

(v) **Workplace:** In addition to the place of work [Head office / Branch offices, Factories] it shall also include any place where the aggrieved woman or the respondent visits in connection with his/her work, during the course of and/or arising out of employment/ contract/ engagement with Ambey Laboratories Limited, including transportation provided for undertaking such a journey.

(vi) **Employer:** A person responsible for management, supervision and control of the workplace

3. Scope

This policy is applicable to employees, workers, volunteers, probationer and trainees including those on deputation, part time, contract, working as consultants or otherwise (whether in the office premises or outside while on assignment). This policy shall be considered to be a part of the employment contract or terms of engagement of the persons in the above categories.

Where the alleged incident occurs to our employee by a third party while on a duty outside our premises, the Company shall perform all reasonable and necessary steps to support our employee.

4. Redressal system

If you are working for our Company and in the course of your work, you have been sexually harassed by anyone through means which are mentioned in Section 3, we urge you to come forward with a written complaint as early as you can. Your complaint will be taken seriously and confidentiality would be maintained by us in the matter. We will have zero tolerance towards such practices once they are proven.

A complaint with respect to sexual harassment may be made by a written or electronic application addressed to [the Internal Complaints Committee (ICC), through the President / or to any Member of the Internal Complaints Committee]. The Company may prescribe a format for filing complaints, which may be used by employees to make the process more efficient.

The Internal Complaints Committee may administer a declaration form to verify that the contents of the complaint are true and genuine, before it proceeds further with the complaint. Where necessary (for example, when the complaint is incomplete), the complainant may be contacted to provide further details in relation to the complaint to enable the Internal Complaints Committee to appreciate the situation more comprehensively.

The complaint must be given to the persons specified above within 3 months of the occurrence (the complaint can be made within 6 months if the person is able to prove that there were some exceptional circumstances due to which complaint could not be

made earlier) and we advise you to be vigilant and keep any document with you which can be used to substantiate an allegation. The redressal system will work based on other evidence if you cannot produce any documentary evidence.

If the complainant cannot make a written complaint because of physical or mental incapacity or death, the legal heirs can make the complaint on her behalf.

An Internal Complaints Committee (ICC) is constituted for our company by the management to look into the matters concerning sexual harassment. The Committee consists of following persons: -

- **Presiding Officer:** A woman employed at a senior level in the organization or workplace
- At least **2(Two)** members from amongst employees, committed to the cause of women and or having legal knowledge
- **One** external member, familiar with the issues relating to sexual harassment
- At least **one half** of the total members shall be women.

The committee is responsible for:

- Receiving complaints of sexual harassment at the workplace
- Initiating and conducting inquiry as per the established procedure
- Submitting findings and recommendations of inquiries
- Coordinating with the employer in implementing appropriate action
- Maintaining strict confidentiality throughout the process as per established guidelines
- Submitting annual reports in the prescribed format

Current nominated members of the committees are given in **Annexure A**.

5. How to Complaint, Who can Complaint and within what timelines

- An aggrieved person who intends to file a complaint is required to submit 6(six) copies of the written complaint, along with supporting documents and names and addresses of the witnesses.
- Complaint will be submitted to the ICC.
- Complaint must be submitted within 3 months from the date of the incident
- The ICC may extend the timeline for filing the complaint, for reasons to be recorded in-writing.
- Complaint can also be filed by the following in case of Physical incapacity of aggrieved:
 1. Relative or friend, or
 2. Co-worker, or
 3. An officer of the National Commission for women or state women's commission, or



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4. Any person who has knowledge of the incident, with the written consent of the aggrieved woman.
- Complaint can also be filed by the following in case of Mental incapacity of aggrieved:
 1. Relative or friend, or
 2. A Special educator, or
 3. A qualified psychologist & psychiatrists, or
 4. The guardian or authority under whose care the aggrieved person receiving treatment or care, or
 5. Any person who has knowledge of the incident jointly with his/her relative or friend or a special educator or qualified psychologist & psychiatrists or guardian or authority under whose care she is receiving treatment or care.
 - Where the aggrieved person 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 written consent of the aggrieved woman.
 - Where the aggrieved woman is dead, a complaint may be filed by any person who has knowledge of the incident, with the written consent of the legal heir.

Format for Complaint

The Complaint should contain the following key points:

Name of Complainant:
Employee Id(if applicable):
Department:
Date of Complaint:
Name of Respondent:
Department (if applicable):
Email ID / Employee ID (if applicable and available)
Description of Complaint (including date of incident):

All evidence/ material in support of the complaint, including witnesses (if available):

Signature/ email id of Complainant



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TIMELINES

- Written complaints (6 copies) along with supporting documents and names and addresses of witnesses have to be filed within 3 months of the date of the incident.
- Timeline extendable by another 3 months.
- Upon receipt of the complaint, 1 copy of the complaint is to be sent to the respondent within 7 days.
- Upon receipt of the copy of complaint, the respondent is required to reply to the complaint along with a list of supporting documents, and names and addresses of witnesses within 10 working days.
- The Inquiry has to be completed within a total of 90 days from the receipt of the complaint.
- The Inquiry report has to be issued within 10 days from the date of completion of inquiry.
- The employer is required to act on the recommendations of the ICC within 60 days of receipt of the Inquiry report.
- Appeal against the decision of the committee is allowed within 90 days from the date of recommendations.

6. Redressal Mechanism:

Once the complaint is received by the Committee: -

(a) The person who is accused by the complainant will be informed that a complaint has been filed against him (he will be made aware of the details of the allegation and also the name of the complainant as it would be necessary for proper inquiry) and no unfair acts of retaliation or unethical action will be tolerated.

(b) The complainant has the opportunity to ask for conciliation proceedings by having communication with the accused in the presence of the Committee.

Please note that in such conciliation the complainant cannot demand monetary compensation.

(c) The Committee shall provide the copies of the settlement as recorded during conciliation to the aggrieved employee and the respondent. If the matter has been settled by conciliation but the respondent is not complying with the terms and conditions, the aggrieved party can approach the Committee for Redressal.

(d) The Committee will question both the complainant and the alleged accused separately. If required, the person who has been named as a witness will need to provide the necessary information to assist in resolving the matter satisfactorily.

(e) The Committee shall call upon all witnesses mentioned by both the parties.

(f) The Committee can ask for specific documents from a person if it feels that they are important for the purpose of investigation.



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(g) The complainant has the option to seek transfer or leave so that the inquiry process can continue smoothly and to prevent recurrence of similar situations or discomfort to the complainant. The leave can extend for a maximum period of 3 months. Leave granted under this provision will be paid leave and will not be counted in the number of leaves that the complainant is statutorily entitled to.

The complainant may be required to work from home, if it is practicable, keeping in mind the nature of work of the complainant, health and mental condition. However, the complainant is under a good faith obligation and shall not abuse the process to request unjustifiably long periods of leave, keeping in mind the economic effects of the leave to the organization. The Committee shall have the discretion to grant leave of an appropriate duration, depending on the facts and circumstances of the case, or grant an alternate measure such as transferring the employee or the accused, as it deems fit.

Where leave is granted to the complainant, the Committee shall make best attempts to ensure speedy completion of the inquiry process and to minimize adverse economic consequences to the Company arising out of the absence of the complainant from the workplace.

(h) The complainant and the accused shall be informed of the outcome of the investigation. The investigation shall be completed within 3 months of the receipt of the complaint. If the investigation reveals that the complainant has been sexually harassed as claimed, the accused will be subjected to disciplinary action accordingly.

(i) The report of the investigation shall be supplied to the employer (or the District Officer), the accused and the complainant within 10 days of completion of the investigation.

(ii). The employer or the District Officer will act on the recommendations of the Committee within 60 days of the receipt of the report.

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

(j). Any party aggrieved by the report can prefer an appeal in the appropriate Court or Tribunal in accordance with the service rules within 90 days of the recommendation been given to the employer / District Officer.

7. Disciplinary Action:

(a) Where any misconduct is found by the Committee, appropriate disciplinary action shall be taken against the accused. Disciplinary action may include transfer, withholding promotion, suspension or even dismissal. This action shall be in addition to any legal recourse sought by the complainant.



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If it is found out through evidence by the Committee that the complainant has maliciously given false complaint against the accused, disciplinary action shall be taken against the complainant as well.

Regardless of the outcome of the complaint made in good faith, the employee lodging the complaint and any person providing information or any witness, will be protected from any form of retaliation. While dealing with complaints of sexual harassment, the Committee shall ensure that the complainant or the witness are not victimized or discriminated against by the accused. Any unwarranted pressures, retaliatory or any other type of unethical behaviour by the accused against the complainant while the investigation is in progress should be reported by the complainant to the Complaints Committee as soon as possible. Disciplinary action will be taken by the Committee against any such complaints which are found genuine.

(b) This policy shall be disseminated to each employee of the company as well as new recruits who will have to acknowledge that they have read and understood the policy and that they shall abide by the policy.

Policy is subject to change at managements' discretion with or without prior notice.

For AMBEY LABORATORIES LIMITED



Name: Sangeeta Sharma
Senior Associate

Name: Archit Gupta
Director

Name: Arpit Gupta
Director

Prescribed Form A (Internal Committee Constitution Form)

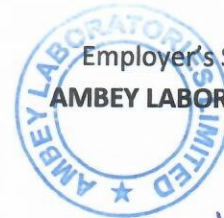
Company Name : **AMBEY LABORATORIES LIMITED**

Company Address: **GROUND FLOOR, PROPERTY NO.555 TARLA MOHALLA,
GHITORNI, SOUTH WEST DELHI-110030 INDIA**

Company Contact Number and E-Mail: **9899664458, architgupta@ambeylab.com**

Contact Person Name and Designation: **Archit Gupta (Director)**

S. No.	Post of Committee Members	Employee Name	Surname	Mobile Number	E-mail id
1	Presiding Officer	Sangeeta	Sharma	9899456508	sangeetasharma@ambeylab.com
2	Member	Arpit	Gupta	9958918008	arpitgupta@ambeylab.com
3	Member	Archit	Gupta	9899664458	architgupta@ambeylab.com
4	External Member	Riya	Sharma	8387975662	csriyasharma6@gmail.com



Employer's Signature and Seal
AMBEY LABORATORIES LIMITED

Archit Gupta

**ARCHIT GUPTA
(DIN: 00378409)**